

**The Regular Meeting** of the Planning Board of the Township of Upper Deerfield was held on Monday, February 8, 2021 via Zoom conferencing platform at 7:00 pm. Acting Secretary Roy Spoltore was in the Municipal Building, Seabrook, N.J. while Board members were in their homes.

Chairman: Russ Vanella 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: Russ Vanella

Vice Chairman: Jack Waselik

Members: Scott Smith, Terry O'Neill, Anthony Lamanteer, Anthony Buono, Laura Hayes, Kenneth Jackson, Joseph Spoltore, Wayne Sabota alt 1 and William Whelan, alt 2.

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

**Absent:**

William Taylor alt 3, Brent Bodine alt 4 and Theodore H. Ritter, Esq., Solicitor

Solicitor Matthew Ritter swore in new member William Whelan. On motion of Anthony Lamanteer, seconded by Wayne Sabota, with a unanimous voice vote, the minutes of January 11, 2021 were approved.

Resolution 1-2021, honoring Ed Overdevest for his 31 years of service on the Planning Board was read and was unanimously approved by the entire Planning Board on a voice vote.

## **UPPER DEERFIELD TOWNSHIP PLANNING BOARD**

### **RESOLUTION HONORING EDWARD OVERDEVEST - 1-2021**

**WHEREAS, Edward Overdevest**, has voluntarily retired from his service as a Member of the Upper Deerfield Township Planning Board, effective December 31, 2020; and

**WHEREAS**, the said Edward Overdevest served as a member of the Board for thirty-one years from January 11, 1990 through December 31, 2020; and

**WHEREAS**, the said Edward Overdevest served Chairperson of the Board from 2016 through 2020 and Vice Chairperson from 2005 through 2015; and

**WHEREAS**, the citizens of Upper Deerfield Township have benefited greatly from Ed's many years of service, which were characterized by his communication and leadership skills, coupled with his calm demeanor; and

**WHEREAS**, the members of the Upper Deerfield Township Planning Board and the Board staff wish to recognize the sacrifices made by Edward Overdevest in rendering outstanding public service;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Upper Deerfield, that the entire Board together with its staff do express their warm, heart-felt appreciation to Edward Overdevest for the diligent service that he rendered to his community, while serving upon and leading this Board; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to the Mayor and Township Committee of the Township of Upper Deerfield, care of the Township Clerk.

**CERTIFICATION**

It is hereby certified that the foregoing is a true copy of a Resolution adopted by the Planning Board of the Township of Upper Deerfield at its regular meeting held on February 8, 2021.

Attest:

UPPER DEERFIELD TOWNSHIP PLANNING BOARD

\_\_\_\_\_  
ROY SPOLTRE, Acting Secretary

\_\_\_\_\_  
RUSSELL VANELLA, CHAIRPERSON

**APPLICANT/DEVELOPMENT**

Kyle and Tyler Hoehe, 619 Irving Ave. - 2701/40, R-1, Minor Subdivision, creating one new lot, seeking any variance that may be necessary. Attorney Howard Melnicove represented the applicant, Kyle Hoehe. Mr. Melnicove explained that this is a minor subdivision creating one new lot. The existing lot will conform to zoning requirements and has a home on the lot. The proposed new lot is vacant, and no development is currently planned for the new lot. Testimony on completeness was given by Mr. Scheule and Mr. Fralinger, and the applicant requested a waiver on contours, identification of wooded species and areas to be disturbed by grading. On a motion of Jack Waselik seconded by Joseph Spoltore, completeness was approved on a roll call vote.

**Roll Call**

Russell Vanella - Aye

Jack Waselik - Aye

Terry O'Neill - Aye

Scott Smith - Aye

Anthony Lamanteer - Aye

Joseph Spoltore - Aye

Anthony Buono Sr. - Aye

Laura Hayes - Aye

Kenneth Jackson - Aye

Wayne Sabota Alt #1 - No Vote

William Whelan, Alt #2 - No Vote

William Taylor Alt #3 - Absent

Brent Bodine, Alt #4 - Absent

Technical reviews by professionals were given. Randall Scheule informed the Board that the lot width would require a variance but not for lot frontage and he reviewed his conditions of approval from his report. Michael Fralinger reviewed his comments and conditions for approval located in his report. An encroachment issue with Lot 39 was discussed and the applicant agreed to deed the encroached area to the neighbor. Mr. Melnicove stated that the applicant has agreed to the conditions of approval from the professionals and will present a perfected plan. Questions from the board members pertaining to the encroachment and lot sizes were answered.

On motion of Ken Jackson seconded by Anthony Buono and unanimously approved, the public hearing was opened. There being no comments before the Board, on motion of Jack Waselik seconded by John O'Neill the public hearing was closed unanimously.

Matthew Ritter described a motion to approve a minor subdivision, with a variance approval for the lot width on the new lot, the perfected plan will resolve the encroachment issue. On motion of Jack Waselik seconded by Wayne Sabota, the application was approved on a roll call vote.

**Roll Call**

Russell Vanella - Aye	Jack Waselik - Aye
Terry O'Neill - Aye	Scott Smith – Aye
Anthony Lamanteer – Aye	Joseph Spoltore – Aye
Anthony Buono Sr.- Aye	Laura Hayes – Aye
Kenneth Jackson – Aye	
Wayne Sabota Alt #1- No Vote	William Whelan, Alt #2 – No Vote
William Taylor Alt #3 - Absent	Brent Bodine, Alt #4 – Absent

Randall Scheule reviewed an administrative change modifying the Planning Board application so that there would not be a need to have a separate application for a variance. The Board unanimously endorsed the change on a motion by Jack Waselik, seconded by Ken Jackson. The application will be submitted to the Township Committee for approval. Mr. Scheule explained the language amendments pertaining to the zoning permit ordinance and presented his consistency review of the proposed modifications finding them to be consistent with the Township Master Plan. On a motion of Joe Spoltore, seconded by Anthony Buono, the amendments to Chapter 405, Section 109 were deemed consistent with Master Plan by resolution on a roll call vote. The Resolution and amendment to the ordinance will be submitted to the Township Committee to introduce and hold a public hearing on the proposed amendment to the ordinance.

**Roll Call**

Russell Vanella - Aye	Jack Waselik - Aye
Terry O'Neill - Aye	Scott Smith – Aye
Anthony Lamanteer – Aye	Joseph Spoltore – Aye
Anthony Buono Sr.- Aye	Laura Hayes – Aye
Kenneth Jackson – Aye	
Wayne Sabota Alt #1- No Vote	William Whelan, Alt #2 – No Vote
William Taylor Alt #3 - Absent	Brent Bodine, Alt #4 – Absent

**RESOLUTION NO. 2-2021**

**UPPER DEERFIELD TOWNSHIP**

**PLANNING BOARD**

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

**WHEREAS**, the proposed Ordinance will amend Chapter 405, Section 109 of the Code, which describes the application requirements for a Zoning Permit; and

**WHEREAS**, the Planning Board reviewed the proposed Ordinance as required by NJSA 40:55D-64, at its Regular Meeting held on February 8, 2021; 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 February 8, 2021 Regular meeting, the Planning Board received, reviewed and discussed a Consistency Report, dated February 4, 2021, consisting of five (5) pages, and prepared by Board Planner Randall Scheule, PP, AICP.

**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, which amends Chapter 405, Section 109 and clarifies the requirements for the issuance of a Zoning Permit, is consistent with and serves to effectuate the Township's Master Plan. The Board further finds that no provision in the proposed Ordinance is inconsistent with the Master Plan of the Township.

**CERTIFICATION**

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 February 8, 2021 to memorialize action taken on that same date.

**TOWNSHIP OF UPPER DEERFIELD  
PLANNING BOARD**

By: \_\_\_\_\_  
RUSSELL S. VANELLA, CHAIRMAN

ATTEST:

\_\_\_\_\_  
ROY SPOLTRE, ACTING SECRETARY

Mr. Scheule explained that the Dwelling Conversion section of the ordinance will be removed in its entirety and the section number will be reserved for a possible modification to the code in the future. Mr. Scheule presented his consistency review of the removal of the section dealing with dwelling conversions from the code, finding it to be consistent with the Township Master Plan. On a motion of Wayne Sabota, seconded by Jack Waselik, the removal of Chapter 405, Section 21 was deemed consistent with Master Plan by resolution on a roll call vote. The Resolution and removal of this section of the ordinance will be submitted to the Township Committee to introduce and hold a public hearing on the proposed removal of this section of the ordinance.

**Roll Call**

Russell Vanella - Aye

Jack Waselik - Aye

Terry O'Neill - Aye

Scott Smith – Aye

Anthony Lamanteer – Aye

Joseph Spoltore – Aye

Anthony Buono Sr.- Aye

Laura Hayes – Aye

Kenneth Jackson – Aye

Wayne Sabota Alt #1- No Vote

William Whelan, Alt #2 – No Vote

William Taylor Alt #3 - Absent

Brent Bodine, Alt #4 – Absent

**RESOLUTION NO. 3-2021**

**UPPER DEERFIELD TOWNSHIP**

**PLANNING BOARD**

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

**WHEREAS**, the proposed Ordinance will repeal in its entirety Chapter 405, Section 21, which pertains to Conversion of Dwellings; and

**WHEREAS**, the Planning Board reviewed the proposed Ordinance as required by NJSA 40:55D-64, at its Regular Meeting held on February 8, 2021; 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 February 8, 2021 Regular meeting, the Planning Board received, reviewed and discussed a Consistency Report, dated February 4, 2021, consisting of seven (7) pages, and prepared by Board Planner Randall

Scheule, PP, AICP.

**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, which repeals Chapter 405, Section 21, Conversion of Dwellings, is consistent with and serves to effectuate the Township's Master Plan. The Board further finds that no provision in the proposed Ordinance is inconsistent with the Master Plan of the Township.

**CERTIFICATION**

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 February 8, 2021 to memorialize action taken on that same date.

**TOWNSHIP OF UPPER DEERFIELD PLANNING BOARD**

By: \_\_\_\_\_  
RUSSELL S. VANELLA, CHAIRMAN

ATTEST:

\_\_\_\_\_  
ROY SPOLTRE, ACTING SECRETARY

Mr. Scheule explained that the Ag Use ordinance and sign ordinance amendments needed additional work and they would be presented at a future board meeting.

Russ Vanella suggested that the items before the Board at their next meetings be emailed the Wednesday before a Monday meeting and the Friday before a Wednesday meeting.

On motion of Joe Spoltore seconded by Anthony Buono and unanimously carried, the public comment portion of the meeting was opened. Nancy Ridgway wished Mr. Whelan well in his appointment to the Board. With no other comments before the Board, Jack Waselik made a motion, seconded by Ken Jackson to close the public portion of the meeting unanimously carried.

Being no further business, on motion of Jack Waselik, seconded by Ken Jackson the meeting was adjourned.

Respectfully Submitted

Roy Spoltore, Acting Secretary