

The Reorganization Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, January 11, 2016, at 7:00 P.M. in the Municipal Building, Seabrook, N.J.

Solicitor Theodore H. Ritter called the meeting to order and read the following notice:

This is the annual reorganization meeting of the Planning Board of the Township of Upper Deerfield. "In compliance with the Open Public Meetings Act" notice of such meeting was published at least 48 hours prior to the meeting in South Jersey Times South and The Press of Atlantic City and filed with the Township Clerk in compliance with said Act.

REORGANIZATION MEETING

Present:

Vice Chairman: Ed Overdevest

Members: Terry O'Neill, Scott Smith, Russ Vanella, Jack Waselik, Anthony Buono, Joseph Spoltore, Robert Comer alt 1, Michele Mooney alt 2, Laura Hayes alt 3, new member Kenneth Jackson alt 4

Staff: Planner Randy Scheule, PP, AIC, Solicitors Theodore H. Ritter, Esq. , Matthew Ritter, Esq., and Secretary Vicki Vagnarelli.

Absent: Ed Fleetwood, Engineer J Michael Fralinger, Jr. PE, CME, (cannot attend K & E application)

Prior Chairman Bruno Basile retired so he was not in attendance. Alternates will change once Chair and Vice Chair elections are completed

Election of Chairman and Vice Chairman Officers:

Theodore H. Ritter, Solicitor requested nominations to elect 2016 Chairman.

On motion of Russell Vanella, seconded by Jack Waselik, Ed Overdevest was nominated with all Approving.

On motion of Russell Vanella seconded by Robert Comer nomination was closed.

Theodore H. Ritter, Solicitor turned meeting over to Chairman Overdevest and he requested nominations to elect 2016 Vice Chairman. On motion of Robert Comer, seconded by Anthony Buono, Russell Vanella was nominated with all Approving. On motion of Jack Waselik seconded by Anthony Buono nomination was closed.

Advertising agencies

On motion of Russell Vanella, seconded by Jack Waselik advertising agencies made and approved by township Committee were approved by Board for 2016 and are as follows:

The Daily Journal

The Press of Atlantic City

Appointment of Professionals (approved by Township Committee)

Solicitors, Theodore H. Ritter, Esq. and Matthew Ritter, Esq.

Engineer, J. Michael Fralinger, Jr. PE, CME

Planner, Randall Scheule, PP, AIC, Scheule Planning Solutions, LLC

Approval of 2016 Regular Meeting Dates & 2017 January Reorganization Meeting Date:

On motion of Russ Vanella, seconded by Robert Comer meeting dates Approved.

Notice of Public Meeting Dates for 2016 & Reorganization 2017

NOTICE IS HEREBY GIVEN that the meetings of the Planning Board of the Township of Upper Deerfield will be held at **7:00 pm** at the Municipal Building, Highway 77, Seabrook, New Jersey as follows:

Meetings

Monday, January 11, 2016 (Reorganization)
 Monday, February 8, 2016
 Monday, March 14, 2016
 Monday, April 11, 2016
 Monday, May 9, 2016
 Monday, June 13, 2016
 Monday, July 11, 2016
 Monday, August 8, 2016
 Monday, September 12, 2016
 Wednesday, October 12, 2016
 Monday, November 14, 2016
 Monday, December 12, 2016
 Monday, January 9, 2017 **Reorganization/Regular Meeting**

Meetings

Wednesday, January 20, 2016
 Wednesday, February 17, 2016
 Monday, March 21, 2016
 Monday, April 18, 2016
 Monday, May 16, 2016
 Monday, June 20, 2016
 No Session
 No Session
 Monday, September 19, 2016
 Monday, October 17, 2016
 Monday, November 21, 2016
 No Session

On motion of Russ Vanella, seconded by Robert Comer **Plan Due Dates** for meeting dates Approved.

**Township of Upper Deerfield Planning Board
Notice of Public Meeting Dates for 2016 & Reorganization 2017**

NOTICE IS HEREBY GIVEN that the meetings of the Planning Board of the Township of Upper Deerfield will be held at 7:00 pm at the Municipal Building, Highway 77, Seabrook, New Jersey as follows:

REGULAR MEETING DATES	APPLICANT APP/PLANS DUE ON OR BEFORE		WORK SESSION DATES	APPLICANT APP/PLANS DUE ON OR BEFORE
Mon., Jan 11, 2016 Reorganization Meet	Dec. 23		Wed, Jan 20, 2016	Jan 1
Mon. Feb 8, 2016	Jan 20		Wed, Feb 17, 2016	Jan 29
Mon. March 14, 2016	Feb 24		Mon. March 21, 2016	March 2
Mon. April 11, 2016	March 23		Mon. April 18, 2016	March 30
Mon. May 9, 2016	April 20		Mon. May 16, 2016	April 27
Mon. June 13, 2016	May 25		Mon. June 20, 2016	June 1
Mon. July 11, 2016	June 22		No Session	
Mon. August 8, 2016	July 20		No Session	
Mon. Sept.12, 2016	August 24		Mon. Sept. 19, 2016	August 31
Wed. Oct. 12, 2016	September 23		Mon. Oct. 17, 2016	September 28
Mon. Nov. 14, 2016	October 26		Mon. Nov. 21, 2016	Nov. 2
Mon. Dec. 12, 2016	November 23		No Session	
Mon. Jan. 9, 2017 Reorg/Regular Meeting	December 21			

Planning Board Committee Assignments 2016:

On motion of Russell Vanella seconded by Anthony Buono Budget, Site Plan Review and Master Plan Review Committee Assignments Approved 4 or less Voting Board Members may be on Committee – (5 or more is a quorum) as follows

Budget Committee

Edward Overdevest
Scott Smith
Anthony Buono

Site Plan Review Committee

Fralinger Engineering PA - Board Engineer
Edward Fleetwood
Terry O’Neill
Russ Vanella
Jack Waselik
Alternates
Anthony Buono

Master Plan Review Committee

Randy Scheule, Scheule Planning Solutions, LLC Board Planner
Edward Fleetwood
Edward Overdevest
Bob Comer
Jack Waselik
Sandy Morrisey, Environmental Commission

Planning Board Members Contact Information was disbursed for accuracy

Township Committee Contact Information was disbursed to keep on file

Being no further business on motion of Russ Vanella second by Anthony Buono with all approving the Reorganization meeting was closed at 7:10pm.

The reorganization portion of the meeting was closed and Chairman Ed Overdevest called to order and carry forward The Regular Meeting of the Planning Board of the Township of Upper Deerfield held Monday, January 11, 2016 at 7:10 pm in the Municipal Building, Seabrook, N.J.

Present:

Chairman: Ed Overdevest

Vice Chairman Russell Vanella

Members: Terry O'Neill, Scott Smith, Jack Waselik, Anthony Buono, Joseph Spoltore, Robert Comer, Laura Hayes alt 1, Michele Mooney alt 2, Kenneth Jackson alt 3, alt 4 is vacant

Staff: Planner Randy Scheule, PP, AIC, Solicitors Theodore H. Ritter, Esq. , Matthew Ritter, Esq., and Secretary Vicki Vagnarelli, Robert DuBois, Conflict Engineer (for K & E)

Absent: Edward Fleetwood, Engineer J Michael Fralinger, Jr. PE, CME, (cannot attend K & E application)

On motion of Russ Vanella, seconded by Robert Comer, Minutes of December 14, 2015 Approved.

On motion of Russ Vanella, seconded by Terry O'Neill the following resolution was memorialized

RESOLUTION 14-2015

Township of Upper Deerfield Planning Board

Applicant's Name: Jennifer Allen

Application: P-4-14

Application For: Use, Bulk, and Planning Variances, and Minor Subdivision Approval

Property: 23 Lebanon Road, Block 2701, Lot 38

Public Hearing: September 15, 2014 and December 14, 2015

Findings of Fact:

1. The Upper Deerfield Planning Board adopted its Resolution #7-2014 (copy attached) following a Public Hearing on September 15, 2014. The Board readopts and repeats the findings of fact contained therein
2. The Board's Resolution #7-2014 granted a minor subdivision, a use variance for Lot 38.01, lot width bulk variances for both Lot 38 and Lot 38.01 and a Planning Variance.
3. The owners of Lot 38 have recorded an instrument requiring the perpetual maintenance of the 25 foot access easement.
4. The deed descriptions for the proposed access easement were provided to, reviewed and approved by the Board Engineer and Planning Board Solicitor respectively.
5. The access easement has been recorded with the Cumberland County Clerk.
6. The applicant has provided verification from the Township Tax Assessor regarding the lot numbers assigned to the two new lots.
7. The subdivision deeds have been submitted to, reviewed and approved by the Planning Board Engineer and Board Solicitor respectively.
8. By correspondence dated December 7, 2015, the applicant's attorney, John G. Carr, requested reaffirmation of the 2014 approvals, since due to inadvertence, the subdivision deed had not been recorded within 190 days of the Board's adoption of its Resolution #7-2014.
9. When the reapproval request came before the Board, at its December 14, 2015, meeting the Board determined that neither the applicable zoning ordinance requirements, nor the facts and circumstances that had been considered in granting the 2014 approvals, have changed in a manner that would affect the approvals, or require a different result.

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby grant the re-approvals of the minor subdivision, a Use Variance for Lot 38.01, lot width Bulk Variances for both Lots 38 and 38.01, and a Planning Variance,

pursuant to N.J.S.A. 40:55D-70, and the provisions of Upper Deerfield Township Code, provided that the following conditions are met.

1. A copy of the recorded subdivision deed shall be filed by applicant with the Board Secretary, for the Board's permanent record; and
2. That compliance be had with all other applicable requirements of the Upper Deerfield Township Zoning ordinance and building code.

Roll Call

Ed Overdeest – Aye	Russell Vanella – Aye
Ed Fleetwood – no vote	Terry O’Neill – Aye
Scott Smith – Aye	Jack Waselik – Aye
Joseph Spoltore, Aye	Anthony Buono, Sr. Aye
Robert Comer, Aye	
Laura Hayes, Alt #1 no vote	Michele Mooney, Alt #2 no vote
Kenneth Jackson, Alt #3 no vote	Vacant Alt # 4

On motion of Russ Vanella, seconded by Joseph Spoltore the following resolution was memorialized

RESOLUTION 15-2015

Township of Upper Deerfield Planning Board

Topic: Area in Need of Redevelopment Investigation
Public Hearing: December 14, 2015
Findings of Fact:

1. On November 5, 2015, the Upper Deerfield Township Committee adopted its resolution #15-89, directing the Upper Deerfield Township Planning Board to conduct a study to determine whether the properties known as Block 1901, Lot 15, 15.02, 15.03, and 16, as shown on the Upper Deerfield Tax map (and hereafter referred to as “the Bristol Ponds” project) meet the requirements for a declaration of an Area in Need of Redevelopment.
2. The proposed Bristol Ponds redevelopment area is being considered as a non-condemnation area.
3. The Board conducted a properly advertised public hearing on December 14, 2015.
4. The Board received and considered the November 24, 2015, twenty-five page report by its Planner, Randall Scheule, PP, AICP of Scheule Planning Solutions, LLC.
5. Mr. Scheule began the December 14, 2015, public hearing with a power point presentation of his report.
6. The current owner and perspective developer have requested that the Township consider declaring the Bristol Pond project site (which includes some non-owned adjoining lots) to be an area in need of redevelopment preparatory to the Township considering the adoption of a redevelopment plan for the development of the property.
7. The owner and prospective developer have agreed to pay all professional service fees incurred by the Township in conducting the necessary studies to determine whether or not the property qualifies as an area in need of redevelopment.
8. The relevant statute is New Jersey Local Redevelopment and Housing Law NJSA 40A:12-1 et seq. (“the Redevelopment Law”)
9. Two persons appeared and spoke during the public portion of the hearing. Nancy Ridgeway of Irving Avenue in Upper Deerfield Township testified that the Board should declare the Area in Need of Redevelopment. She felt that the Township should contact the Cumberland County Planning Board to see if a business, or industrial user could be located to develop the site for a ratable which did not involve new housing in

the Township.

10. David G. Roberts, a New Jersey licensed planner with Maser Consultants, PA of Red Bank, New Jersey, next gave testimony regarding his substantial experience with the redevelopment law, and the applicability of specific criteria in the Redevelopment Law to specific factors effect this Bristol Pond site.

11 The Board, on motion, unanimously determined that the Bristol Ponds area qualified as an Area in Need of Redevelopment, in that:

- A. Most of this split zoned parcel has been vacant since at least 1931.
- B. The four lots comprising the Bristol Ponds project parcel are under separate ownership.
- C. The diverse ownership of the property impedes land assemblage and discourages development thereby resulting in a stagnant and unproductive condition of this land which is otherwise potentially useful and valuable.
- D. One of the lots is landlocked.
- E. Although the site contains nearly fifty (50) acres, there is only 496.57 feet of frontage on Cornwell Drive, and no other road access to the site.
- F. The shape of the site, and limited access, makes it unlikely that it will be developed utilizing private capital.
- G. The buildings on site, by reason of obsolescence, lack of central heat and/or obsolete layout, and for a combination of these and other factors are detrimental to the likelihood of development of this site.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Upper Deerfield that Block 1901, Lots 15, 15.02, 15.03, and 16 as shown on the Upper Deerfield Township Tax map (and commonly referred to as “the Bristol Ponds project”) does meet the requirements and hereby found to be an Area in Need of Redevelopment.

Roll Call

Ed Overdevest – Aye	Russell Vanella – Aye
Ed Fleetwood – no vote	Terry O’Neill – Aye
Scott Smith – Aye	Jack Waselik – Aye
Joseph Spoltore, Aye	Anthony Buono, Sr. Aye
Robert Comer, Aye	
Laura Hayes, Alt #1 no vote	Michele Mooney, Alt #2 no vote
Kenneth Jackson, Alt #3 no vote	Vacant Alt # 4

APPLICANT/DEVELOPMENT

(P 2-15) K & E Continued Public Hearing Application: (public hearings: May 11, June 8, 15, Sept. 21, Oct 5 special meet, Nov. 16, Dec. 14) **K & E Holding I LLC - Pre/Final Maj. S/P 707/2 & 5 Centerton & Fox Rd (Ag Zone)** propose utilization of both parcels for resource extraction.

Michael Fralinger Esq. represents the applicant.

Gerald Neski Esq. represents group of residence opposing application. Attorney Neski began testimony with Sarah Birdsall, licensed Planner. Ms. Birdsall gave testimony and answered question proposed by Attorney Fralinger, professionals and Board members.

Mr. Joe Lacotte opposing application gave testimony and answered questions proposed by Attorney Fralinger, professionals and Board members.

Exhibits entered into evidence.

Objector 3 1/11/16 - Google Earth Overview Map (show location homes/residents)

Objector 4 1/11/16 - 11 pages with Addendum

Objector 5 1/11/16 - Map Deerfield-UD North Project Area 2015

Objector 6 1/11/16 – Minutes of August 14, 1989

Due to time restraints meeting will be carried to February 8 continuing with Attorney Neski.

PUBLIC COMMENT PORTION OF MEETING

On motion of Russell Vanella seconded by Joseph Spoltore the public portion of the hearing/meeting was opened. Nancy Ridgway congratulated Mr. Overdevest as chairman. As no one else came before the Board on motion of Jack Waselik seconded by Anthony Buono public portion was closed.

Being no further business on motion of Jack Waselik seconded by Anthony Buono meeting was adjourned.

Respectfully Submitted

Vicki Vagnarelli
Secretary