

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, November 19, 2018 at 7:04 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 Russell Vanella,

Members: Robert Comer, Joseph Spoltore, Jack Waselik, Terry O'Neill, Wayne Sabota alt 3

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

Absent: Scott Smith, Anthony Buono, Laura Hayes alt 1, Ken Jackson alt 2, Solicitor Theodore H Ritter, Esq.

On motion of Russ Vanella, seconded by Jack Waselik, Minutes of October 15, 2018 Approved.

On motion of Robert Comer seconded by Joseph Spoltore the following Resolution was approved.

RESOLUTION 17-2018

Township of Upper Deerfield Planning Board

Applicant's Name: ~~Bruce and Debra Riley~~ Earl and Janice Marino

Application No.: P 7-18

Property: Block 2602, Lots 36 & 37

Application For: Minor Subdivision / Lot Line Adjustment

Public Hearing: October 15, 2018

Findings of Fact:

1. Applicant Earl Marino appeared before the Board and presented the application *pro se*.
2. Applicant proposes a minor subdivision / lot line adjustment between lots 36 and 37, which share a rear lot line for each lot.
3. Under the proposed minor subdivision, lot 36 would increase from 0.34 to 0.43 acres and lot 37 would be reduced from 0.54 to 0.45 acres. Each parcel contains a dwelling and various accessory structures.
4. Both lots are located in the R-2 Residential Zoning District. Lot 36, as proposed, requires variances for lot area, lot width and lot coverage, and has a pre-existing nonconformity for side yard setback of 14.58' where 20' is required.
5. Lot 37, as proposed, requires variances for lot area and lot coverage, and has a pre-existing nonconformity for a lot width of 127.29' where 175' is required.
6. Applicant originally appeared before the Board on September 17, 2018 however the application was tabled at that time due to the requirement that Applicant give public notice.
7. Prior to tabling the application, the Board deemed the application complete after requesting that the Applicant update the plan to indicated the location of the existing, respective wells and septic systems.
8. The technical hearing resumed at the Board's regular meeting on October 15, 2018. Mr. Marino was sworn and testified in favor of the application.

9. The Board received and considered the following:
 - A. Upper Deerfield Township Application form and Checklist, dated 8/18/18.
 - B. Proposed lot line adjustment plan prepared by Ewing Associates, dated June 15, 2018 and last revised October 3, 2018.
10. Applicant testified that the revised plan shifted the rear lot line 2 feet to the north so that the existing cesspool is no longer located on the property line.
11. The Board took note that the Cumberland County Planning Board approved the Minor Subdivision on September 5, 2018.
12. The Board received and considered the October 8, 2018 Report of Board Planner Randall Scheule, PP, AICP, who was present and participated in the hearing.
13. The Board also received and considered the October 11, 2018 Report of Board Engineer J. Michael Fralinger, Jr., PE, CME, who was present and participated in the hearing.
14. No one from the public spoke for or against the proposed minor subdivision.
15. The Board discussed the multiple accessory structures related to the two properties which encroached upon adjoining properties. Applicant agreed that any non-compliant shed that was not removed entirely would be moved to be at least 5' from any property line.
16. The Board found that compliance was had with each of the various requirements of the Open Public Meetings Law, P.L. 1975 c. 231.
17. The Planning Board has carefully considered this matter and, based upon the representations and testimony presented on the Applicants' behalf, as well as the information set forth in the application materials, and the input from the Board's professionals, finds that good cause exists for the granting of minor subdivision approval.

NOW THEREFORE BE IT RESOLVED that the Board does hereby grant minor subdivision approval to Applicants, provided that the following conditions are met:

- A. Applicants must pay any and all required fees that are due, or become due to the Township, and replenish any outstanding review escrow accounts as directed, within seven (7) days notice thereof.
- B. That Applicants must comply with all representations made through any representative during the course of applicant's presentation to the Board, and in all documents filed with the application.
- C. The Applicants shall obtain approvals and permits as may be required by any other agency having jurisdiction.
- D. The Applicants must submit to the Planning Board Engineer, for his review and approval, the metes and bounds descriptions to be included in the Deeds which will effectuate the subdivision.
- E. The Applicant must submit to the Board Solicitor, for review and approval as to form, the Deeds that will effectuate the subdivision. The minor subdivision deeds should contain the statement "Minor subdivision approval of the premises described herein was granted by the Upper Deerfield Township Planning Board at its October 15, 2018 regular meeting, and memorialized on [insert Resolution date] in Resolution [insert Resolution number]." This text should be followed by signature lines for the Planning Board Chairman and Secretary, respectively.
- F. Once approved by the Board Solicitor, the Applicants must submit the minor subdivision Deeds to the Planning Board for signature by the Chairman and Secretary.
- G. The Applicant must comply with all above conditions, prior to the Board Chairman and Secretary signing the subdivision Deeds.

- H. Applicant must record the minor subdivision Deeds in the Cumberland County Clerk's Office, and file the Deeds with the Township Engineer and Tax Assessor, within 190 days of the date of adoption of this Resolution.
- I. That compliance be had with all other requirements of the Upper Deerfield Township Development Ordinance and building code.
- J. The Planning Board Engineer and Planning Board Planner are hereby delegated the authorization to approve minor changes, as requested by Applicants or Applicants' professionals, provided that any such minor change is consistent with the Planning Board's approval. Any such changes will be reported to the Planning Board at its next regular meeting.

BE IT FURTHER RESOLVED that a Certified copy of this Resolution be furnished to Applicants and Notice of this action be advertised as required by Law.

The undersigned, Chairman of the Upper Deerfield Township Planning Board, hereby certifies that the above is a true copy of a Resolution adopted by said Board on November 19, 2018, to memorialize action taken on September 17, 2018 and October 15, 2018.

On motion of Robert Comer seconded by Joseph Spoltore the Board memorialized resolution

Roll Call

Ed Overdevest – Aye	Russell Vanella - Aye
Terry O'Neill- Aye	Scott Smith – Absent
Jack Waselik- Aye,	Joseph Spoltore – Aye
Anthony Buono Sr.- Absent	Robert Comer - Aye
Laura Hayes, Alt #1 - Absent	Kenneth Jackson, alt #2 - Absent
Wayne Sabota, Alt #3	Vacant seat, Alt #

Regarding Resolution 18-2018 Perdue AgriBusiness Grain LLC Solicitor Matthew Ritter requested the Board Table memorializing this resolution to allow Attorney Michael Fralinger ample time to review the copy he received earlier today. Board unanimously approved to Table resolution 18-2018.

Applicants/Developments

P 10-18 Brian Ackley 88 & 92 West Deerfield Road 404/3 & 4 Proposing a Lot line Change form of Min S/D & Conditional Use Variance - Attorney Howard Melnicove representing applicant requests the hearing Tabled until January 14, 2019. On motion of Russell Vanella seconded by Robert Comer the Board unanimously Approved to Table.

Attorney Howard Melnicove representing Mr. Hankins & Mr. Hibbeln – (purchased Stone Bridge Run) Block 1808 Lots 2, 3, 16, 17, 77 Laurel Heights Drive proposed Request for Five year Extension. Attorney Melnicove requested a one year extension rather than the five year extension. On motion of Russell Vanella seconded by Jack Waselik the one year extension good through June 30, 2019 was approved.

Roll Call

Ed Overdevest – Aye	Russell Vanella - Aye
Terry O'Neill- Aye	Scott Smith – Absent
Jack Waselik- Aye,	Joseph Spoltore – Aye
Anthony Buono Sr.- Absent	Robert Comer - Aye
Laura Hayes, Alt #1 - Absent	Kenneth Jackson, alt #2 - Absent
Wayne Sabota, Alt #3 Aye	Vacant seat, Alt #

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CC Dept. of Planning Matt Pisarski was to be in attendance for Annual Update of Farmland Preservation Plan to review incorporated revisions to project area and targeting priorities, to ensure plan continues to reflect municipal interest and garner input from Board members. He was under the weather and will double check his schedule to attend December 10, 2018

Planner Randall Scheule: below discussions

Discussion of Area in Need of Redevelopment (Pappas-Seabrook) Block 905 Lots 1, 9, 10, 12 & Block 1108 Lot 7- Preliminary Investigation dated 10/11/18 was presented 10/15/18 & Planner Scheule requested Board members review for further discussion at next meeting. On page 1 under Introduction there was a minor change. On motion of Jack Waselik seconded by Robert Comer the Board approved to Forward to Township Committee for further Action.

Roll Call

Ed Overdevest – Aye

Russell Vanella - Aye

Terry O'Neill- Aye

Scott Smith – Absent

Jack Waselik- Aye,

Joseph Spoltore – Aye

Anthony Buono Sr.- Absent

Robert Comer - Aye

Laura Hayes, Alt #1 - Absent

Kenneth Jackson, alt #2 - Absent

Wayne Sabota, Alt #3 Aye

Vacant seat, Alt #

Discussion of Bristol Ponds Redevelopment Plan (dated Sept. 4, 2018) In attendance to testify :

Attorney Robert Washburn, Representative for Developer/Owner Steve Patron, Engineer Erik Littlehouse, Planner David Roberts. Discussion with Board and explanation of project was given. On motion of Joseph Spoltore seconded by Wayne Sabota the Board approved to Forward to Township Committee for further Action.

Roll Call

Ed Overdevest – Aye

Russell Vanella - Aye

Terry O'Neill- Aye

Scott Smith – Absent

Jack Waselik- Aye,

Joseph Spoltore – Aye

Anthony Buono Sr.- Absent

Robert Comer - Aye

Laura Hayes, Alt #1 - Absent

Kenneth Jackson, alt #2 - Absent

Wayne Sabota, Alt #3 Aye

Vacant seat, Alt #

Discussion of Fair Share Housing Update (paperwork dated Oct. 23, 2018) Planner Scheule & Roy Spoltore, Administrator/Clerk gave updates

On motion of Joseph Spoltore seconded by Wayne Sabota the public portion of the meeting was opened and being no one came before the Board on motion of Jack Waselik seconded by Robert Comer the public portion was closed.

Being no further business on motion of Jack Waselik seconded by Wayne Sabota the meeting was adjourned.

Respectfully Submitted

Vicki Vagnarelli