

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday, September 13, 2021 via Zoom conferencing platform at 7:00 pm. Acting Secretary's Roy Spoltore and Sherrie Dixon were in the Municipal Building, Seabrook, N.J. while Board members were in their homes.

Chairman: Russell 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. Both adequate & electronic notice has been provided on the Township web site at least 7 days prior to the next meeting. Documents were available at the Township Building for public inspection at least 2 days prior to the public meeting. The agenda was also posted on the Township web site. Public comment can be submitted through electronic mail or written letter and read aloud and addressed at the public meeting. This is not available on development applications because it is not subject to cross examination. Other public comment will be made available when the board opens up the public portion of the meeting.

Present:

Chairman: Russell Vanella

Vice Chairman: Jack Waselik

Members: Scott Smith, Anthony Buono (7:15) Laura Hayes, Kenneth Jackson, Joseph Spoltore, Wayne Sabota alt 1, William Whelan, alt 2

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

Absent:, Anthony Lamanteer, Terry O'Neill, William Taylor, alt 3, Brent Bodine, alt 4.

On motion of Wayne Sabota, seconded by Ken Jackson, with a unanimous vote the minutes of August 9, 2021 were approved, except Laura Hayes abstained and Anthony Buono was not present at the time of the vote,.

Katie Coleman, Highway 77 – 202/17 & 18 - Minor Subdivision – Enlarging the Deerfield Methodist Church lot from the existing multi-family residential use lot. Katie Coleman, Esq. was present.

Ms. Coleman explained that she owns Block 202 Lot 17, and the purpose of this Minor Subdivision is to enlarge the Deerfield Methodist Church Lot 18 from land from Lot 17. There will not be any new development but just a shifting of the lot lines.

Testimony on completeness was given by Mr. Scheule and Mr. Fralinger. Both professionals agreed to the waivers requested by the applicant as there is no new development. On a motion of Joseph Spoltore seconded by William Whelan, completeness was approved on a roll call vote.

Roll Call

Russell Vanella - Aye

Jack Waselik - Aye

Terry O'Neill - Absent

Scott Smith - Aye

Anthony Lamanteer – Absent

Joseph Spoltore – Aye

Anthony Buono Sr.- Absent

Laura Hayes – Aye

Kenneth Jackson – Aye

Wayne Sabota Alt #1- Aye

William Whelan, Alt #2 – Aye

William Taylor Alt #3 - Absent

Brent Bodine, Alt #4 – Absent

Technical reviews by professionals were provided to the Board. Randall Scheule reviewed his report and found that the lots consisted of existing non-conforming conditions, and nothing will change with the lot line adjustment for the minor subdivision as no new development is proposed. He added the applicant would need to comply with his six technical comments and requested the applicant confirm the percentage of lot coverage. Mr. Fralinger identified four items to bring the application into compliance in his technical report. The applicant agreed to the conditions of approval from the professionals and will present a perfected plan. Mr. Ritter noted that the application does not need to have a public hearing as the subdivision conforms to the Township zoning requirements. The chair suggested that the Board open the meeting up to the public since the meeting is being held virtually.

On motion of Wayne Sabota seconded by Jack Waselik and unanimously approved, the public hearing was opened. There being no comments before the Board, on motion of Wayne Sabota seconded by Jack Waselik the public hearing was closed unanimously.

The Solicitor asked if the applicant wanted to request a Need for Non-Conformance for the lots with the minor subdivision approval. The Applicant did not feel it would be necessary. Approval for the Minor Subdivision as described by Solicitor Ritter, with the applicant agreeing to the technical review comments and revising the survey to show the lot coverage percentage was hereby granted on a motion of Joseph Spoltore, seconded by William Whelan, and approved on a roll call vote.

Roll Call

Russell Vanella - Aye

Jack Waselik - Aye

Terry O'Neill - Absent

Scott Smith – No Vote

Anthony Lamanteer – Absent

Joseph Spoltore – Aye

Anthony Buono Sr.- Aye

Laura Hayes – Aye

Kenneth Jackson – Aye

Wayne Sabota Alt #1- Aye

William Whelan, Alt #2 – Aye

William Taylor Alt #3 - Absent

Brent Bodine, Alt #4 – Absent

PROFESSIONALS/COMMITTEE/COMMISSION

Randall Scheule reviewed the following items to possibly be amended in the zoning ordinances

- a. Updated Alcoholic Beverage ordinance and consistency report – The proposed ordinance would amend Attachment 2 and 4 of the district schedules to allow on-site alcoholic beverage consumption and off-site alcoholic beverage sales in the B-3 and Town Center zones
- b. Updated Accessory Structure ordinance and consistency report – The proposed ordinance defines a garden shed and amends the side and rear yard setbacks for accessory structures to be 10 feet rather than 20 feet.
- c. Discussion Mahlan – B1 to B2 proposal. The Board discussed changing the B1 zone off Highway 77 in Seabrook to a B2 zone. The Board requested the Planner to prepare an ordinance.
- d. Discussion Block 1207 zone change to permit warehouse uses or allowing Redevelopment area Business Park zone designation to allow for warehousing. The Board asked the Planner to prepare reports that would allow for additional uses in Block 1207 or permitting additional uses in the Business Park zone.

On a motion of William Whelan, seconded by Jack Waselik, the following resolution was memorialized.

Roll Call

Russell Vanella - Aye

Jack Waselik – Aye

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Terry O'Neill - Absent

Anthony Lamanteer – Absent

Anthony Buono Sr.- Aye

Kenneth Jackson – Aye

Wayne Sabota Alt #1- Aye

William Taylor Alt #3 - Absent

Scott Smith – No Vote

Joseph Spoltore – Aye

Laura Hayes – Aye

William Whelan, Alt #2 – Aye

Brent Bodine, Alt #4 – Absent

RESOLUTION NO. 16-2021

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 829 will amend Attachment 2 and Attachment 4 of the Upper Deerfield Township Zoning and Development Code, by indicating that on-premises consumption of alcoholic beverages in restaurants and other prepared food outlets is permitted and the sale of alcoholic beverages for off-premises consumption is permitted, subject to Chapter 114 of the Township Code; 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, the Planning Board reviewed the proposed Ordinance, as required by NJSA 40:55D-64, at its Regular Meeting held on September 13, 2021; and

WHEREAS, at said September 13, 2021 Regular meeting, the Planning Board received, reviewed and discussed a Consistency Report, dated September 8, 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 amends Attachment 2, and Attachment 4 of the Upper Deerfield Zoning and Development Code, 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 September 13, 2021 to memorialize action taken on that same date.

Upper Deerfield Township Planning Board

RUSSELL S. VANELLA, Chairman

ATTEST:

ROY SPOLTRE, Acting Secretary

On a motion of Kenneth Jackson, seconded by Wayne Sabota, the following resolution was memorialized.

Roll Call

Russell Vanella - Aye

Terry O'Neill - Absent

Anthony Lamanteer – Absent

Anthony Buono Sr.- Aye

Kenneth Jackson – Aye

Wayne Sabota Alt #1- Aye

William Taylor Alt #3 - Absent

Jack Waselik – Aye

Scott Smith – No Vote

Joseph Spoltore – Aye

Laura Hayes – Aye

William Whelan, Alt #2 – Aye

Brent Bodine, Alt #4 – Absent

RESOLUTION NO. 17-2021

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 the Township’s zoning regulations in Section 405-3 and Attachment 2, adding a definition for “Garden or Storage Shed,” and adjusting setback and height requirements for all residential accessory structures, except for swimming pools; 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, the Planning Board reviewed the proposed Ordinance, as required by NJSA 40:55D-64, at its Regular Meeting held on September 13, 2021; and

WHEREAS, at said September 13, 2021 Regular meeting, the Planning Board received, reviewed and discussed a Consistency Report, dated September 8, 2021, consisting of four (4) 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 Section 405-3 and Attachment 2 of the Upper Deerfield Zoning and Development Code, 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 September 13, 2021 to memorialize action taken on that same date.

Upper Deerfield Township Planning Board

RUSSELL S. VANELLA, Chairman

ATTEST:

ROY SPOLTRE, Acting Secretary

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On motion of Jack Waselik seconded by Anthony Buono and unanimously carried, the public comment portion of the meeting was opened. Nancy Ridgway stated it was an interesting meeting and she would see everyone next month. With no other comments before the Board, Jack Waselik made a motion, seconded by Anthony Buono to close the public portion of the meeting unanimously carried.

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

Respectfully Submitted

Roy Spoltore, Acting Secretary

Sherrie Dixon, Acting Secretary