

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, February 12, 2018 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,

Members: Jack Waselik, Joseph Spoltore, Anthony Buono, Terry O'Neill, Robert Comer, Scott Smith, Laura Hayes alt 1, Kenneth Jackson alt 2, Wayne Sabota alt 3

Staff: Engineer J Michael Fralinger, Jr. PE, CME, Planner Randy Scheule, PP, AIC, Solicitor Matt Ritter Esq. and Acting Secretary Roy Spoltore

Absent: Vice Chairman: Russ Vanella, Solicitor Theodore Ritter, Esq.

Planner Scheule discussed the proposed revisions of an Ordinance Amending Section 405-12 of the Code of the Township of Upper Deerfield (Use regulations) that was previously sent to the Township Committee for their review and possible introduction. The Board reviewed the proposed ordinance revisions. Wayne Sabota asked if by eliminating a couple of the uses that were proposed to be designated as prohibited if they are now considered a permitted use. Mr. Scheule responded that the removed prohibited uses are not currently permitted in the Township zoning ordinance and would still require a use variance.

On motion of Robert Comer seconded by Joe Spoltore the following Resolution 4-2018 proposed Ordinance proposes to amend Section 405-12 of the Code of the Township of Upper Deerfield pertaining to Use regulations.

RESOLUTION NO. 4-2018
UPPER DEERFIELD TOWNSHIP
PLANNING BOARD

WHEREAS, the Township Committee of the Township of Upper Deerfield has requested that the Planning Board review an Ordinance proposing to amend the Township Land Use Code; and

WHEREAS, the proposed Ordinance proposes to amend Section 405-12 of the Code of the Township of Upper Deerfield, with respect to Use Regulations and Prohibited Uses; and

WHEREAS, the Planning Board reviewed the proposed Ordinance as required by NJSA 40:55-D-64, at its Regular Meetings of January 8, 2018, and February 12, 2018; and

WHEREAS, the Planning Board is assigned referral power, pursuant to NJSA 40:55D-26, under which

the Planning Board shall make and transmit to the governing body, within thirty-five days after referral, a report, including identification of any provisions of a proposed development regulation, revision, or amendment, which are inconsistent with the Master Plan; and

WHEREAS, at its January 8, 2018 Regular meeting, the Planning Board received and reviewed a Consistency Report prepared by Board Planner Randall Scheule, PP, AICP; and

WHEREAS, at its February 12, 2018 Regular meeting, the Planning Board received, reviewed and accepted a revised version of the aforesaid ordinance, and reaffirmed that the ordinance is consistent with the Master Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Township of Upper Deerfield, does hereby find and determine that the above referenced Ordinance Amendments with respect to Use Regulations and Prohibited Uses are consistent with and serve to effectuate the Township's Master Plan. The Board further finds that no provision in the proposed Ordinance revisions listed above is inconsistent with the Master Plan.

Roll Call

Ed Overdevest – Aye

Robert Comer, Aye

Scott Smith – Aye

Joseph Spoltore - Aye

Vacant seat

Laura Hayes, Alt #1 - Aye

Wayne Sabota, Alt #3

Russell Vanella – Absent

Terry O'Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. - Aye

Kenneth Jackson, alt #2 - Aye

Vacant seat, Alt # 4 Aye

Planner Scheule discussed the proposed revisions of an Ordinance Amending Sections 405-4, 405-5 and 405 Attachment 2 of the Code of the Township of Upper Deerfield pertaining to zoning designations that was previously sent to the Township Committee for their review and possible introduction. The Board reviewed the proposed ordinance revisions.

On motion of Jack Waselik seconded by Robert Comer the following Resolution 5-2018 proposed Ordinance proposes to amend Sections 405-4, 405-5 and 405 Attachment 2 of the Code of the Township of Upper Deerfield pertaining to Use regulations.

RESOLUTION NO. 5-2018

UPPER DEERFIELD TOWNSHIP

PLANNING BOARD

WHEREAS, the Township Committee of the Township of Upper Deerfield has requested that the Planning Board review an Ordinance proposing to amend the Township Land Use Code; and

WHEREAS, the proposed Ordinance proposes to amend Sections 405-4, 405-5, and 405 Attachment 2 of the Zoning and Development of the Code of the Township of Upper Deerfield revising the list of zoning districts and revising certain areas of the zoning map; and

WHEREAS, the Planning Board reviewed the proposed Ordinance as required by NJSA 40:55-D-64, at its Regular Meetings on October 16, 2017 and February 12, 2018; and

WHEREAS, the Planning Board is assigned referral power, pursuant to NJSA 40:55D-26, under which the Planning Board shall make and transmit to the governing body, within thirty-five days after referral, a report, including identification of any provisions of a proposed development regulation, revision, or amendment, which are inconsistent with the Master Plan; and

WHEREAS, at its November 20, 2017 Regular meeting, the Planning Board received and reviewed a Consistency Report prepared by Board Planner Randall Scheule, PP, AICP; and

WHEREAS, the Planning Board again reviewed the proposed Ordinance at the November 20, 2017 Meeting, and discussed the Consistency Report with Mr. Scheule; and

WHEREAS, at its February 12, 2018 Regular meeting, the Planning Board received, reviewed and accepted a revised version of the aforementioned ordinance, and reaffirmed that the ordinance is consistent with the Master Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Township of Upper Deerfield, does hereby find and determine that the above referenced Ordinance Amendments are consistent with and serve to effectuate the Township's Master Plan, and Redevelopment Plan respectively. The Board further finds that no provision in the proposed Ordinance revisions listed above is inconsistent with the Master Plan.

Roll Call

Ed Overdeest – Aye

Robert Comer, Aye

Scott Smith – Aye

Joseph Spoltore - Aye

Vacant seat

Laura Hayes, Alt #1 - Aye

Wayne Sabota, Alt #3

Russell Vanella – Absent

Terry O'Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. - Aye

Kenneth Jackson, alt #2 - Aye

Vacant seat, Alt # 4 Aye

Both Ordinances will be forwarded to the Township Committee.

PUBLIC COMMENT

On motion of Jack Waslik seconded by Robert Comer the public portion of the meeting was opened. With no public comment and on a motion of Jack Waslik seconded by Robert Comer the public portion was closed.

BOARD MEMBER ADDITIONAL INFORMATION

Robert Comer suggested that the Nov/Dec Planner magazine be made available to all new incoming members of the Board as the articles were very insightful.

Being no further business on motion of Anthony Buono seconded by Robert Comer the meeting adjourned.