

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, June 14, 2010 at 7:00 P.M. in the Municipal Building, Seabrook, N.J.

Chairman Bruno Basile called the meeting to order and read the following notice:

This is a regularly scheduled meeting of the Planning Board of the Township of Upper Deerfield. In compliance with the "Open Public Meeting Act" a schedule of regular meetings containing the location and time and date of each meeting was approved at the Annual Organization Meeting of the Board, and within seven days following such Organization meeting, a copy of such schedule of regular meetings was posted in the Municipal Building at Seabrook, New Jersey, which Notice has remained so posted throughout the year, and copies of the schedule of regular meetings have been mailed to The News of Cumberland County and filed with the Township Clerk in compliance with said Act.

Present:

Chairman: Bruno Basile

Vice Chairman: Ed Overdevest

Members: Robert Comer, Edward Fleetwood, Jodi Hirata, Ernest Holt, Terry O'Neil, Bruce Peterson, Gene Stoms, alternate # 1 Russ Vanella, alternate # 2 John Timberman

Staff: Engineer Robert C. DuBois,P.E , Planner Randy Scheule, PP,AICP, Solicitor Theordore H. Ritter, Esq., Secretary Vicki Vagnarelli.

Absent: alternate # 3 Gary Barbeck, alternate # 4 Pauline Smith

Cancellation of May 10 meeting.

On motion of Bruce Peterson, seconded by Robert Comer, May 17, 2010 minutes, unanimously approved.

On motion of Bruce Peterson, seconded by Robert Comer the following Resolution was memorialized.

RESOLUTION # 3-2010

Township of Upper Deerfield Planning Board

Applicant's Name: Coombs Properties, L.L.C.

Property: 75 Grier's Lane; Lot 4, Block 103

Application: Minor Subdivision of Block 103, Lot 4 into two new lots

Completeness Hearing: May 17, 2010

Findings of Fact:

1. Applicant was represented by Adam Telsey, Esquire, who appeared for the Completeness Hearing.

- 2. The Board accepts as factual the plans and documents submitted by and on behalf of applicant:
 - a. Upper Deerfield Township Development Application and Checklist
 - b. Correspondence from Land Engineering, LLC, March 23, 2010
 - c. Minor Subdivision Plan, Land Engineering, LLC, last revised May 5, 2010

3. The Board also received and considered the Completeness Review Report of Planning Board Planner Randall Scheule, PP/AICP dated May 11, 2010 and the report of Edward Fleetwood, Zoning Code Official dated May 12, 2010.

4. The Planning Board finds, based upon the recommendations of its professional staff, that the above referenced data, submitted by and on behalf of Applicant, is sufficiently complete for the purpose of scheduling the public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of Upper Deerfield Township deems the Application of Coombs Properties, L.L.C. complete and schedules the public hearing thereon for Monday, June 14, 2010, at the Upper Deerfield Township Municipal Building.

Upper Deerfield Planning Board

BRUNO A. BASILE, Chairman

ATTEST: _____
 VICKI VAGNARELLI, Secretary

Memorialized: June 14, 2010

Roll Call

Bruno Basile –Aye
 Robert Comer – Aye
 Jody Hirata – was absent/No Vote
 Terry O’Neill – Aye
 Gene Stoms – was absent/No Vote
 Russell Vanella, Alt #1 – Aye
 Gary Barbeck, Alt #3 –Absent

Ed Overdevest – Aye
 Ed Fleetwood – was absent/No Vote
 Ernest Holt – Aye
 Bruce Peterson –Aye

 John Timberman, Alt #2 – Aye
 Pauline Smith, Alt # 4 - Absent

On motion of Bruce Peterson, seconded by Robert Comer the following Resolution was memorialized.

RESOLUTION # 4-2010

Township of Upper Deerfield Planning Board

Applicant's Name: William E. Lacy

Property: 23 Hilton Avenue; Lot 2 of Block 2009

Application: For Bulk (Setback) Variance

Completeness Hearing: May 17, 2010

Findings of Fact:

1. Applicant appeared for his Completeness Hearing.
2. The Board accepts as factual the plans and documents submitted by and on behalf of applicant:
 - a. 11 Photographs
 - b. Development Application and Checklist
 - c. Plan by applicant/owner, undated and not complying with various site plan minimum requirements.
3. The Board received and considered the Completeness Review Report of

Planning Board Planner Randall Scheule, PP/AICP dated May 12, 2010 and report of Zoning Code Official Ed Fleetwood, dated May 13, 2010.

4. The Planning Board finds, upon recommendation of its professional staff, that the above referenced data, is conditionally sufficiently complete for the purpose of scheduling the public hearing. The Board requires that applicant furnish a revised drawing which includes a calculation of all existing and planned impervious lot coverage.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of Upper Deerfield Township deems the Application of William E. Lacy conditionally complete and schedules the public hearing thereon for Monday, June 14, 2010, at the Upper Deerfield Township Municipal building.

Upper Deerfield Planning Board

BRUNO A. BASILE, Chairman

ATTEST: _____
VICKI VAGNARELLI, Secretary

Memorialized: June 14, 2010

Roll Call

Bruno Basile – Aye
Robert Comer – Aye
Jody Hirata – was absent/No Vote
Terry O’Neill – No Vote
Gene Stoms – was absent/No Vote
Russell Vanella, Alt #1 – Aye
Gary Barbeck, Alt #3 – Absent

Ed Overdevest – Aye
Ed Fleetwood – was absent/No Vote
Ernest Holt – Aye
Bruce Peterson – No Vote

John Timberman, Alt #2 – Aye
Pauline Smith, Alt # 4 - Absent

Applicants/Developments:

Z 08-10 Perdue Agribusiness –1205/1-North side Silver Lk Rd (Cty Rte 704)**Completeness, S/P**
Represented by attorney, Rocco Tedesco. Planning Board attorney Ted Ritter indicated no Bulk or Use Variance was needed so the Board was able to hold completeness and waived formal site plan. After discussion on motion of Robert Comer, seconded by Ernest Holt the application was approved.

Roll Call

Bruno Basile – Aye
Robert Comer – Aye
Jody Hirata – Aye
Terry O’Neill – Aye
Gene Stoms – No Vote
Russell Vanella, Alt #1 – No Vote
Gary Barbeck, Alt #3 – Absent

Ed Overdevest – Aye
Ed Fleetwood – Aye
Ernest Holt – Aye
Bruce Peterson – No Vote

John Timberman, Alt #2 – No Vote
Pauline Smith, Alt # 4 Absent

Z-09-10- Bridgeton Farms Ass, LLC-2801/5-South side of Irving Ave. & East side of South Woodruff-
Completeness, S/P Conditional Use, Variance-Conduct small scale custom animal slaughtering/butchering.
Attorney Jeff Thakker requested the application Tabled with intention to Resubmit. Board unanimously approved to **Table application.**

P06-10 SBS Energy Partners LLC- 905/9 - **Completeness, Major SP Setback Variance Solar Energy Facility**
The applicant has requested a waiver of Environmental Impact and the Board would like the Environmental Commission to make that determination.
On motion of Ed Fleetwood, seconded by Gene Stoms completeness approved and public hearing set for July 12.

Roll Call

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| Bruno Basile –Aye | Ed Overdevest – Aye |
| Robert Comer – Aye | Ed Fleetwood –Aye |
| Jody Hirata –Aye | Ernest Holt – Aye |
| Terry O’Neill – Aye | Bruce Peterson – Aye |
| Gene Stoms – Aye | |
| Russell Vanella, Alt #1 – No Vote | John Timberman, Alt #2 – No Vote |
| Gary Barbeck, Alt #3 – No Vote, Absent | Pauline Smith, Alt # 4 No Vote, Absent |

P 01-10 Coombs Properties, LLC - 103/4 & 7 – Griers Lane- **Public Hearing** Minor S/D w Variance
Attorney Adam Telsey requested the hearing Tabled and they will come back with new drawings as not to have a Variance. On motion of Terry O’Neill, seconded by Bruce Peterson the Board unanimously approved to **Table the application.**

Z 05-10 Olaf Horton -2705/8 - 586 Irving Avenue –**Interpretation /Certificate of non conformity**
Attorney Steve Fabiitti represented applicant. The Board needed to establish whether the property has been acting as a duplex. On motion of Jodi Hirata, seconded by Robert Comer the public hearing was opened.
William Bruck who has lived across the street from the home since 2001 objects to certification. He believes duplex could negatively impact value of his property. Mr.B thought when he purchased his home it was single family home.
Brenda Bruck concerned with type of people moving in and when researched area before moving here the tax record indicated single family home.
Nancy Ridgway has lived in her home since 1979 and always believed it to be utilized by 2 family members, she has no problem with duplex.
Ted Ritter informed the Board they are not voting on Variance. They are voting on whether or not this home continued as a Duplex
The Board had to rescind/nullify the initial vote which was on motion of Ed Overdevest, seconded by Robert Comer and unanimously approved because it was done prior to opening public hearing and listening to public testimony.

First Vote was as follows on motion of Gene Stoms, seconded by Ernest Holt

Roll Call

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|--|--|
| Bruno Basile –Aye | Ed Overdevest – Aye |
| Robert Comer – Aye | Ed Fleetwood – No Vote |
| Jody Hirata –Aye | Ernest Holt – Aye |
| Terry O’Neill – No Vote | Bruce Peterson – No Vote |
| Gene Stoms – Aye | |
| Russell Vanella, Alt #1 – No Vote | John Timberman, Alt #2 – No Vote |
| Gary Barbeck, Alt #3 – No Vote, Absent | Pauline Smith, Alt # 4 No Vote, Absent |

Second Vote was as follows on motion of Gene Stoms, seconded by Ernest Holt the Board approved there was sufficient proof the home has been utilized as a duplex.

Roll Call

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| Bruno Basile –Aye | Ed Overdevest – Aye |
| Robert Comer – Aye | Ed Fleetwood – No Vote |
| Jody Hirata –Aye | Ernest Holt – Aye |
| Terry O’Neill – No Vote | Bruce Peterson – No Vote |
| Gene Stoms – Aye | |
| Russell Vanella, Alt #1 – No Vote | John Timberman, Alt #2 – No Vote |
| Gary Barbeck, Alt #3 – No Vote, Absent | Pauline Smith, Alt # 4 No Vote, Absent |

Z 04-10 William Lacy - Bk 2009/2 23- Hilton Ave– **Public Hearing** Set back Variance Garage Addition
On motion of Ed Overdevest, seconded by Jody Hirata the public hearing was opened and On motion of Gene Stoms seconded by Ernest Holt the public hearing was closed no public was for or against the applicant. On motion of Gene Stoms, seconded by Ernest Holt the Board approved the application for addition to garage.

Roll Call

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|--|--|
| Bruno Basile –Aye | Ed Overdevest – Aye |
| Robert Comer – Aye | Ed Fleetwood – Cannot Vote |
| Jody Hirata –Aye | Ernest Holt – Aye |
| Terry O’Neill – Cannot Vote | Bruce Peterson – Cannot Vote |
| Gene Stoms – Aye | |
| Russell Vanella, Alt #1 – Aye | John Timberman, Alt #2 – No Vote |
| Gary Barbeck, Alt #3 – No Vote, Absent | Pauline Smith, Alt # 4 No Vote, Absent |

P 07-10 McGlynn- 1206/1.02- Hwy 77 - **Completeness, Public Hear** Pre/Final for Phasing
Attorney, Howard Melnicove represented applicant along with Leigh Marcello, President of Tri Mark/General Contractor of entire building to date.

On motion of Ed Fleetwood, seconded by Ernest Holt the public hearing was opened and on motion of Ed Fleetwood, seconded by Jody Hirata the public hearing was closed.

On motion of Ed Fleetwood seconded by Jodi Hirata the Board approved completeness and modification of approval for 2 phases.

Roll Call

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|--|--|
| Bruno Basile –Aye | Ed Overdevest – Aye |
| Robert Comer – Aye | Ed Fleetwood – Aye |
| Jody Hirata –Aye | Ernest Holt – Aye |
| Terry O’Neill – Aye | Bruce Peterson – Aye |
| Gene Stoms – Aye | |
| Russell Vanella, Alt #1 – No Vote | John Timberman, Alt #2 – No Vote |
| Gary Barbeck, Alt #3 – No Vote, Absent | Pauline Smith, Alt # 4 No Vote, Absent |

OLD BUSINESS:

P 09-10 Kim Sod 707/5 Request Letter for Ext. & S/P Waiver

On motion of Gene Stoms, seconded by Jody Hirata the Board approved Planning Board Engineer Robert DuBois to inspect and inform the Board on extension approval and whether a site plan is needed.

Roll Call

Bruno Basile –Aye
Robert Comer – Aye
Jody Hirata –Aye

Terry O’Neill – Aye
Gene Stoms – Aye

Russell Vanella, Alt #1 – No Vote
Gary Barbeck, Alt #3 – No Vote, Absent

Ed Overdevest – Aye
Ed Fleetwood – Aye
Ernest Holt – Aye
Bruce Peterson – Aye

John Timberman, Alt #2 – No Vote
Pauline Smith, Alt # 4 No Vote, Absent

COMMITTEE/COMMISSION

Township Committee: Requested review & suggestions on ORDINANCE AMENDING SECTION 98-23 OF THE CODE OF THE TOWNSHIP OF UPPER DEERFIELD REGARDING TEMPORARY OR DAILY SIGNS

On motion of Robert Comer, seconded by Gene Stoms the Board agreed to accept the revisions to the sign regulations contained in Ordinance 98-23.

Roll Call

Bruno Basile –Aye
Robert Comer – Aye
Jody Hirata –Aye
Terry O’Neill – Aye

Gene Stoms – Aye
Russell Vanella, Alt #1 – No Vote
Gary Barbeck, Alt #3 – No Vote, Absent

Ed Overdevest – Aye
Ed Fleetwood – Abstain
Ernest Holt – Aye
Bruce Peterson – Aye

John Timberman, Alt #2 – No Vote
Pauline Smith, Alt # 4 No Vote, Absent

PUBLIC COMMENT

Nancy Ridgway inquired about the Township Noise Ordinance.

Being no further business on motion of Bruce Peterson, seconded by Robert Comer the meeting adjourned at 9:05pm.

Respectfully Submitted,

Vicki Vagnarelli
Planning Board Secretary