

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, July 10, 2017 at 7:01 pm in the Municipal Building, Seabrook, N.J.

Chairman: Ed Overdevest 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 Daily Journal and The Press of Atlantic City and filed with the Township Clerk in compliance with said Act.

Present:

Chairman Ed Overdevest,

Vice Chairman: Russ Vanella,

Members: Joseph Spoltore, Anthony Buono, Terry O'Neill, Robert Comer, Michele Mooney alt 2, Kenneth Jackson alt 3, Wayne Sabota alt 4

Staff: Engineer J Michael Fralinger, Jr. PE, CME, Planner Randy Scheule, PP, AIC,
Solicitor Theodore Ritter, Esq. and Secretary Vicki Vagnarelli

Absent: Jack Waselik, Scott Smith, Laura Hayes alt 1, Solicitor Matt Ritter Esq.,

On motion of Robert Comer, seconded by Joseph Spoltore, Minutes of May 15, 2017 Approved

On motion of Joseph Spoltore seconded by Anthony Buono the following resolution was memorialized.

RESOLUTION 5 - 2017

Township of Upper Deerfield Planning Board

Applicants Names: John and Rebecca Pagels

Application #: P-3-17

Application For: Minor Subdivision (Lot line adjustment)

Public Hearing: May 15, 2017

Finding of Facts:

1. The applicants are self-represented.
2. Applicants seek to purchase, from their neighbor, nine-acres of ground which are contiguous to applicant's land.
3. Applicants reside at 167 Richards Road, Upper Deerfield Township in the R-1 zone.
4. Applicants present property which is designated on Block 703, Lot 14, comprises 3-acres.
5. Applicants have contracted to acquire 9-acres from the owners of Block 703, Lot 14.02. The latter parcel currently 18.18-acres.
6. If approved, Lot 14 will go from 3-acres to 12-acres and Lot 14.02 will go from 18.18-acres to 9.18-acres.
7. Applicant John Pagels testified that he operates a small grain and hay farm.
8. The Board received and considered the May 12, 2017 report of Board Planner, Randall Scheule, PP/AIC. Planner Scheule was present for and participated in the public hearing.
9. The Board received and considered the May 10, 2017 report of Board Engineer, J. Michael Fralinger, Jr. Engineer Fralinger was present for and participated in the public hearing.
10. The Board granted waivers for check-list items: 15, 20, 21, 22, 27, 28, 34, 39, 46, and 50 and then deemed the application complete.

11. John Pagels testified that the existing well and septic system serving Lot 14.02 are each located in close proximity to the existing dwelling on that lot and neither will be affected by the proposed lot line revision. This testimony satisfied a question raised by board engineer, J. Michael Fralinger, Jr.

12. No one testified for or against the subdivision at the public hearing.

13. The Board observes that no development is planned and that this is merely a lot line adjustment.

14. The Board further observes that no Variance is required.

15. The Board further observes that the front yard setback of the dwelling on Lot 14 is 34.5 feet which does not comply with the current ordinance. This is an existing non-conforming condition which will not be affected by the granting or denial of the subdivision.

16. The Board has carefully considered the matter and finds that this is a by-right subdivision.

17. **NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of Township of Upper Deerfield that the minor subdivision application of John and Rebecca Pagels is hereby approved subject to the following conditions are met:

The compliance be had with all of the applicable requirements of the Upper Deerfield Township Development Ordinance and Building Code.

C-1 That applicant obtain approval from the Cumberland County Planning Board.

C-2 The Planning Board Planner and Planning Board Engineer are hereby delegated the authorization to approve minor changes to the subdivision plan requested by applicant or applicant’s professional provided that, such minor changes consistent with the planning board’s approval and that any such change shall be reported to the Planning Board at its next regular meeting.

C-3. That the draft Deeds memorializing the subdivision shall be submitted to the Board Engineer and the Board Solicitor, respectively, for review and approval prior to presentation to the Board Chair and Secretary for execution of the subdivision paragraphs in those Deeds.

Roll Call

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

On motion of Russell Vanella seconded by Anthony Buono the following resolution was memorialized.

RESOLUTION 6 - 2017

UPPER DEERFIELD TOWNSHIP PLANNING BOARD

RESOLUTION ADOPTING 2017 MASTER PLAN RE-EXAMINATION REPORT

WHEREAS, the New Jersey Municipal Land Use Law requires that the Township Master Plan provide a statement of goals, objectives, assumptions, policies and standards upon which constituent proposals for the physical, economic and social development of the municipality are based (N.J.S. 40:55D-28); and

WHEREAS, the goal-setting phase of the Master Plan process is the foundation upon which the remainder of the Master Plan is based; and

WHEREAS, the Township of Upper Deerfield’s first Master Plan was prepared in 1979. Thereafter, a comprehensive Master Plan was completed in 1988. The Master Plan was thereafter re-examined in 1994, 2002, 2003 and 2010; and

WHEREAS, the municipal land use law stipulates that each municipality in the State must periodically re-examine its Master Plan and development regulations per N.J.S. 40:55D-89; and

WHEREAS, the Upper Deerfield Township Planning Board appointed a Planning Board Master Plan Sub-committee comprised of Planning Board members together with a member of the public and the Township Clerk/Administrator; and

WHEREAS, following a series of meetings and presentations to the Planning Board by the Planning Board Master Plan Committee, the Board Planner, Randall Scheule, PP/AICP, has prepared a Master Plan Re-examination Report; and

WHEREAS, the Master Plan Re-examination Report for the Township of Upper Deerfield was the subject of a public hearing, properly advertised and noticed, conducted by the Upper Deerfield Township Planning Board on May 15, 2017; and

WHEREAS, the Board having received and considered input from the public as well as input from members of the Planning Board and its staff, and for good cause;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Township of Upper Deerfield in Cumberland County, New Jersey does hereby adopt the 2017 Master Plan Re-examination Review Report this 15th day May, 2017.

Roll Call

Ed Overdevest – Aye

Vacant

Scott Smith – Absent

Joseph Spoltore, Aye

Robert Comer, Aye

Laura Hayes, Alt #1 Absent

Kenneth Jackson, Alt #3 no vote

Russell Vanella – Aye

Terry O’Neill – Aye

Jack Waselik – Absent

Anthony Buono, Sr. Aye

Michele Mooney, Alt #2 Aye

Wayne Sabota, Alt # 4 Aye

The public and the township is no longer in litigation with K & E. Stipulation of Settlement was drawn by Solicitor Theodore Ritter per Judge Curio as the 45 day appeal has expired and has been signed by both Applicant and Planning Board Attorneys and filed with the court house June 29, 2017. K & E is in the mist of taking steps per agreement such as fencing so far. There will still be some Board and staff work continuing with following up with conditions of approval.

Being no further business on motion of Anthony Buono seconded by Joseph Spoltore the meeting was adjourned.

Respectfully submitted

Vicki Vagnarelli