

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held Monday, November 10, 2014 at 7:00 pm 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 South Jersey Times South and The Press of Atlantic City and filed with the Township Clerk in compliance with said Act.

Present:

Chairman: Bruno Basile, Vice Chairman: Ed Overdevest

Members: Edward Fleetwood, Terry O'Neill, Scott Smith, Jack Waselik (arrived 7:10), Louis J. Bramante, Jr, Anthony Buono, Robert Comer alt 1, Joseph Spoltore alt 2, Michele Mooney alt 3, Laura Hayes alt 4

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

Absent: Russ Vanella,

On motion of Ed Fleetwood, seconded by Robert Comer October 15, 2014 Minutes were approved.

On motion of Jack Waselik seconded by Robert Comer Resolution 8-2014 1020 Bridgeton Chicken LLC t/a Popeyes Approved

Findings of Fact:

1. Applicant was represented by Howard D. Melnicove, Esq. who appeared and presented the application on its behalf.
2. Applicant has acquired the location of the former Friendly's restaurant. Applicant proposes conversion of the existing building, partial demolition of same with a reduction in size, the addition of a drive through facility, some new lighting and landscaping and new signage.
3. The plans and documents submitted included:
 - a. Upper Deerfield Development Application Form dated September 5, 2014;
 - b. Plan of topographic survey, Irving Design Group, L.L.C. dated May 30, 2014;
 - c. Architectural Plans (2 sheets) by Albert Taus & Associates, dated September 5, 2014;
 - d. Site Plan (8 sheets) by Jenne Associates, L.L.C., dated September 3, 2014; and
 - e. Storm Water Management Report by Jenne Associates, L.L.C., dated August 20, 2014.
4. Carl Jenne of Bridgewater, New Jersey, a licensed professional engineer, testified as applicant's first expert witness.
5. Based upon input from the Board's professionals, waivers were granted for the checklist items as enumerated at the bottom of page five of the September 22, 2014 Report of Board Planner Randall Scheule, PP/AICP.
6. The Board then voted to deem the application complete and proceeded with the public hearing.
7. The partial demolition of the existing Friendly's restaurant building will reduce the building size from 4,175 square feet to 2,560 square feet.
8. There are no changes to site access nor to storm water management.

9. The Board received and considered its aforementioned Planner's Report dated September 22, 2014, as well as the Report of Board Engineer, Robert C. DuBois, P.E., dated September 23, 2014 and the Report of the Upper Deerfield Township Environmental Commission dated October 6, 2014.

10. First Mr. Jenne and then David Keefrider of Albert Taus & Associates gave testimony regarding building improvements, signage, architectural layout, ingress, egress, lighting, maintenance of the infiltration basin, erection of directional arrows and the colors of the finished building and signs.

11. Applicant consented to file a perfected Plan which will include:

- a. An automated irrigation system for the proposed sidewalk planning area;
- b. Landscape planting details to be supplied to the Board Planner and to include minimum two inches of mulch in all planning areas;
- c. Detail for the proposed bicycle rack;
- d. Greater distinction between symbol used to identify the red maple and the bayberry;
- e. Landscape maintenance notes and plant warranty information;
- f. The proposed locations for pipe bollards; and
- g. The mounting heights for all traffic control signs.

12. The Board noted that the infiltration basin had not been adequately maintained by the prior operator (Friendly's) and the Applicant agreed to provide a maintenance schedule for the basin.

13. Counsel for Applicant represented that Popeyes will be responsible to check and maintain the infiltration basin, to mow the lawn, to clean the basin of trash not less than weekly and to check the basin for proper function not less than quarterly.

14. At the Planner's request, Applicant agreed to add landscaping on the N. Pearl Street side of the basin with plantings 30 feet + or - on center.

15. The Board heard testimony regarding sign variances for the size of the replacement of the Friendly's insert on the pylon sign. One building mounted sign, facing North Pearl Street, will measure approximately 45 square feet. A second building mounted sign, facing the access road, will measure 56.6 square feet.

16. During the presentation, Applicant agreed to change the building mounted gooseneck lamp lighting to LED bulbs.

17. Applicant agreed to provide a materials list specifying colors of the building and signage as per the Public Hearing testimony.

18. During the Public Hearing, members of the Public, Sandy Morrissey and Nancy Ridgway gave testimony.

19. The Planning Board has carefully considered this matter and finds that good cause exists for the granting of the sign size bulk variances, that such relief can be granted without substantial detriment to the public good and that the granting of such sign size bulk variances will not substantially impair the intent or purpose of the zone plan of the Zoning Ordinance of the Township of Hopewell.

20. The Board further finds that it can grant preliminary Major Site Plan approval to Applicant NJS 40:55D-1 et seq. and the provisions of the Upper Deerfield Township Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby grant preliminary Major Site Plan approval and Bulk Sign Size Variances to applicant, as aforesaid provided that the following conditions are met:

1. That compliance be had, with all of the recommendations contained within the September 23, 2014 Report of Board Engineer Robert C. DuBois and the September 22, 2014 Report of Board Planner, Randall C. Scheule, respectively.

2. That Applicant file a perfected Plan, as aforesaid and

3. That compliance be had with all other requirements of the Upper Deerfield Township Development Ordinance and Building Code.

BE IT FURTHER RESOLVED that a certified copy of this resolution be furnished to Applicant's in notice of this action be advertised by as required by law.

Upper Deerfield Planning Board

BRUNO BASILE, Chairman

ATTEST: _____
VICKI VAGNARELLI, Secretary

Memorialize November 10, 2014

Roll Call

Bruno Basile – Aye

Russell Vanella – Absent

Terry O'Neill – Absent

Jack Waselik – Aye

Anthony Buono, Sr. Aye

Joseph Spoltore, Alt #2 Aye

Laura Hayes, Alt #4 Aye

Ed Overdevest – no vote

Ed Fleetwood – no vote

Scott Smith – Aye

Louis J. Bramante, Jr., Aye

Robert Comer, Alt #1 Aye

Michele Mooney, Alt #3 Aye

PROFESSIONALS/COMMITTEE/COMMISSION

Cumberland County Planning Matt Pisarski updated Board on Farmland Preservation Plan. Board will need to decide if they want to make any changes. Board will discuss at the November 17 meeting.

On motion of Louis Bramante, seconded by Ed Fleetwood public portion was opened.

Dean Hawk questioned how the Farmland Preservation program works and how money is spent. Mr. Pisarski explained that individual property owners can approach the county and the county can target properties adjacent or near already preserved land.

On motion of Ed Fleetwood with all approving public portion was closed.

Mr. Pisarski informed the Board CC is seeking clarification on the interest of the municipality in preserving farmland within its Residential Zone, Block 402 Lot 21.01 21 W. Deerfield Road, Deerfield St. NJ 08313, owner Velan Russell,.

Planner Randall Scheule & Township Solicitor Rocco Tedesco – discuss Ordinances Ag Zone Single Family Dwelling, Administrative Site Plan, Street Lighting. Mr. Tedesco presented to the Board transmission of proposed ordinances and amendments and proposed form of ordinances

PUBLIC COMMENT

On motion of Ed Fleetwood seconded by Bob Comer public portion of the meeting was opened.

Dean Hawk expressed it is a fine line leaving things out of ordinances

Being no one further came before the Board on motion of Ed Fleetwood seconded by Louis Bramante the public portion was closed.

BOARD MEMBER ADDITIONAL INFORMATION

Bob DuBois will retire as of Dec. 2014.

On motion of Jack Waselik with all approving the meeting was adjourned.

Respectfully Submitted,

Vicki Vagnarelli
Secretary