

JANUARY 20, 2014

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Attorney William Edleston at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

The new and re-appointed members of the 2014 Land Use Board were sworn in by Edleston.

Present: Barton, Vaezi, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Sams.

Absent: Hazen, Mills, Creedon.

Also Present: Drew DiSessa, P.E.; William Edleston, Esquire.

The Pledge of Allegiance was recited.

MOTION was made by **BARTON** to nominate **Ali Vaezi** as **CHAIRMAN** of the 2014 Land Use Board.

SECONDED: MAYOR TOMASZEWSKI.

Those in favor: Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Sams, Barton, Vaezi.

Opposed: None.

Abstained: None.

Vaezi thanked the board for their vote of confidence.

Barton explained he has family issues to deal with, and the Chairmanship couldn't go to a finer person. Barton wished Vaezi luck with the Chairmanship of the Land Use Board.

MOTION was made by **MAYOR TOMASZEWSKI** to nominate **John Barton** as **VICE CHAIRMAN** of the 2014 Land Use Board.

SECONDED: HIGHT.

Those in favor: Watters, Spender, Farino, Drazek, Hight, Sams, Mayor Tomaszewski, Vaezi.

Opposed: None.

Abstained: Barton.

January 20, 2014 minutes

Page 2.

MOTION was made by **MAYOR TOMASZEWSKI** to appoint **Patti Zotti** as the **Secretary/Clerk** of the 2014 Land Use Board.

SECONDED: BARTON.

Those in favor: Spender, Farino, Drazek, Hight, Sams, Barton, Mayor Tomaszewski, Watters, Vaezi.

Opposed:

MOTION was made by **BARTON** to appoint **Attorney William Edleston** as **Board Attorney** for 2014.

SECONDED: HIGHT.

Those in favor: Farino, Drazek, Hight, Sams, Barton, Mayor Tomaszewski, Watters, Spender, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **MAYOR TOMASZEWSKI** to appoint **Drew DiSessa, P.E.** as **Board Engineer** for 2014.

SECONDED: BARTON.

Those in favor: Drazek, Hight, Sams, Barton, Mayor Tomaszewski, Watters, Spender, Farino, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **MAYOR TOMASZEWSKI** to appoint **Joseph Layton, P.P.** as **Board Planner** to advise the 2014 Land Use Board on application matters, as needed.

SECONDED: HIGHT.

Those in favor: Hight, Sams, Barton, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **MAYOR TOMASZEWSKI** to appoint **Shirley Bishop, P.P.** as **Planner** to advise the 2014 Land Use Board and Township Committee on COAH matters only.

SECONDED: BARTON.

JANUARY 20, 2014 minutes

Page 3.

Those in favor: Sams, Barton, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **BARTON** to approve the schedule of meeting dates for the 2014 Land Use Board.

SECONDED: HIGHT.

Those in favor: Barton, Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Sams, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **VAEZI** to approve **The Express Times** as the official newspaper for the 2014 Land Use Board.

SECONDED: BARTON.

Those in favor: Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Hight, Sams, Barton, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **BARTON** to appoint **Farino** and **Sams** as the **Financial Oversight Committee** for the 2014 Land Use Board.

SECONDED: HIGHT.

Those in favor: Watters, Spender, Drazek, Hight, Sams, Barton, Mayor Tomaszewski, Vaezi.

Opposed: None.

Abstained: Farino.

MOTION was made by **VAEZI** to approve the minutes of the December 16, 2013 **meeting**, as written.

SECONDED: BARTON.

Those in favor: Spender, Farino, Drazek, Barton, Mayor Tomaszewski, Watters, Vaezi.

Opposed: None.

Abstained: Hight, Sams.

January 20, 2014 minutes

Page 4.

Watters asked if DiSessa wrote the letter to Yusen (NYK Logistics) as discussed at the last meeting. DiSessa replied the letter was written to Yusen, and a copy of the letter was distributed to the board tonight.

Edleston mentioned the Board needed to take action on an amended resolution for Case #13-03, Frank J. Jonkoski, Executor. Edleston explained the item wasn't listed on the agenda, but the resolution required action be taken by the Board. Edleston explained condition number nine shouldn't have been included in the resolution, but was only reflective of what was on the minor subdivision map.

DiSessa agreed with Edleston's assessment.

Greg VandeRyte, of Finelli Consulting, stated they were still researching where the right-of-way reference initiated.

MOTION was made by **HIGHT** to approve the amended resolution for Case #13-03, Frank J. Jonkoski, Executor eliminating condition number nine, but the remaining conditions being in effect.

SECONDED: SPENDER.

Those in favor: Mayor Tomaszewski, Spender, Farino, Drazek, Hight, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **BARTON** to approve the resolution for Case #13-09, DeMattheis Real Estate, as corrected by the applicant's attorney Glenn Williams, Esquire, and the Board Engineer, Drew DiSessa.

SECONDED: MAYOR TOMASZEWSKI.

Those in favor: Watters, Spender, Farino, Drazek, Barton, Mayor Tomaszewski, Vaezi.

Opposed: None.

Abstained: None.

Case #14-01, VB Mansfield Realty LLC (Taco Bell)

Present for the applicant: Glenn Williams, Esquire; Greg VandeRyte, **Project Manager.**

Williams stated the applicant was present for completeness only, and explained the matter would address a revised parking lot configuration.

DiSessa stated the matter was minor in nature, and recommended the application be deemed complete and schedule it for the next regular meeting.

January 20, 2014 minutes

Page 5.

MOTION was made by **MAYOR TOMASZEWSKI** to deem the application for Case #14-01, VB Mansfield, LLC complete, and to schedule the matter for a public hearing for the February 17, 2014 meeting.

SECONDED: BARTON.

Those in favor: Mayor Tomaszewski, Watters, Spender, Farino, Drazek, Sams, Barton, Vaezi.

Opposed: None.

Abstained: Hight.

In reference to the Yusen Logistics matter, DiSessa stated he received a telephone call from the general manager regarding prior approvals for the property. DiSessa stated the general manager was under the impression that all approvals had been granted for their current mode of operation. DiSessa stated, according to the records available, the air conditioner storage area application was withdrawn, and never received approval. DiSessa stated he made a chronological detail of their approvals and related that information to McNemer. DiSessa asked Yusen Logistics, LLC to appear at the February meeting.

MOTION was made by **BARTON** to authorize the Township Committee to pay the invoices submitted by the professionals.

SECONDED: HIGHT.

Those in favor: Watters, Spender, Farino, Drazek, Hight, Sams, Barton, Mayor Tomaszewski, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **HIGHT** to authorize the Chairman to sign the contracts supplied by the professionals for the year of 2014.

SECONDED: DRAZEK.

Those in favor: Spender, Farino, Drazek, Hight, Sams, Barton, Mayor, Tomaszewski, Watters, Vaezi.

Opposed: None.

Abstained: None.

January 20, 2014 minutes

Page 6.

DiSessa mentioned that a representative from Pet Smart contacted him regarding occupation of the vacant Sears space in the Mansfield Commons mall. DiSessa stated he was hesitant to approve the Zoning application because of the in-house veterinarian services provided by the applicant. DiSessa explained they do not house animals overnight, and are located at least 100' from a residential use. DiSessa stated it appeared they meet the conditions for allowing them to occupy the space, but the use could be open to interpretation.

Barton stated an operation such as this is a disadvantage to local veterinarians.

Mayor Tomaszewski asked if they would operate a veterinarian office seven days per week. DiSessa replied they would operate the office each day they were typically open, and he thought the Pet Smart stores were open seven days per week.

Drazek stated the opening of the Pet Smart would put the other smaller pet store in the mall at a disadvantage.

After further discussion, the determination was made that DiSessa would contact the Pet Smart representative to come before the board for an interpretation.

The Chairman adjourned the meeting at 8:20 PM.

Respectfully submitted,

Patricia D. Zotti, Clerk
(As Amended)