

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, May 9, 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, 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, Esq. and Matthew Ritter, Esq., Secretary Vicki Vagnarelli.

Absent: Solicitor Theodore H. Ritter, Gene Stoms, Bob Whitesall alt# 2 (resigned)

On motion of Anthony Buono, seconded by Jack Waselik minutes of April 18, 2011 meeting unanimously approved.

On motion of Russ Vanella, seconded by Ed Fleetwood Resolution # 8-2011 was memorialized.

PLANNING BOARD OF THE
TOWNSHIP OF UPPER DEERFIELD

RESOLUTION # 8-2011

GRANTING VARIANCES AND OTHER RELIEF WITH RESPECT
TO BLOCK 1507, LOT 32 ON THE TAX MAP OF THE
TOWNSHIP OF UPPER DEERFIELD

WHEREAS, Christopher Hawk, an owner at 10 Merritt Ave., Block 1507, Lot 32 on the Tax Map of the Township of Upper Deerfield has made an application before the Planning Board of the Township of Upper Deerfield for the erection of a garage 24 x 32 feet in size; and

WHEREAS, the property is located in an R2 residential zone; and

WHEREAS, a garage is a permitted accessory use in an R2 zone; and

WHEREAS, the applicant has submitted a plan showing the location of the proposed improvement;
and

WHEREAS, variances and other relief would be required to grant the aforesaid application, including a variance for lot coverage, 3.5% permitted, 7.5% proposed, a side yard variance, 20 feet required, 4 feet proposed, a rear yard set back, 20 feet required and 4 feet proposed; and

WHEREAS, a wetlands waiver requiring a wetlands study, a letter of interpretation or an application to the NJDEP would be required and with respect to which the applicant seeks a waiver; and

WHEREAS, the lot size of .34 acres is undersized; and

WHEREAS, the applicant, Christopher Hawk, was sworn and testified as follows:

1. Christopher Hawk stated that he is an owner of Block 1507, Lot 32, 10 Merritt Ave., on the Tax Map of the Township of Upper Deerfield.

2. Mr. Hawk testified that he wants to put up a 24 x 32 foot garage on his property but the location of the garage, in order to fit on the property and to allow sufficient room for the operation of his septic system, maintenance of it, and need to expand, if necessary, would require that he place the garage closer to rear and side yard lines of the property; and

WHEREAS, conformance with the side yard and rear yard set backs would create an impractical and difficult hardship with respect to the proposed use; and

WHEREAS, the Chairman, upon motion seconded and unanimously carried, opened the matter to the public for a public hearing; and

WHEREAS, the only individual who testified was the applicant's father, Dean Hawk, who testified in support thereof; and

WHEREAS, the public hearing was closed; and

WHEREAS, the Planner, Randy Scheule, reviewed his report with the Board and recommended that a waiver of a wetlands delineation or a letter of interpretation from the NJDEP could, in his view, be granted; and

WHEREAS, the Planner's report indicates that the 2010 Master Plan Reexamination with respect to undersized lots in the R2 zone recommended and recognized the need for certain revisions to address currently nonconforming lots with respect to accessory uses; and

WHEREAS, the Planning Board discussed the matter and upon motion made, seconded, and unanimously carried, it was RESOLVED that the application of Christopher Hawk for the construction of a 24 x 32 foot garage on Block 1507, Lot 32, 10 Merritt Ave., be and the same is hereby granted; and

BE IT FURTHER RESOLVED that a side yard variance from 20 feet to 4 feet, a rear yard variance from 20 feet to 4 feet, and a variance with respect to lot coverage from 3.5% to 7.5% be and the same are hereby granted.

BE IT FURTHER RESOLVED that a waiver is granted with respect to the condition requiring a letter of interpretation or a wetlands delineation from the NJDEP; and

BE IT FURTHER RESOLVED that this application is granted conditioned upon the applicant complying with all requirements of any other agencies having jurisdiction, including but not limited to the NJDEP, Cumberland Salem Soil Conservation District, and County Planning Board, as the case may be, and is further conditioned upon property taxes being current.

CERTIFICATION

I hereby certify the foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of Upper Deerfield in the County of Cumberland at a meeting thereof held on May 9, 2011.

Vicki Vagnarelli, Secretary

Bruno Basile, Chairman

Roll Call

Bruno Basile – Aye	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
Bob Whitesell, Alt #2 – no vote/Resigned	Anthony Buono, Sr., Alt # 4 - Aye

APPLICANT/DEVELOPMENT

P – 4-11 Clement Pappas & Co. Inc – 905/1, 1045 W. Parsonage Road – Propose Addition to existing industrial facility.

Representing applicant: Attorney Howard Melnicove, Matt Baldino Fralingers Engineer, Tom DeThomas Clement Pappas, Wayne Weese (fact witness)& Peter Irvin of Graham Packaging. Exhibit A-1 5/9/11 (Clement Pappas.on- site layout) was entered into evidence.

On motion of Ernest Holt, seconded by Ed Fleetwood the applicant was found to be Complete.

Roll Call

Bruno Basile – Aye	Ed Overdevest – Aye
Russell Vanella – Aye	Ed Fleetwood – Aye
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
Bob Whitesell, Alt #2 – Resigned	Anthony Buono, Sr., Alt # 4 - No Vote

Technical Review: Testimony was given from professionals and on motion of Pauline Smith, seconded by Ed Fleetwood the public portion was opened.

Tom Connelly spoke with respect to wall packed lighting and thought the addition to make bottles on site was a good idea for creating jobs.

No other persons spoke for or against the applicant so on motion of Ed Fleetwood, seconded by Ed Overdevest the public portion closed.

On motion of Ernest Holt, seconded by Anthony Buono, Preliminary and Final site plan was approved.

Township of Upper Deerfield

May 9, 2011

Page 4

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Absent

Jack Waselik, Alt #1 – Aye

Bob Whitesell, Alt #2 – Resigned

Ed Overdevest – Aye

Ed Fleetwood – no vote

Ernest Holt – Aye

Scott Smith – Aye

Louis J. Bramante, Jr., Alt #3 – Aye

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

Letter from **Peterson Investments LLC**, 2001/4.01 regarding 6’ high fence – a request to repeal a condition of site plan approval. Letter was read into evidence and Planner Randall Scheule reviewed with the Board the fence was part of the resolution 7-2008 where it stated “In lieu of landscaping between the parking lot and lot 4, applicant shall install 6’ high fence along its boundary with lot 4”. Reason for request, Mr. Peterson has since purchased and tore down the home. On motion of Ed Fleetwood, seconded by Ernest Holt the Board Approved the request.

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Absent

Jack Waselik, Alt #1 – Aye

Bob Whitesell, Alt #2 – Resigned

Ed Overdevest – Aye

Ed Fleetwood – Aye

Ernest Holt – Aye

Scott Smith – Aye

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

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

PROFESSIONALS/COMMITTEE/COMMISSION

Randy Scheule went over the following ordinances

Final Draft Parking Ordinance - Final review & possible recommendation to Twp. Committee. On motion of Ed Fleetwood, seconded by Ernest Holt, the Board Approved and recommended this ordinance be forwarded to the Township Committee for consideration and adoption.

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Absent

Jack Waselik, Alt #1 – No Vote

Bob Whitesell, Alt #2 – Resigned

Ed Overdevest – Aye

Ed Fleetwood – Aye

Ernest Holt – Aye

Scott Smith – Aye

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

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

Final Draft Fee Schedule Ordinance – Final review & recommendation to Twp. Committee

(Fee Sched. Pl. Bd approved 4/18/11 Randy needed to put in Ordinance format) On motion of Ed Fleetwood, seconded by Ernest Holt the Board Approved and recommended this ordinance be forwarded to the Township Committee for consideration and adoption.

Roll Call

Bruno Basile – Aye

Russell Vanella – Aye

Pauline Smith – Aye

Terry O’Neill – Aye

Gene Stoms – Absent

Ed Overdevest – Aye

Ed Fleetwood – Aye

Ernest Holt – Aye

Scott Smith – Aye

Township of Upper Deerfield

May 9, 2011

Page 5

Jack Waselik, Alt #1 – Aye

Bob Whitesell, Alt #2 – Resigned

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

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

Final Draft Landscape Ordinance – Final review & recommendation to Twp. Committee – Will review at the May 16th meeting.

Planning Board was given refresher training with question and answer from Township Solicitor Theodore Baker, Esq. regarding Use Variance, Positive & Negative Criteria, how relates to MP & Ordinances, Role of the Board and Planner, etc.

Prior training information from Ted Ritter (was discussed January 2010 when two Boards became one) will be updated due to new laws and given out to each Board member as a reference/guide.

CORRESPONDENCE

CC Department of Planning & Development letter on Preservation of Farmland for Jeffrey E. Garton, Sr. and Deborah L. Garton enrolled Block 604, lots 33 & 34 and Block 606 Lot 6

Resignation Letter from board member Bob Whitesall was read.

Being no further business on motion of Ed Fleetwood, seconded by Ernest Holt the meeting adjourned at 9:34pm

Respectfully Submitted,

Vicki Vagnarelli

Secretary