

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, September 10, 2018 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 Russell Vanella,

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

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

Absent: Solicitor Theodore H. Ritter, Esq.

On motion of Russ Vanella seconded by Robert Comer, Minutes of August 13, 2018 Approved.

On motion of Joseph Spoltore seconded by Anthony Buono Resolution 14-2018 was memorialized.

RESOLUTION 14-2018

Township of Upper Deerfield Planning Board

Topic: Area in Need of Redevelopment Investigation Application **No.:**

N/A

Public Hearing: August 13, 2018

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 was being considered as a non-condemnation area.

3. The Board conducted a properly advertised public hearing on December 14, 2015.

4. Thereafter the Board adopted Resolution #15-2015 declaring the Bristol Ponds area to be an Area in Need of Redevelopment.

5. Thereafter, on June 7, 2018 the Upper Deerfield Township Committee adopted its Resolution #18-

121 requesting the Planning Board to "...update, if necessary, the previous Planning Board's report on the Area in Need of Redevelopment designation with reference to the proposed redevelopment plan..."

6. Thereafter, the preliminary investigation Bristol Ponds Redevelopment Area report of Randall E. Scheule, PP/AICP of Scheule Planning Solutions, LLC dated July 6, 2018 was updated and revised to address Township Committee Resolution #18-121.

7. The Board has received, considered and discussed with Randall E. Scheule his July 6, 2018 updated preliminary investigation report.

8. The current owner and prospective redeveloper have been meeting with Township representatives respecting proposed Bristol Pond redevelopment project.

9. With the exception of Block 1901, Lot 15.02 (owned by Upper Deerfield Township) the current owner now owns all of the property comprising the Bristol Pond project site including an easement covering part of Block 1902, Lot 8 overlaying what is now known as Shoprite Drive.

10. The Township is considering adoption of a Redevelopment Plan for the development of the property.

11. 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.

12. The relevant statute is New Jersey Local Redevelopment and Housing Law NJSA 40A:12-1 et seq. ("the Redevelopment Law").

13. No one appeared during the public portion of the August 13, 2018 hearing other than developer's counsel and professionals.

14. 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. It can be described as an overgrown, fallow farm field.
- B. The building formerly occupied by Bridgeton Welding and Spring Works is considered functionally obsolete and detrimental to community welfare. It has been vacant for several years.
- C. The property has been stagnant and unproductive although the land is potentially useful

and valuable.

- D. The irregular shape, limited street frontage and wetlands are detrimental to conventional development opportunities. Although the site contains nearly fifty (50) acres, there is only 496.77 feet of frontage on Cornwell Drive.
- E. One of the lots is landlocked.
- F. The owner/developer, by execution of an access easement, recorded on April 13, 2018 intends to provide road access to the residential portion of the Redevelopment Area by improving the lane that is now known as Shoprite Drive. This access easement, on Block 1901, Lot 8, will improve access and opportunities for development.
- G. There has been a rezoning of a portion of the site from B2 to B3. B3 allows the sale of retail alcoholic beverages for both on premises and off premises consumption.
- H. The designation of the delineated area is consistent with smart growth planning principals.
- I. With the exception of Block 1901, Lot 15.02, the lots comprising the Bristol Ponds project parcel are now under one ownership, which the Board considers a positive development.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Upper Deerfield that Block 1901, Lots 15, 15.02, 15.03, 16 and the part of Lot 8 which will be overlaid with an easement on the lane now known as Shoprite Drive, as shown on the Upper Deerfield Township Tax map (and commonly referred to as "the Bristol Ponds project area") does meet the requirements of the New Jersey Local Redevelopment and Housing Law NJSA 40A:12-1 et seq. and hereby finds the site to be an Area in Need of Redevelopment.

Roll Call

Ed Overdeest – Aye

Robert Comer, Aye

Scott Smith – no vote

Joseph Spoltore – Aye

Vacant seat

Laura Hayes, Alt #1 – no vote

Wayne Sabota, Alt #3 Aye

Russell Vanella – Aye

Terry O’Neill – Aye

Jack Waselik – Aye

Anthony Buono, Sr. - Aye

Kenneth Jackson, alt #2 - Aye

Vacant seat, Alt #

P 8-18 Russell Nelson 2706/14.02 80 Lebanon Rd Use Variance to construct pole barn in agricultural zone Township Attorney Rocco Tedesco heard the application due to a conflict with Ritter Law Office. Attorney Tedesco believed this application to be a D3 as it relates to Conditional Use. Mr. Nelson gave testimony and professionals discussed their reviews. On motion of Jack Waselik seconded by Joseph Spoltore the application was found to be Complete.

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Roll Call

Ed Overdevest – Aye
Robert Comer, Aye

Russell Vanella – Aye
Terry O’Neill – no vote

Scott Smith – no vote
Joseph Spoltore – Aye
Vacant seat

Jack Waselik – Aye
Anthony Buono, Sr. - Aye

Laura Hayes, Alt #1 – Aye
Wayne Sabota, Alt #3

Kenneth Jackson, alt #2 -
Vacant seat, Alt #

Professionals continued to review the technical portion of their reviews. On motion of Jack Waselik, seconded by Russell Vanella the Public Hearing was opened with no one coming before the Board for or against the application. On motion of Jack Waselik seconded by Robert Comer the public hearing was closed.

Being no further discussion on motion of Jack Waselik seconded by Robert Comer the Conditional Use Variance was Approved.

Roll Call

Ed Overdevest – Aye
Robert Comer, Aye

Russell Vanella – Aye
Terry O’Neill – no vote

Scott Smith – no vote
Joseph Spoltore – Aye
Vacant seat

Jack Waselik – Aye
Anthony Buono, Sr. - Aye

Laura Hayes, Alt #1 – Aye
Wayne Sabota, Alt #3

Kenneth Jackson, alt #2 -
Vacant seat, Alt #

Mr. Hankins & Mr. Hibbeln – (purchased Stone Bridge Run) Block 1808 Lots 2, 3, 16, 17, Laurel Heights Drive Request for Extension – Attorney Howard Melnicove representing the applicant requested this application to be Tabled. Upon voice vote all Board members were in favor.

P 6-18 Bruce & Debra Riley 1201/1 & 1.01 Minor Subdivision to increase lot 1.01 by approximately 3 acres for potential future building addition. Attorney Howard Melnicove represented the Riley application. He informed the Board in 2011 a lot was created and was the same as today. Mrs. Debra Riley was also in attendance to give testimony. After discussion and reviews on motion of Robert Comer seconded by Anthony Buono the Minor Subdivision was Approved.

Roll Call

Ed Overdevest – Aye
Robert Comer, Aye

Russell Vanella – Aye
Terry O’Neill – Aye

Scott Smith – Aye
Joseph Spoltore – Aye
Vacant seat

Jack Waselik – Aye
Anthony Buono, Sr. - Aye

Laura Hayes, Alt #1 – Aye
Wayne Sabota, Alt #3

Kenneth Jackson, alt #2 -
Vacant seat, Alt #

Randall Scheule, Planner – discussed Resolution 18-175 Directing the Upper Deerfield Township Planning Board

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To Conduct a Study To Determine Whether The Properties Known As Block 807 Lots 1-6; Block 808, Lots 1-15; Block 906, Lots 1-8; Block 910 Lots 1-16; Block 911, Lots 1-24; Block 912, lots 1-16; Block 913, Lots 1-24; Block 914, Lots 1-8; Block 915, Lots 1-12, As Shown On The Upper Deerfield Township Tax Map Meets The Requirements For A Declaration As An Area In Need Of Redevelopment

All Board members were in unanimous favor to have Planner Scheule conduct a study.

On motion of Russ Vanella seconded by Robert Comer the public comment portion of the meeting was opened. Nancy Ridgway came before Board to question the County Ag meeting date that was listed on Planning Board Agenda. Solicitor Matt Ritter informed 2 different dates were listed in letters that were sent out. He believes a new date will most likely be given.

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

Respectfully Submitted

Vicki Vagnarelli