

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held Monday, December 8, 2014 at 7:02 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: Terry O'Neill, Jack Waselik, Anthony Buono, Louis J. Bramante, Jr, (arrived 7:05), Robert Comer alt 1, Joseph Spoltore alt 2, 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: Edward Fleetwood, Scott Smith, Russ Vanella, Michele Mooney alt 3

On motion of Anthony Buono, seconded by Robert Comer, November 17, 2014 Minutes were approved.

On motion of Robert Comer seconded by Anthony Buono the following Resolution was memorialized

RESOLUTION 10 - 2014

Township of Upper Deerfield Planning Board

Applicant's Names: 1020 Bridgeton Chicken, LLC, t/a Popeyes

Application No.: P 5-14

Property: 1020 North Pearl Street
Block 1901, Lot 8.01

Application For: Final Major Site Plan Approval

Public Hearing: November 17, 2014

Findings of Fact:

1. Applicant was represented by Howard D. Melnicove, who appeared and presented the application on its behalf.
2. Applicant has acquired the location of the former Friendly's Restaurant in the ShopRite Shopping Center.
3. Applicant has received preliminary Major Site Plan Approval together with the sign size bulk variances by Board's Resolution #8-2004,.
4. Applicant now comes before the Board for final Major Site Plan approval in conjunction with which applicant's plans and documents submitted include:
 - a. Upper Deerfield Application Form.
 - b. Plan of topographic survey, Irving Design Group, LLC, dated May 30, 2014.

- c. Architectural plans (two sheets), Albert Taus & Associates, dated October 30, 2014, and
- d. A site plan (eight sheets), Jenne Associates, LLC, September 3, 2014.
5. Applicant has received, and considered the report of its Board Planner, Randall Scheule, PP,AICP, dated November 13, 2014.
6. Based upon the recommendation of Planner Scheule, the Board deemed the application complete.
7. Planner Scheule's November 13, 2014, report notes that:
 - a. Applicant has satisfactorily addressed all conditions of preliminary approval, and
 - b. Applicant has agreed to complete a lighting analysis to determine the adequacy of the existing lights after construction is partially completed. the lighting analysis should not delay issuance of the building permit.
 - c. The review of all grading, storm water, and utility issues is deferred to the Planning Board Engineer
8. No one appeared to testify at the public hearing.
9. The Planning Board has carefully considered this matter and finds that good cause exists for the granting of Final Major Site Plan approval, pursuant to N.J.S.A. 40-55-(d)-1, *et seq.* and the provisions of the Upper Deerfield Township Development ordinance.

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby grant the Final Major Site Plan approval to Applicant provided that the following conditions are met:

1. That applicant provide cost estimates and post a performance guarantee in an amount satisfactory to the Planning Board Planner, and Planning Board Engineer, respectively, and in a form satisfactory to the Planning Board Solicitor.
2. The applicant obtain approvals and permits as may be required by any other agency having jurisdiction.
3. That applicant satisfy the payment of any and all fees due to the Township of Upper Deerfield that was approved.
4. Applicant agrees to comply with any requirements identified by the Planning Board Engineer.
5. 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 and Notice of this action be advertised as required by Law.

Roll Call

Bruno Basile – Aye
Russell Vanella – Absent
Terry O'Neill – no vote
Jack Waselik – no vote
Anthony Buono, Sr. Aye
Joseph Spoltore, Alt #2 Aye
Laura Hayes, Alt #4 no vote

Ed Overdevest – no vote
Ed Fleetwood – Absent
Scott Smith – Absent
Louis J. Bramante, Jr., no vote
Robert Comer, Alt #1 Aye
Michele Mooney, Alt #3 Absent

Applicant, Inergy was represented by Attorney, Howard Melnicove and Director of Eastern Transportation, Henry Papiano. Use variance needed for extension of office trailer use. Prior 6 month extension that zoning officer approved ran out September 20, 2014. Since Township ordinance does not have any information regarding a second extension by the zoning officer the applicant needed to come before the Planning Board for a use variance. Trailer is being used for safety personnel and files as Current guidelines mandate records need to be separate and confidential. Inergy is actively searching for available space.

On motion of Robert Comer seconded by Jack Waselik the board opened the floor to the public. No one came for or against, so on motion of Louis J. Bramante with all approved public portion was closed.

On motion of Anthony Buono, seconded by Jack Waselik Approval of temporary Use Variance for six month extension, retroactive to September 20, 2014 and expiring March 29, 2015 was Granted.

Roll Call

Bruno Basile – Aye
Russell Vanella – Absent
Terry O’Neill – no vote
Jack Waselik – Aye
Anthony Buono, Sr. Aye
Joseph Spoltore, Alt #2 Aye
Laura Hayes, Alt #4 no vote

Ed Overdevest – Aye
Ed Fleetwood – Absent
Scott Smith – Absent
Louis J. Bramante, Jr., - Aye
Robert Comer, Alt #1 Aye
Michele Mooney, Alt #3 Absent

2015 Planning Program and Budget was Approved on motion of Ed Overdevest seconded by Anthony Buono.

Roll Call

Bruno Basile – Aye
Russell Vanella – Absent
Terry O’Neill – Aye
Jack Waselik – Aye
Anthony Buono, Sr. Aye
Joseph Spoltore, Alt #2 Aye
Laura Hayes, Alt #4 Aye

Ed Overdevest – Aye
Ed Fleetwood – Absent
Scott Smith – Absent
Louis J. Bramante, Jr., - Aye
Robert Comer, Alt #1 Aye
Michele Mooney, Alt #3 Absent

On motion of Louis Bramante, seconded by Jack Waselik the meeting was adjourned at 7:45pm.

Respectfully Submitted;

Vicki Vagnarelli