

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, September 13, 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, Ernest Holt, Terry O'Neil, alternate # 1 Russ Vanella, alternate # 2 John Timberman, alternate # 4 Pauline Smith

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

Absent: Jodi Hirata, Bruce Peterson, Gene Stoms, alternate # 3 Gary Barbeck

On motion of Ed Fleetwood, seconded by Robert Comer, minutes of August 9th meeting unanimously approved.

On motion of Ed Fleetwood, seconded by Robert Comer the following Resolution was memorialized.

RESOLUTION 17-2010

Township of Upper Deerfield Planning Board

Applicant's Name: Bridgeton Farms Associates, L.L.C./Cruz Canango
Property: Lot 5, Block 2801
Application: Use Variance for Custom Slaughter Operation & Setback
Variances
Completeness Hearing: August 9, 2010

Findings of Fact:

1. Applicant was represented by Jeff Thakker, Esq., who appeared for the Completeness Hearing.
2. The Board accepts as factual the documents submitted by and on behalf of applicant including:
 - a. Existing conditions plan by Land Engineering, LLC, dated April 15, 2010.
 - b. Application and Checklist with Rider "A", Rider "B", Rider "C" and Rider "D" to Development Application form.
3. The Board also received and considered the Completeness Review Report of Planning Board Planner Randall Scheule, PP/AICP dated August 4, 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 Bridgeton Farms Associates, L.L.C. and Cruz Canango complete and schedules the public hearing thereon for Monday, September 13, 2010, at the Upper Deerfield Township Municipal Building.

Upper Deerfield Planning Board

BRUNO A. BASILE, Chairman

ATTEST: _____
VICKI VAGNARELLI, Secretary

Memorialized: _____

Roll Call

Bruno Basile –Aye

Robert Comer – Aye

Jody Hirata –no vote/Absent

Terry O’Neill – Cannot Vote

Gene Stoms – no vote/Absent

Russell Vanella, Alt #1 – Aye

Gary Barbeck, Alt #3 –no vote/Absent

Ed Overdevest –Aye

Ed Fleetwood – Cannot Vote

Ernest Holt – absent

Bruce Peterson – Cannot Vote

John Timberman, Alt #2 – no vote

Pauline Smith, Alt # 4 - no vote

Z-02-10 -Comet Land Development, LLC – **Reconsideration** - for **Major Site Plan w Bulk Variance** - Block 1101 Lots 13, 14, 18, 21.02 Silver Lake Rd intersection of Silver Lake & DuBois – Proposed use is for installation of Solar Panels for Electricity Production (use variance approved 5/17/10, Maj.S/P Denied 7/12/10)
The Planning Board first had to vote on Rescinding Resolution. On motion of Ed Fleetwood, seconded by Ernest Holt the Board voted to Rescind Resolution # 16-2010 Denying Major Site Plan Approval.

Roll Call

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

Second Vote: the Planning Board had to vote on Granting the Reopening of the S/P Hearing

Roll Call

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

Attorney Alan Fox and professional representing Comet spoke to the Board. Attorney Fox stated they were Only seeking Preliminary. When applicant was through speaking with the Board, motion of Ernest Holt, seconded by Robert Comer the Public Hearing portion was open.
Residents Larry Benz, Lynne Maun, Sandy Morrissey and Frank Catalano gave comments to the Board. On motion of Robert Comer seconded by Ernest Holt the public portion was closed.
On motion of Russell Vanella, seconded by Robert Comer, Comet was Granted Preliminary Major S/P Approval with requested bulk Variance and requested Waivers.

Roll Call

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

Z-09-10 - Bridgeton Farms Ass, LLC-2801/5-South side of Irving Ave. & East side of South Woodruff-
Public Hearing Request for Interpretation or Use Variance for Animal Slaughtering in Agricultural Zone
Attorney Jeff Thakker represented the applicant. Mr. Aguilar, Ms. Kathleen Gandy of CC Board of Health, G. Wayne Patterson Bridgeton Farms managing partner both testified and answered questions before the Board.

The applicant testified the slaughter/dressing is a minimal part of the business. It is sometimes requested in their culture for weddings, holidays or special occasions. The majority of the business is auctioning off livestock. On motion of Ernest Holt seconded by John Timberman the public portion of the hearing was opened. Sandra Morrissey questioned the right to slaughter a large number of animals as she was referring to previous information the applicant turned in with their first application, but has since been aborted. On motion of Ernest Holt, seconded by Robert Comer the public portion was closed.

On motion of Ernest Holt, seconded by Robert Comer the Board Granted Approval based on the fact it finds and determines this is an accessory use to the permitted primary animal husbandry farming use.
No Use Variance was needed.

Roll Call

Bruno Basile –Aye

Robert Comer – Aye

Jody Hirata –Absent

Terry O’Neill – Cannot Vote

Gene Stoms –Absent

Russell Vanella, Alt #1 – Aye

Gary Barbeck, Alt #3 –Absent

Ed Overdeest –Aye

Ed Fleetwood – Cannot Vote

Ernest Holt – Aye

Bruce Peterson – Cannot Vote

John Timberman, Alt #2 – Aye

Pauline Smith, Alt # 4 – Aye

Being no further business on motion of Ernest Holt, seconded by Robert Comer the meeting adjourned
at 10:01pm.

Respectfully Submitted,

Vicki Vagnarelli
Planning Board Secretary