

RESOLUTION NO. 2024 -14

**RESOLUTION OF THE TOWNSHIP OF ELK
PLANNING/ZONING BOARD OF ADJUSTMENT
APPROVING MINOR SUBDIVISION FOR RUSSO
LAND HOLDINGS, LLC FOR 1499 ELLIS MILL
ROAD, MONROEVILLE, COUNTY OF
GLOUCESTER, BLOCK 10, LOT 26.**

Application No. SD-24-04
Approval Minor Subdivision
Applicant: Russo Land Holdings, LLC (Nate Russo)
1499 Ellis Mill Road
Block 10, Lot 26

BE IT RESOLVED, on the 16th day of October, 2024, by the
Planning/Zoning Board of the Township of Elk that:

WHEREAS, the Applicant, Russo Land Holdings, LLC (“the Applicant”) filed
an application to the Board for minor subdivision of the property known as 1499 Ellis
Mill Road, Monroeville, New Jersey otherwise known as Block 10, Lot 26 on the Tax
Map of the Township of Elk; and

WHEREAS, the Applicant’s proposed minor subdivision requires no variance
relief, and therefore no public hearing notice was required for this application; and

WHEREAS, the Application was subject to a public hearing on September 18,
2024; and

WHEREAS, the Applicant was represented by William Horner, Esq.; and

WHEREAS, the Applicant introduced the following exhibit:

- **A-1** Plan of Minor Subdivision superimposed on an aerial
photograph showing woodlands at and near the subject property,
prepared by Lawrence M. DiVietro, Jr., P.L.S., P.P., A.I.C.P., of Land
Dimensions Engineering, and last revised on September 12, 2024;
and

WHEREAS, the Applicant seeks approval for a minor subdivision to divide one existing Lot 26 into three (3) lots. The property and Proposed Lots all fully conform with the zone requirements under the Code of the Township of Elk; and

WHEREAS, the Natale A. Russo, Sr., owner and sole member/manager of Applicant, testified that he owns the current Lot 26 which consists of 44.12 acres (1,997,447 square feet) of vacant wooded land in the Low Density (LD) Residential District. Applicant is not proposing site improvements at this time but intends on developing two of the three lots into residential properties for he and his son. The Application is fully conforming and requires no variance relief.

Applicant further testified about the 100' agricultural buffer that is depicted on the Applicant's plan along the rear lot line of the subject property that adjoins farmland-assessed Block 10, Lots 10 and 27, as noted in the September 13, 2024, review letter provided by Bach & Associates, and as ordinarily required by the Township's Ordinances. The Applicant testified that adjoining Block 10, Lots 10 and 27 are part of a multi-lot farm that was formerly owned by the Applicant's grandfather, and that the Applicant grew up hunting thereon. A substantial portion of Block 10, Lots 10 and 27 adjoining the subject property is a woodlot consisting of densely wooded mature trees that are several decades old, as well as wetlands, and lack any indication of farming thereon as shown on Exhibit A-1. As a result, the agricultural buffer is unnecessary pursuant to Elk Township's Municipal Ordinances § 96-47.1.B.(2)(a)[1][c]; and

WHEREAS, the Board's Engineer, Steven M. Bach, P.E., R.A., P.P., C.M.E., agreed that the agricultural buffer requirement was unnecessary as a result of Applicant's above-referenced testimony concerning Block 10, Lots 10 and 27; and

WHEREAS, the Applicant otherwise agreed, as a condition of approval, to comply with all recommendations contained in the September 13, 2024, review letter provided by Bach & Associates; and

WHEREAS, the application was opened to public comment and no members of the public testified.

NOW THEREFORE BE IT RESOLVED that the Board specifically adopts the preamble of this Resolution as its findings of fact, and conclusions of law, and has relied upon these findings in the decision rendered by the Board; and

BE IT THEREFORE FURTHER RESOLVED by the Planning/Zoning Board of the Township of Elk on this **18st day of September 2024**, that the Board hereby grants the application of Stephen Considine subject to the following conditions:

1. The Applicant shall comply with the recommendations of the Township Planner and/or Township Engineer contained in reports submitted to the Board to the extent that the reports do not conflict with any other conditions contained herein, and shall submit revised plans, if necessary, in accordance with reports.
2. The Applicant shall comply with all representations made by or on behalf of the Applicants during the public hearing.
3. The Applicant shall pay all taxes, fees and required escrows deposits which may be due and owing.
4. The Applicant shall secure any and all other approvals, licenses and permits required by any of the Board, Agency, or entity having jurisdiction over the subject application or over the subject property.
5. The Applicant shall comply with all recommendations contained in the September 13, 2024; review letter provided by Bach & Associates.

6. The Applicant shall not be required to establish and maintain an agricultural buffer, consistent with Elk Township's Municipal Ordinances § 96-47.1.B.(2)(a)[1][c].

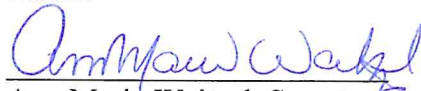
BE IT FURTHER RESOLVED that all representations, commitments and agreements made by the Applicant or its representatives at the hearing in this matter or contained in any document, plat, sketch or submission delivered to the Board at any time prior to this approval, including notes contained in the original or revised submissions will be considered as conditions of approval of this application for the development and are hereby incorporated into this resolution by reference.

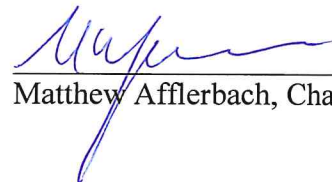
ADOPTED at a meeting of the Township of Elk Planning/Zoning Board of Adjustment held on October 16, 2024.

Those voting in favor were: Hughes, McKeever, Nicholson, Richardson,
Wolf, Swanson and Chairman Afflerbach

Those voting in opposition were: None

Attest:


Ann Marie Weitzel, Secretary


Matthew Afflerbach, Chairman

Dated: 10-18-2024