

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, September 18, 2017 at 7:00 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:** Jack Waselik, Joseph Spoltore, Anthony Buono, Terry O'Neill, Robert Comer, Laura Hayes alt 1, 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:** Scott Smith, Michele Mooney alt 2, Solicitor Matt Ritter Esq.,

On motion of Robert Comer, seconded by Anthony Buono, Minutes of August 14, 2017 Approved

On motion of Jack Waselik seconded by Anthony Buono the following resolution was memorialized.

**RESOLUTION 7- 2017**

**Township of Upper Deerfield Planning Board**

**Applicant's Name:** East Coast Appraisal Management, LLC, purchaser under contract

**Present Owner:** TD Bank, N.A.

**Former Owner:** Integrity Land Development, Inc.

**Application for:** Second, One Year Extension of Amended Preliminary Site Plan Approval

**Property:** 77 Laurel Heights Drive  
Block 1808, Lots 2, 3, 4, and 7

**Board Action:** August 14, 2017

**Findings of Fact:**

1. On March 12, 2007, the Upper Deerfield Township Planning Board adopted its Resolution 13-2007 which granted Amended Preliminary Major Site Plan approval to Integrity Land Development, Inc. for 279 town homes at 77 Laurel Heights Drive.
2. Subsequently, the property was acquired by TD Bank, N.A., OREO Department.
3. The current owner, TD Bank, N.A., has entered into a contract with applicant East Coast Appraisal Management, LLC for the sale of the property.
4. By an August 3, 2017 letter from East Coast Appraisal Management, LLC the Planning Board was asked to grant a second one-year extension of approval.
5. The Board previously granted a one-year extension, on August 8, 2016, retroactive to June 30, 2016.
6. No one appeared in favor of nor in opposition to the request for the second extension.
7. The applicant is entitled to the requested second one-year extension.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Upper Deerfield that a second one-year extension of Amended Preliminary Major Site Plan Approval, as described in the Board's resolution #13-2007, for the above listed lots collectively known as 77 Laurel Heights Drive is granted, retroactive to July 1, 2017. The Board notes that preliminary approval will expire, automatically, at midnight, on June 30, 2018 unless, in the interim, an application is made for Final Major Site Plan Approval.

**Roll Call**

Ed Overdeest – Aye

Vacant

Scott Smith – Absent

Joseph Spoltore, Aye

Robert Comer, Aye

Laura Hayes, Alt #1 Aye

Kenneth Jackson, Alt #3 no vote

Russell Vanella – Aye

Terry O’Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. Aye

Michele Mooney, Alt #2 Absent

Wayne Sabota, Alt # 4 no vote

Jeanette McGuigan-Musso 4 W. Deerfield Road, Block 404, Lot 9 responded to a letter sent by solicitor Ritter with regard to informing the Board of how they determined where to place shrubs etc. This was a result of a verbal complaint expressed to secretary Vagnarelli.

Mrs. McGuigan-Musso had color photos and explained each one showing location height and proximity to neighbor's property next door and across the street. She testified they thought it would look better to keep the shrubs looking uniform with the neighbors. Also, rather than have the solar array in the middle of the yard, which, was allowed without coming before the Board and where it would have been more visible they chose to requested a variance in order to put them further back. Planner Scheule did testify that he has not been back to the site, however, the pictures do show the shrubs are putting off good growth and provide adequate screening to the solar array.

After the Board listened to the testimony on motion of Russell Vanella seconded by Anthony Buono the Board Approved to accept the screening is adequate as it is today.

**Roll Call**

Ed Overdevest – Aye

Vacant

Scott Smith – Absent

Joseph Spoltore, Aye

Robert Comer, Aye

Laura Hayes, Alt #1 Aye

Kenneth Jackson, Alt #3 Aye

Russell Vanella – Aye

Terry O'Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. Aye

Michele Mooney, Alt #2 Absent

Wayne Sabota, Alt # 4 no vote

K & E Holding I LLC: respond to letter that was sent by Solicitor Ritter regarding discussion at August 14 meeting. Discussion was with regard to the fence, screening, berms, plantings, area relating to certain neighboring property. Revised plans will be completed for Planner Scheule to review.

Mr. Pierson requested Randy to come out and oversee when it comes time to plantings.

On motion of Russell Vanella seconded by Robert Comer the Board Approved changes.

**Roll Call**

Ed Overdevest – Aye

Vacant

Scott Smith – Absent

Joseph Spoltore, Aye

Robert Comer, Aye

Laura Hayes, Alt #1 Aye

Kenneth Jackson, Alt #3 Aye

Russell Vanella – Aye

Terry O'Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. Aye

Michele Mooney, Alt #2 Absent

Wayne Sabota, Alt # 4 no vote

Planner Randall Scheule informed the Land Mining Ordinance Draft is still a work in progress

Planner Randall Scheule Zone Map revisions packet were distributed to Board members. Randy informed that this was part of Master Plan Reexam and now needs to be in Ordinance form. If Board is comfortable with this draft ordinance this in conjunction with MP Consistency report finding these changes are consistent with MP can be sent to Township Committee for their Introduction, Consideration and then Final Adoption of these zoning changes. After discussion on motion of Russell Vanella seconded by Robert Comer the Board Approved Randy to create report to send to

Upper Deerfield Township Planning Board Meeting

September 18, 2017

Page 4

Township Committee.

**Roll Call**

Ed Overdevest – Aye

Vacant

Scott Smith – Absent

Joseph Spoltore, Aye

Robert Comer, Aye

Laura Hayes, Alt #1 Aye

Kenneth Jackson, Alt #3 Aye

Russell Vanella – Aye

Terry O’Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. Aye

Michele Mooney, Alt #2 Absent

Wayne Sabota, Alt # 4 no vote

On motion of Russ Vanella seconded by Jack Waselik the public comment portion of the meeting was opened. Being no one came forth on motion of Jack Waselik seconded by Robert Comer the public comment portion was closed.

**BOARD MEMBER ADDITIONAL INFORMATION**

NJDEP Flood Hazard Area Verification & Wetland Letter of Interpretation -Wetland Boundary Verification Applications regarding – Bristol Ponds 1901/15, 15.03, 16

Being no further business on motion of Russ Vanella seconded by Robert Comer the meeting was adjourned

Respectfully submitted,

Vicki Vagnarelli