

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, July 11, 2011 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: Edward Fleetwood, Ernest Holt, Gene Stoms, Russ Vanella, Pauline Smith, Terry O'Neill, Scott Smith, Jack Waselik alt # 1, Anthony Buono, Sr Alt # 4

Staff: H. Ritter, Esq. and Matthew Ritter, Esq., Secretary Vicki Vagnarelli.

Absent: Louis J. Bramante, Jr. Alt # 3

On motion of Ed Fleetwood, seconded by Ernest Holt minutes of June 20, 2011 meeting unanimously approved.

On motion of Ed Fleetwood, seconded by Jack Waselik the following Resolution was memorialized.

RESOLUTION # 16- 2011
Township of Upper Deerfield Planning Board

Applicant's Name: Bruce and Debby Riley

Application: Minor Subdivision

Property: Block 1201, Lots 1

Application No.: P 9 - 11

Public Hearing: June 20, 2011

Findings of Fact:

1. Applicants were represented by Jeffrey H. Sutherland, Esquire who appeared and presented the application on their behalf.
2. Applicants seek to subdivide, from Lot 1 of Block 1201, a five acre lot to be known as Lot 1.01. Lot 1, is currently 123.37 acres in size.
3. Lot 1 will be reduced in size from 123.37 acres to 118.37 acres.
4. The new, subdivided Lot 1.01 will contain an existing commercial building and associated site improvements. It is the former location of Starbound Gymnastics.
5. The larger "mother" lot will retain the existing asphalt drive entrance from State Highway #77.
6. No new construction is proposed.
7. Applicant proposes the dedication of a right-of-way easement containing the existing asphalt driveway and consisting of 0.95 acres along the southerly line of proposed Lot 1.01.

8. The parcels are centrally located in the Township directly west of the State Highway #77 and Big Oak Road intersection within the Redevelopment Area.

9. The Township Redevelopment Entity met on June 7, 2011, respecting the subdivision and subsequently adopted a resolution approving same.

10. The subject parcel is also located in the Eco-Agricultural Overlay District which encourages agricultural related businesses, uses and services.

11. According to current tax records, the subject lot is classified 2.69 acres commercial, and 121.28 acres farm-qualified.

12. A paper street, "the Big Oak Road Extension" extends from Cornwell Drive to Seeley-Finley Road, and terminates just south of the proposed new lot.

13. Upon review by the Planner, and the Engineer, the application was deemed complete, subject to approval of the waivers noted below.

14. No one appeared to testify in favor of, nor against, the application at the public hearing.

15. Applicant has requested, and has been granted certain waivers as set forth hereafter.

16. The Board determined that there is no need for additional street trees along the property frontage of the improved lot, as plentiful street trees already exist on this parcel.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Upper Deerfield based upon the exhibits submitted and the analysis by the Planner for the Planning Board, Randall E. Scheule, A.I.C.P. & P.P. ["Planner"] and the Engineer for the Planning Board, Robert DuBois, P.E. ["Engineer"] and the testimony presented makes the following findings of fact:

1. All appropriate applications have been filed; all required application fees have been paid; and, all notices required by law have been given.

2. The Applicant has submitted and the Planner and Engineer have reviewed the plans and documents identified and delineated by the Planner in the planner's Report dated June 14, 2011 ["Planner's Report"] all of which are incorporated by this reference as if specifically listed herein at this place. The Planner's Report is attached to this Decision and resolution as Exhibit A and expressly made a part hereof, that the minor subdivision application of Bruce and Debby Riley is granted subject to the following waivers and conditions:

A. Waivers are granted for:

a. Plans at 1 inch, equals 200 feet.

b. A waiver to show the surrounding area within 3,000 feet.

c. A waiver of constraints calculations, since no improvements are proposed.

d. Contours can be at 10 foot intervals, instead of 2 foot intervals.

e. A waiver for an aquifer recharge area.

f. The plan need not show areas in which construction is precluded.

g. The plan need not show all areas to be disturbed by grading, or construction since no new construction, or improvements, are proposed, and

h. Street lighting, curb, gutter, and sidewalk, are all waived.

B. The subdivision approval is subject to the following conditions:

a. Applicant is to provide the metes and bounds information to be based upon a current land survey.

b. Applicant is to provide a photo of the property taken from across the street.

c. Applicant to provide verification from the Municipal Tax Assessor regarding the proposed lot numbers.

d. Applicant must secure approvals from any other agency having jurisdiction.

BRUNO A. BASILE, Chairman

ATTEST: _____
VICKI VAGNARELLI, Secretary

Memorialized: July 11, 2011

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Aye

Jack Waselik, Alt #1 – No Vote

Vacant, Alt #2

Ed Overdevest – Aye

Ed Fleetwood – Aye

Ernest Holt – Aye

Scott Smith – Aye

Louis J. Bramante, Jr., Alt #3 – No Vote /Absent

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

Attorney Theodore H. Ritter Esq., informed applicants UDT recording system was not in working order and voice clarity may not be up to par as we were using a 1970 cassette tape recorder. If they need recording information they will only be able to receive a copy of the cassette tape.

Both applicants chose to hold the hearing before the Board.

APPLICANT/DEVELOPMENT

P 11-11 - **Perdue** 1205/4 Silver Lake Road Major Pre/Final Site Plan Proposed Add paved area for outdoor storage of feed corn

Rocco Tedesco, Esq. representing applicant gave testimony to the Board reviewing both Planner and Engineer reports regarding Completeness. On motion of Gene Stoms, seconded by Ed Fleetwood the applicant was found Complete.

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Aye

Jack Waselik, Alt #1 – No Vote

Vacant, Alt #2

Ed Overdevest – Aye

Ed Fleetwood – Aye

Ernest Holt – Aye

Scott Smith – Aye

Louis J. Bramante, Jr., Alt #3 – No Vote /Absent

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

Rocco Tedesco, Esq. continued discussion with the Board and on motion of Gene Stoms, seconded by Ed Fleetwood the public hearing was opened. Resident Lynn Maun questioned trees being taken out due to increased coverage. No other resident came forward for or against the applicant so on motion of Ed Fleetwood, seconded by Gene Stoms the public portion was closed.

Upon further discussion applicant Perdue agreed to add 5 trees with input from the Planner so on motion of Gene Stoms, seconded by Ed Fleetwood the application was Approved.

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Aye

Jack Waselik, Alt #1 – No Vote

Vacant, Alt #2

Ed Overdevest – Aye

Ed Fleetwood – Aye

Ernest Holt – Aye

Scott Smith – Aye

Louis J. Bramante, Jr., Alt #3 – No Vote /Absent

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

Z 6-11 - **Millenium Land Dev.** 1301/1, Love Lane & Deerfield Pike USE Variance for Abandoned Nursery
219.3 acres propose Solar Power Production system

Planning Board Attorney Theodore H. Ritter Esq., informed applicants UDT recording system was not in working order and voice clarity may not be up to par as we were using a 1970 cassette tape recorder. If they need recording information they will only be able to receive a copy of the cassette tape. Applicant chose to be heard.

Mr. Alan Fox Esq. representing applicant with professionals Joe Raday, Engineer, Dan Shafer, Electrical Eng/Solar Expert, Barbara Allen Wooley-Dillon, Planner, Justin Murphy, Attorney, Public Policy Consultant/renewable Energy Consultants, Larry McKnight, Professional Engineer with Westrum and John Garruto, Caldwell Bank Realtor. All experts were able to give testimony and eleven exhibits were entered into evidence App 1-10 and App 1.1. Testimony involved project done in 2 phases total of 200 mega watts. Solar panels would be 18” from ground with highest being 5.5 feet and 160 miles per hr wind resistance. All black so no glare with 1 switch DC in and 1 switch AC out. Maintenance is coded internally and computer screen shows exactly what panel is bad. Landscape buffer would screen panels, Love Lane would have existing landscape, trees install in back cul-de-sack would have two sets of evergreen to buffer area and residential area, remove and put wetlands back, remediation of arsenic & wetlands. Senate bills #'s 2371, 2557, 2888

Further discussion was on approval of 174 homes and phases not being economically feasible, trends for home real estate sales, Use Variance, ...

Due to time constraints Chairman Basile did not want to begin the public portion so on motion of Ernest Holt, seconded by Russ Vanella the Board voice voted to begin the public portion at the next meeting of August 8, 2011.

PLANNING BOARD INFO

New Code Books were given out to each Board member for their use.

On motion of Ed Fleetwood, seconded by Ernest Holt the meeting adjourned at 9:45pm.

Respectfully Submitted,

Vicki Vagnarelli