

**The Regular Meeting** of the Planning Board of the Township of Upper Deerfield was held on Monday August 14th, 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, James Crilley, Anthony Lamanteer, Joseph Spoltore, Anthony Buono Sr., Laura Hayes, Kenneth Jackson, Wayne Sabota, William Whelan Alt1 and Ken Mecouch Alt 4.

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

**Absent:** William Taylor Alt 2 and Edward Geletka Alt 3.

The minutes of the June 19<sup>th</sup>, 2023, meeting were unanimously approved on a motion of Wayne Sabota, seconded by Anthony Buono with William Whelan abstaining.

The Township Committee tasked the Planning Board with taking a look at possibly creating a Food Truck Ordinance. A subcommittee was created to review the concept of an ordinance with the Planner, and they brought back their findings to a few different meetings of the Board. Randall Schuele sent a Food Truck Survey email to the members to gauge their thoughts in terms of for the three potential elements of an ordinance: 1. Food Trucks, 2. Catering Truck, and 3. Private Events. For each of the three elements, members were asked to provide initial input as to whether each of the elements should be permitted, and if so where, maximum hrs. per day, maximum hrs. per location, maximum days per week, maximum events per year, minimum distance from existing food business and an annual fee.

For the meeting on August 14<sup>th</sup> the Planner presented the Board with the findings of the member survey for the three potential elements of an ordinance: 1. Food Trucks, 2. Catering Truck, and 3. Private Events. Anthony Lamanteer, zoning officer, prepared a summary of his thoughts on the Food Truck subject and passed them out to the Board. The discussion centered on whether to allow a mobile food truck to set up shop in close proximity to existing brick and mortar food establishments that currently pay rent or property taxes and utilities in the Township. Each member spoke on the subject and provided their input.

On motion of Wayne Sabota, seconded by William Whelan, the Board voted unanimously to have the solicitor prepare a letter to send to the Township Committee recommending that the Township Code not be amended, at this time, to permit the food truck use. In reaching this

conclusion, the Board also relied upon the opinions of Zoning Officer Lamanteer, and the Special Events Ordinance which is already in place. The Board also indicated strong support for the existing brick-and-mortar businesses, and contemplated the unfair competition that food trucks might create.

On motion of William Whelan, seconded by Anthony Buono, and unanimously carried, the public comment portion was opened. Dean Hawk asked what the definition of a “special event” was. Anthony Lamanteer stated that it was for residents or businesses that hire someone to prepare food such as a birthday party or if an organization is sponsoring an event where food would be sold during the event. Nancy Ridgway said there has been much discussion about this and glad to see it put to rest. With no other public comments, Wayne Sabota made a motion, seconded by Anthony Buono, to close the public portion which was unanimously carried. Wayne Sabota asked about the status of speed limit signs on Park Drive. It was reported that the signs have been installed. Jack Waselik reported that the trees have started to be cleared on the five-lot development at Parkview Heights and Parkview Heights Extension. With no further business, on a motion of William Whelan, seconded by Ken Mecouch, and unanimously carried, the meeting was adjourned.

Respectfully Submitted,

Roy Spoltore, Acting Secretary

Sherrie Dixon, Acting Secretary