

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, May 16, 2011 at 7:00 P.M. in the Municipal Building, Seabrook, N.J.

Vice Chairman: Ed Overdevest 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:

Vice Chairman: Ed Overdevest

Members: Edward Fleetwood, Ernest Holt, Russ Vanella, Pauline Smith, Terry O'Neill, Scott Smith, Jack Waselik alt # 1, Louis J. Bramante, Jr. Alt # 3 Anthony Buono, Sr Alt # 4

Staff: Engineer Robert C. DuBois, P.E., Planner Randy Scheule, PP, AIC, Matthew Ritter, Esq., Secretary Vicki Vagnarelli.

Absent: Chairman: Bruno Basile, Gene Stoms, Solicitor Theodore H. Ritter, Esq.

A correction to the minutes: Under technical for Clement Pappas Ed Overdevest was an Aye vote and Ed Fleetwood was a no vote

On motion of Russ Vanella, seconded by Jack Waselik minutes of May 9, 2011 meeting unanimously approved.

On motion of Anthony Buono, seconded by Louis J. Bramante the following Resolution # 9-2011 Clement Pappas was memorialized.

RESOLUTION NO. 9-2011

UPPER DEERFIELD TOWNSHIP

PLANNING BOARD

WHEREAS, Clement Pappas & Co., Inc. has made application for preliminary and final major site plan approval, together with front and side yard setback variances, for the property known as 1045 W. Parsonage Road, which is also known as Block 905, Lot 1, and;

WHEREAS, applicant proposes construction of a 53,950 sq. ft. addition to the existing 243,470 sq. ft. facility;

WHEREAS, a public hearing was conducted before the Board on May 9, 2011;

WHEREAS, the board having heard the testimony presented by applicant, and having heard the sentiment of all persons wishing to speak.

And, the Board, having conducted the completeness review, makes the following preliminary findings of fact:

1. Applicant was represented by Howard D. Melnicove, Esq., who appeared for the hearing with witnesses and exhibits.
2. The Board accepts as factual the plans and documents submitted by, and on behalf of applicant:

A. Major site plan by Fralinger Engineering, seven (7) pages, bearing a date of March 28, 2011.

B. Upper Deerfield Development application form and checklists.

3. The Board also received and considered the review report of Planning Board Planner, Randall Scheule, PP, AICP, dated May 4, 2011, and;

4. The Board having received and considered the completeness review report by Planning Board Engineer, Robert DuBois, P.E., dated May 3, 2011, and;

5. The Board granted requested checklist waivers for a metes and bounds description, environmental impact statement, landscaping plan, stormwater calculations and wetlands delineation.

6. The Planning Board further 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 conducting the public hearing on the merits.

And, the Planning Board, having proceeded with the hearing on the major site plan together with the requested variances, the Planning Board does further find as additional facts, the following:

1. All property owners within 200 feet of applicant's premises were properly served with notice of hearing.

2. Compliance has been had with each of the various requirements of the Open Public Meetings Law, PL 1975c 231.

3. The property affected by this application is identified on the Township Tax Maps as Block 905, Lot 1, and is situated in the GI zone at 1045 W. Parsonage Road.

4. The Board accepts as factual, the plans and documents submitted by, and on behalf of applicant including:

A. Development Application Form dated April 19, 2011.

B. Seven-page site plan by Fralinger Engineering, dated March 28, 2011.

C. Correspondence from Howard D. Melnicove, Esq., dated April 20, 2011, enclosing two photographs of the subject location.

D. Site layout on 8.5" x 14" sheet, labeled A-1, dated May 9, 2011.

5. The Board also received and considered the following additional data:

A. A technical review report to the Planning Board by Planning Board Engineer, Robert C. DuBois, dated May 3, 2011.

B. A report to the Planning Board by Planning Board Planner, Randall Scheule, dated May 4, 2011, and

6. Applicant, through Counsel, presented lay testimony from Tom DeThomas, of Clement Pappas & Co., Inc. and Peter Ervin and Wayne Weese from Graham Packaging, as well as expert testimony from Matt Baldino, P.E. of Fralinger Engineering.

7. Applicant gave testimony that the cooling tower was to be set back approximately 26 feet from W. Parsonage, that it was approximately 12' wide, by 20' in length and 12' in height, and was to be situated on a stand approximately 10' in height. The overall height of the cooling tower is 22 feet. Applicant agreed to shield the cooling tower with a three-sided structure designed to match the exterior of the new construction.

8. Applicant requested a variance for the front setback of the warehouse construction concerning one corner of the proposed new construction, as well as the proposed cooling tower. The proposed building itself complies with the 50' front yard setback except at the northwestern corner, where the proposed setback is 47.38'. Applicant provided testimony that such a minor variance was necessary in order to keep the building "square" along this lot line, which is at a slight

angle. Regarding the cooling tower, the applicant provided testimony that construction of said tower would be set back at least 26' from W. Parsonage Road.

9. Applicant also requested a side yard setback along the eastern side of the property, where the existing building currently touches Cumberland Cold Storage, and thus no setback. Applicant proposes a setback of 11.68' along the eastern side yard for the new construction.

10. Applicant agreed to remove the block wall and concrete fence mounting base along W. Parsonage Road.

11. Applicant agreed to file a perfected plan with the following additions and corrections:

A. The indication of "warehouse space" would be changed to more accurately indicate "light manufacturing."

B. The firehouse pump station would be labeled as such, with an indication that same was to remain after construction.

12. Applicant agreed to plant shade trees within the proposed grass area along W. Parsonage Road, and agreed to work with the Township Planner in conjunction with selecting those trees.

13. Applicant agreed to follow the Township's ordinance with regard to lighting at the property, including full cut-offs to prevent nuisance lighting from spilling onto adjacent properties.

14. Applicant provided testimony that stormwater would actually be reduced slightly, since the proposed construction was to occur on existing impervious surface. The Board Engineer concurred with this testimony.

15. Member of the public Tom Connelly testified regarding site lighting and the need to comply with the Ordinance by installing full cutoff lighting. Mr. Connelly also spoke in favor of the project due to job creation.

16. No one appeared in opposition to the application.

17. The Planning Board has carefully considered the matter, and finds that good cause exists for the granting of variances sought for front and side yard setback, as well as preliminary and final major site plan approval for the proposed site improvements at Clement Pappas & Co., Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Upper Deerfield Township Planning Board does hereby grant preliminary and final site plan approval with the requested variances to 1082 Clement Pappas & Co., Inc., conditioned upon the following:

A. A perfected site plan drawing addressing all representations made by the applicant, and addressing all outstanding comments as contained in the Planning Board Engineer's and Planner's respective reports, to be filed by applicant and approved by the Township prior to construction. Applicant shall not be required to provide architectural plans or any additional on-site lighting.

B. Applicant shall plant shade trees in the new grass area between the new construction and W. Parsonage Road. The design of this additional landscaping shall be administratively approved by Board Planner, Randall Scheule, who shall report back to the Board.

C. This approval is subject to applicant securing approval or a non-applicability letter from the Cumberland-Salem Soil Conservation District.

D. Applicant shall post a cash deposit, or other form of surety, in a form that is acceptable to the Township Solicitor, in such amount as may be deemed necessary and appropriate by Planning Board Engineer, Robert C. DuBois, to guarantee the installation of the improvements.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be furnished to

the applicants, and notice of this action be advertised as required by law.

**TOWNSHIP OF UPPER DEERFIELD
PLANNING BOARD**

By: _____
BRUNO A. BASILE, CHAIRMAN

ATTEST: _____
VICKI VAGNARELLI, Secretary

Roll Call

Bruno Basile – Absent	Ed Overdevest – Aye
Russell Vanella – Aye	Ed Fleetwood – No Vote
Pauline Smith – Aye	Ernest Holt – Aye
Terry O’Neill – Aye	Scott Smith – Aye
Gene Stoms – Absent	
Jack Waselik, Alt #1 – Aye	Louis J. Bramante, Jr., Alt #3 – Aye
Anthony Buono, Sr., Alt # 4 - No Vote	

APPLICANT/DEVELOPMENT

Z 5-11 - Andrew J. Soos, Jr. Bk 1003/8.03 106 Seeley Road - Porch Addition Front Yard Setback Variance
Mr. Soos represented himself to the Board. On motion of Anthony Buono, seconded by Pauline Smith the public hearing was opened and due to no persons coming for or against the applicant on motion of Terry Oneill, seconded by Anthony Buono the public hearing was closed.
On motion of Ernest Holt, seconded by Pauline Smith the Board approved the application.

Roll Call

Bruno Basile – Absent	Ed Overdevest – Aye
Russell Vanella – Aye	Ed Fleetwood – No Vote
Pauline Smith – Aye	Ernest Holt – Aye
Terry O’Neill – Aye	Scott Smith – Aye
Gene Stoms – Absent	
Jack Waselik, Alt #1 – Aye	Louis J. Bramante, Jr., Alt #3 – No Vote
Anthony Buono, Sr., Alt # 4 - No Vote	

PROFESSIONALS/COMMITTEE/COMMISSION

Final Draft Landscape Ordinance – Planner, Randy Scheule gave handouts and reviewed only the sections revised from the Boards last review. On motion of Ed Fleetwood, seconded by Anthony Buono the Board approved draft and gave recommendation to send back to the Township Committee. Planning Board will receive back once Township Committee is through reviewing and introducing 2nd reading.

Roll Call

Bruno Basile – Absent	Ed Overdevest – Aye
Russell Vanella – Aye	Ed Fleetwood – Aye
Pauline Smith – Aye	Ernest Holt – Aye

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Terry O'Neill – Aye

Scott Smith – Aye

Gene Stoms – Absent

Jack Waselik, Alt #1 – Aye

Louis J. Bramante, Jr., Alt #3 – Aye

Anthony Buono, Sr., Alt # 4 - No Vote

Being no further business on motion of Ed Fleetwood, seconded by Pauline Smith the meeting adjourned at 7:58pm.

Respectfully Submitted,

Vicki Vagnarelli

Secretary