

The Regular Meeting of the Planning Board of the Township of Upper Deerfield was held on Monday May 20, 2024, 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, Joseph Spoltore, Anthony Buono Sr., Laura Hayes, Kenneth Jackson, Wayne Sabota , William Whelan alt 1, William Taylor alt 2, Edward Geletka Alt 3 and Kenneth Mecouch, alt 4.

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

Absent: Anthony Lamanteer.

On motion of Wayne Sabota, seconded by Laura Hayes, the minutes of the February 26th, 2024, meeting were unanimously approved with William Whelan abstaining.

PROFESSIONALS/COMMITTEE/COMMISSION:

Members discussed the parking requirements for commercial properties. Chairman Russell Vanella led the discussion of both current and proposed requirements. Among the areas addressed were warehouses, industrial buildings, restaurants and retail space. Randall Scheule will prepare a list of proposed guidelines for the next meeting.

Rocco Tedesco prepared a draft ordinance of items the Township Committee felt should be addressed regarding the amendment to the fence and hedgerow ordinance. The Board discussed creating separate sections for residential and commercial fencing, height limits for solid fencing, chain link fencing and tennis courts for side, rear and front yards. All fences must be within the property owners with the "nice side" facing potential neighboring properties. Residential hedgerows will require a permit if they will be located along a public street. A Knox box will be required for commercial properties. Randall Scheule will prepare a proposal for the next meeting.

The following resolution was memorialized on the motion of Jack Waselik, seconded by Wayne Sabota, on a roll call vote.

Roll Call:

Russell Vanella -Aye

Jack Waselik – Aye

James Crilley – Aye
Anthony Lamanteer – Absent
Anthony Buono Sr.- No Vote
Kenneth Jackson – Abstain
William Whelan, Alt #1 – No Vote
Edward Geletka, Alt #3 – Aye

Wayne Sabota - Aye
Joseph Spoltore – Aye
Laura Hayes – Aye
William Taylor Alt #2 – No Vote
Kenneth Mecouch Alt #4- No Vote

RESOLUTION #3-2024

Township of Upper Deerfield Planning Board

Applicant's Names: Bruce and Debra Riley

Application No.: P-2-2024

Property: 1274 Highway 77, Bridgeton, NJ 08302
aka Block 1201 Lot 1.01 on the Upper Deerfield Township Tax Map

Application For: Preliminary and Final Major Site Plan Approval with Variances and design waiver.

Public Hearing: February 26, 2024

Findings of Fact:

1. Applicants Bruce Riley and Debra Riley are the owners of the subject property. They are the owners and operators of Ultra Clean Technologies, Corp. the occupant of the property.
2. The property is located at 1274 Highway 77 in Upper Deerfield Township, Cumberland County, New Jersey AKA Block 1201, Lot 1.01 as shown on the Upper Deerfield Township Tax Map. The property has frontage along Highway 77 of 652.10 feet +/- . The property is irregularly shaped and has a maximum depth of 680 +/- . It consists of 8.91 acres +/- .
3. The property is located in the Agricultural Business/Eco-Agricultural Overlay Zone as shown on the Upper Deerfield Township Zoning Map.

4. Ultra Clean Technologies Corp. is engaged in the business of the manufacturing of contamination control technologies for industries that require contamination-free hoses and tubes. The Ultra Clean operation is a permitted use in the Agricultural Business/Eco- Agricultural Overlay Zone. Ultra Clean Technologies currently operates from a 22,880 +/- square foot building.

5. Applicant makes application to this Board seeks preliminary and final site plan approval to construct a 25,003 sq. ft. warehouse addition to existing facility and the conversion of approximately 1,120 sq. ft. of loading dock area on the existing building to office uses. The application requests a variance to permit a 170 sq. ft. backlit façade identification sign (100 square feet permitted) and design waivers as more particularly set forth herein.

6. The application has been reviewed by the Board Planner who rendered his report dated February 22, 2024, the Board Engineer who rendered his report dated February 22, 2024, and the Upper Deerfield Township Fire Marshal.

7. Keith A. Davis, Esq. of Nehmad Davis & Goldstein, PC presented the application to the Board.

8. Mr. Davis presented the testimony of Applicant Bruce Riley, project architect Philip Ruggieri and project engineer Brian Atkins.

9. The Board considered that application for completeness. With the support of the Board Planner and Board Engineer the Board deemed the Application complete. Photographs as indicated within the Board Engineer's review report were waived and the Board accepted the geo-technical information provided in lieu of Applicant providing an environmental impact statement. The requisite notices were published and served as required by the Municipal Land Use Law. The Board deemed the Application complete and proceeded to technical review.

10. Mr. Riley testified regarding the operations of Ultra Clean Technologies Corp. and the products which it manufactures, he advised the Board that Ultra Clean has thirty-six employees working two shifts. Thirty employees are on the first shift and six employees are on the second shift. Mr. Riley advised the Board that tractor trailer traffic typically consists of five-six vehicles per day and approximately six box truck type deliveries per day. Mr. Riley also referenced the previously approved solar project for the Property as memorialized by Planning Board Resolution No. 4-2020. Mr. Riley confirmed that the proposed development does not impact the area of the previously approved solar project and that the solar approvals should remain in tact and unaffected by this application.

11. Philip Ruggieri testified and described the existing and proposed building addition to the Board. Mr. Ruggieri confirmed that the existing building consists of 22,880 sq. ft. more or less, including the 1,120 square feet of loading dock area to be converted to office space. Mr. Ruggieri advised the Board that the new addition is 25,003 sq. ft. more or less. Mr. Ruggieri also described for the Board a 170 sq. ft. back-lit façade identification sign request for approval. The back-lit sign is in addition to an existing company logo sign over the office doors.

12. Applicant presented the testimony of Project Engineer, Brian Atkins, who described the existing site conditions and proposed site improvements, traffic circulation, landscaping, and buffering. He also testified in his capacity as a Professional Planner with regard to the variance for the back-lit 170 sq. ft. façade identification signage offering the opinion that the increase signage is appropriate as an aid to the traveling public to be able to identify the operations located at this site and that the benefits of the increased sign size outweigh any detriment caused by the deviation from the ordinance limits. Mr. Atkins also addressed the request for waivers for sidewalk

along Highway 77 confirming that no other sidewalks exist along Highway 77 in the area of this property. He addressed the requested design waiver for basin landscaping and perimeter landscaping requirements proposing that the landscaping as indicated on the proposed plan meets the intent and purpose of the ordinance requirement as to those items.

13. As confirmed by the Board Planner's Review report, the property meets all bulk requirements of the Zone and the industrial use of the property is permitted in the Agricultural Business/Eco-Agricultural Overlay Zone.

14. The Applicant and his professionals addressed various comments contained in the Planner's report as follows:

a. Proposed parking meets the ordinance requirements as confirmed by Planner's review comments #2 and 3.

b. The Plans will be revised to reflect the management of trash and recyclable materials and will provide the screening as required by ordinance, as more specifically set forth in Planner's report comment #4.

c. The Applicant has confirmed that there is no roof mounted equipment and therefore no screening of roof mounted equipment is required.

d. In response to Planner's comment #6, the Applicant has confirmed that the project is not phased.

e. The Applicant has agreed to Planner's comment #12 to revise the Zoning schedule on perfected plans.

15. The Applicant and his professionals addressed the Board Engineer's report, confirms that the proposed parking meets and exceeds that which is required by Ordinance as indicated in comment #1.

a. The Applicant has requested a waiver of the sidewalk as indicated in comment #2 to the Board Engineer's report.

b. Applicant has agreed to provide trash enclosure with screening which is required by ordinances in response to comment #3 of the Board Engineer's review report.

c. The Applicant provided the requisite testimony regarding the operations of the facility, number of employees, traffic, etc. as set forth in comment #4 of the Board Engineer's report.

d. The Applicant has agreed to review the existing directional truck signage and remove and relocate signs as needed all of which to be shown on perfected plans as set for comment #5 of the Board Engineer's Review report. Applicant has also agreed to pave with hot-mix asphalt the existing gravel roadway as shown on the plans. Applicant has requested that it be permitted to coordinate the improvement of that gravel roadway with the site improvements anticipated to be done by the proposed Sika development on adjacent property. Applicant has agreed that should the paving of the gravel roadway not be complete prior to the issuance of a Temporary Certificate of Occupancy or permanent Certificate of Occupancy, Applicant will provide a Performance Guaranty for that improvement as a condition for receiving the Temporary Certificate of Occupancy or permanent Certificate of Occupancy.

e. Applicant has agreed to the stormwater management comments contained as items #6 through #14 on the Board Engineer's Review report all of which to be shown on perfected plans and otherwise perfected submissions.

f. The Applicant has agreed to discuss with, and address comments raised by the Fire Marshal in his Review report submitted and as referenced in item #16 of the Board Engineer Review report including by potentially providing suitable fire lanes around the perimeter of the building addition, if required by the Fire Marshall following discussion with the Applicant's professionals.

16. Except as otherwise set forth herein, the Applicant has agreed to all of the requirements set forth in the Review reports of the Board Planner, Board Engineer and Upper Deerfield Township Fire Marshal. With regard to the application for façade identification sign variance, the Board finds that purposes of the Ordinance would be advanced by deviation to permit the increased signage and that the benefits of the deviation would substantially outweigh any detriment all as is more particularly in N.J.S.A. 40:55D-70(c)(2).

17. The Board finds that the request for design waivers from the provisions of the ordinance requiring sidewalks, stormwater basin, landscaping requirements and perimeter landscaping requirements are reasonable and within the general purpose and intent of the

provisions of the site plan Ordinance and the literal enforcement of those provisions are impracticable.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the Township of Upper Deerfield that Applicants for preliminary and final major site plan approval for the construction of a 25,003 sq. ft. addition, inclusive of the conversion of approximately 1,120 sq. ft. of loading space to office space, variance from façade identification sign limits, as set forth above, and design waivers for sidewalks, stormwater basin landscaping and perimeter landscape buffer, being the same is hereby granted subject however to the following conditions:

A) That the Applicant comply with the comments of the Board Planner, Board Engineer and Upper Deerfield Township Fire Marshal except as otherwise set forth above, including the fire lanes described above to be shown on perfected plans.

B) That the Applicant provide Performance Guaranty's and Maintenance Guaranty's as required by Ordinance and Municipal Land Use Law.

C) That in the event that Applicant has not completed improvements to its gravel driveway prior to the issuance of a temporary or permanent Certificate of Occupancy, Applicant will provide a Performance Guaranty in an amount satisfactory to the Board Engineer to allow for the paving of that gravel roadway on its property as a condition of obtaining the temporary or permanent Certificate of Occupancy.

D) That compliance be had with all applicable requirements of the Upper Deerfield Township Development Ordinance and Building Code.

E) That Applicant rectify any financial responsibility to the Township related to the review of this application.

F) That Applicant must comply with all representations made through any representative during the course of Applicant's presentation to the Board, and in all documents filed with the application.

G) That Applicant obtain approvals from all other agencies having jurisdiction including, but not limited to, the Cumberland County Planning Board, Cumberland-Salem County Conservation District, New Jersey Department of Transportation, New Jersey Department of Environmental Protection, Upper Deerfield Township Utility Department, Cumberland County Utilities Authority.

H) The Applicant shall provide letters of service availability from all required utilities.

I) That Applicant prepare and file a Perfected Plan which is in accordance with the Planning Board comments, Engineer's Report, Planner's Report, Fire Marshal's Report, and the contents of this Resolution.

J) The Applicant shall provide an engineer's cost estimate of the site improvements, a Site Safety and Stabilization Bond, and a Performance Bond in an amount to be set by the Planning Board Engineer, in a form to be approved by the Township Solicitor. No site disturbance is to occur until the Site Safety and Stabilization Bond is approved by the Planning Board Engineer and is in place with the Township.

BE IT FURTHER RESOLVED that a Certified copy of this Resolution be furnished to Applicants and Notice of this action be advertised as required by Law.

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 May 20, 2024, to memorialize action taken on February 26, 2024.

Upper Deerfield Township Planning Board

RUSSELL S. VANELLA, Chairman

ATTEST:

ROY SPOLTORE, Secretary

On motion of Ken Mecouch, seconded by Anthony Buono, Sr., the public comment portion of the meeting was opened. Resident Nancy Ridgway stated she would not want her neighbor to come onto her property to weed whack around his fence. With no other comments, on the motion of Ken Mecouch, seconded by Kenneth Jackson, the public comment portion was closed. Wayne Sabota asked about the tractor trailer parking on the old Chiari's store on Route 77. Code enforcement will look at the situation. William Taylor asked about making public statements on social media to clear up any rumors that may arise. He was told by Matthew Ritter it would probably be best to refrain from making any official statement as a Board member. With no further business, the meeting was adjourned on motion of William Taylor, seconded by Ken Mecouch and unanimously carried.

Respectfully Submitted,

Roy Spoltore, Acting Secretary

Sherrie Dixon, Acting Secretary