

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday February 13th, 2023, at 7:00 pm in the Municipal Building, Seabrook, N.J.

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.

Present:

Members: Russell Vanella, Jack Waselik, Anthony Lamanteer Class 2, Joseph Spoltore Class 3, Anthony Buono Sr, Laura Hayes, Kenneth Jackson, Wayne Sabota, William Whelan Alt 1.

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

Absent: James Crilley Class 1, William Taylor Alt 2, and Edward Geletka Alt 3.

On motion of Anthony Lamanteer, seconded by Wayne Sabota, the minutes for the January 9th meeting were unanimously approved with William Whelan abstaining due to his absence.

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

Katie Coleman, Esq. appeared before the board to reapply for a minor subdivision that was originally heard in September 2021, but the subdivision was not filed in a timely manner. 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 and the survey has been updated. There will not be any new development, 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. It was suggested, not required, that since there are currently 3 tenant occupied dwellings on the property that the applicant may want to request a certificate of non-conformity. There could be an issue in the future with financing.

On a motion of Wayne Sabota seconded by Anthony Buono, Sr., completeness was approved on a unanimous roll call vote.

Roll Call

Russell Vanella -Aye

Jack Waselik – Aye

James Crilley – Absent

Wayne Sabota - Aye

Anthony Lamanteer – Aye

Joseph Spoltore – Aye

Anthony Buono Sr.- Aye

Laura Hayes – Aye

Kenneth Jackson – Aye

William Whelan, Alt #1 – Aye

William Taylor Alt #2 – Absent

Edward Geletka, Alt #3 – Absent

Technical reviews by the 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. Mr. Fralinger identified items in his report that the applicant will need to bring the application into compliance. The applicant agreed to the conditions of approval from the professionals. 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 to the public.

On motion of Anthony Lamanteer, seconded by Anthony Buono Sr., the public comment portion was opened. Seeing no one, on motion of Anthony Lamanteer, seconded by Anthony Buono, Sr., the public comment portion was closed.

The Solicitor asked if the applicant wanted to request a Need for Non-Conformance for the lots with the minor subdivision approval. The Applicant will consider the action at a later date. Approval for the Minor Subdivision as described by Solicitor Ritter, with the applicant agreeing to the technical review comments was hereby granted on a motion of William Whelan, seconded by Jack Waselik, and approved unanimously on a roll call vote.

Roll Call

Russell Vanella -Aye	Jack Waselik – Aye
James Crilley – Absent	Wayne Sabota - Aye
Anthony Lamanteer – Aye	Joseph Spoltore – Aye
Anthony Buono Sr.- Aye	Laura Hayes – Aye
Kenneth Jackson – Aye	
William Whelan, Alt #1 – Aye	William Taylor Alt #2 – Absent
Edward Geletka, Alt #3 – Absent	

Wilbert & Margies’s Precious Jewels, LLC – 229 Laurel Heights Drive – Block 1701, Lot 17 – Use Variance – Operate a Day Care Center and fence in approximately 300 sq. ft.

Robert Casella, Esq., and Tanisha Russell-Cohen appeared before the Board. She is seeking a use variance to open a daycare facility at 229 Laurel Heights Drive, and fence in approximately 300 sq. ft. for outdoor activities for the children and a waiver of formal site plan review. She plans on occupying an existing vacant professional office space with no new exterior construction or the need for additional parking. The day care would be open Monday through Friday, excluding holidays, with hours of 6 am until 11:45 pm., with 4 employees, including herself and a maximum of 15 children per shift. The complex has trash service and public water and sewer. A sign will be added at a later date that would conform to the B-2 zone requirements. Wayne Sabota suggested that since the lighting is controlled by the landlord, that she makes certain the facility will be adequately lit at night.

Testimony on completeness was given by Mr. Scheule and Mr. Fralinger. There were checklist items that were not provided but since there was no new development and the applicant was moving into an existing building, both professionals agreed to the waivers requested by the applicant deeming the application complete. On a motion made by Jack Waselik, seconded by Wayne Sabota, completeness was approved by a roll call vote.

Roll Call

Russell Vanella -Aye	Jack Waselik – Aye
James Crilley – Absent	Wayne Sabota - Aye
Anthony Lamanteer – Aye	Joseph Spoltore – No Vote
Anthony Buono Sr.- Aye	Laura Hayes – Aye

Kenneth Jackson – Aye

William Whelan, Alt #1 – No Vote

Edward Geletka, Alt #3 – Absent

William Taylor Alt #2 – Absent

Randall Scheule reviewed his technical comments, he informed the board that day care services are currently not permitted anywhere in the Township. The proposed use will have very little impact on the master plan and the zoning officer is permitted to exempt formal site plan review. The new sign must conform to the current sign standards in a B-2 zone. Michael Fralinger reviewed his report and the outside agencies that would need to sign off on the application. Anthony Lamanteer, zoning officer, stated he will exempt formal site plan requirements since there is no new development. The Applicant agreed to confirm with the property owner that the existing site lighting will provide safe ingress and egress for clients at pre-dawn and post-sunset hours.

On motion of Kenneth Jackson, seconded by Jack Waselik, and unanimously carried, the public comment was opened. With no public comment, Anthony Buono made a motion to close the public hearing, seconded by Jack Waselik and unanimously carried.

Matthew Ritter, Esq. explained that based on the testimony, the Board could make a motion to grant a “d(1)” Variance for the operation of a day care facility in the B-2 Business Zone, subject to conditions discussed and grant a waiver of submitting a formal site plan due to the existing site conditions and nature of the proposed use

On a motion of Wayne Sabota, seconded by Jack Waselik, the project was approved by a roll call vote.

Roll Call

Russell Vanella -Aye

James Crilley – Absent

Anthony Lamanteer – Aye

Anthony Buono Sr.- Aye

Kenneth Jackson – Aye

William Whelan, Alt #1 – No Vote

Edward Geletka, Alt #3 – Absent

Jack Waselik – Aye

Wayne Sabota - Aye

Joseph Spoltore – No Vote

Laura Hayes – Aye

William Taylor Alt #2 – Absent

PROFESSIONALS/COMMITTEE/COMMISSION

Randall Scheule reported that the subcommittee to review the possibility of permitting food trucks met this evening. The committee will prepare a report to bring back to the full board for review and discussion. The group will meet again before the next meeting.

On motion of Kenneth Jackson, seconded by Jack Waselik, the public portion was opened. Resident Nancy Ridgway stated that a property that was recently subdivided, has had 3-4 noisy parties. With no other comments, on motion made by Anthony Buono, seconded by Anthony Lamanteer, the public portion was closed. Being no other business to come before the board, on a motion of Jack Waselik, seconded by Anthony Buono, the meeting was unanimously adjourned.

Respectfully Submitted,

Roy Spoltore, Acting Secretary

Sherrie Dixon, Acting Secretary