

JANUARY 7, 2008

The regularly scheduled meeting of the Mansfield Township Zoning Board of Adjustment was called to order by Rosemarie Hight 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 regular meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Star Gazette;
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.

Present: Hight, Creedon, Rosenblum, Smith, McGuinness, Mills, Spender.

Absent: Harris.

Also present: Douglas Mace, P.E.; Lyn Paul Aaroe, Esquire.

Mace informed the board that he had sold his firm, but had been retained to continue to represent the Township in his current capacity.

Aaroe issued the Oath of Office to the new and re-appointed Zoning Board members.

MOTION was made by **SMITH** to nominate **Rosemarie Hight** as **CHAIRMAN** of the 2008 Mansfield Township Zoning Board of Adjustment.

SECONDED: CREEDON.

Those in favor: Creedon, Rosenblum, Smith, McGuinness, Mills, Spender, Hight.

Opposed: None.

Abstained: None.

MOTION was made by **ROSENBLUM** to nominate **Patrick Creedon** as **VICE CHAIRMAN** of the 2008 Mansfield Township Zoning Board of Adjustment.

SECONDED: HIGHT.

Those in favor: Rosenblum, Smith, McGuinness, Mills, Spender, Creedon, Hight.

Opposed: None.

Abstained: None.

MOTION was made by **HIGHT** to appoint **Patti Zotti** as **SECRETARY** of the 2008 Mansfield Township Zoning Board of Adjustment.

SECONDED: CREEDON.

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Those in favor: Smith, McGuinness, Mills, Spender, Creedon, Rosenblum, Hight.

Opposed: None.

Abstained: None.

MOTION was made by **CREEDON** to appoint Lyn Paul Aaroe, Esquire as Board Attorney for 2008.

SECONDED: MC GUINNESS.

Those in favor: McGuinness, Mills, Spender, Creedon, Rosenblum, Smith, Hight.

Opposed: None.

Abstained: None.

Aaroe announced that he requested an increase in compensation, which he had not done for several years.

MOTION was made by **MC GUINNESS** to appoint Douglas Mace, P.E. as Board Engineer for 2008.

SECONDED: SMITH.

Those in favor: Mills, Spender, Creedon, Rosenblum, Smith, McGuinness, Hight.

Opposed: None.

Abstained: None.

The Pledge of Allegiance was recited.

MOTION was made by **SMITH** to approve the minutes of the December 3, 2007 meeting, as written.

SECONDED: HIGHT.

Those in favor: Spender, Creedon, Rosenblum, Smith, Mc Guinness, Mills, Hight.

Opposed: None.

Abstained: None.

Rosenblum announced that he listened to the tapes of the December 3, 2007 meeting.

Case #Z02-08, Abram Simoff/Hal Simoff

Present for the applicant: Douglas Steinhardt, Esquire; Hal Simoff

Steinhardt explained his client's position, and stated that he would wait for additional members to listen to the tapes in order to have additional voting members.

Zotti would contact Harris, and Mills and Spender would make arrangements to listen to tapes of missed meetings.

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Steinhardt agreed to carry Case #Z02-08, Abram Simoff/Hal Simoff to the February 4, 2008 meeting without further notice.

Case #Z07-03, Igor Perunsky

As per the applicant's request, the matter was carried to the February 4, 2008 meeting without further notice.

Case #Z07-01, Natural Stone Traditions, Inc.

Present for the applicant: Stuart Ours, Esquire; John Malyshko, Steven Parker, P.E.

Mace indicated there was a vast improvement in the revised plans, and adequate access to the site was now provided.

Aaroe indicated the cross-easement with the neighbor was now critical.

Ours asked that the application be approved subject to the easement being obtained.

Malyshko stated he was in the process of purchasing the adjoining property, but unforeseen circumstances had prohibited the purchase from happening as yet. Aaroe indicated the matter could be addressed as a condition in the resolution.

Parker explained the revised site plan.

Aaroe indicated that any approval would have to be limited to the lots as exist on the current site plan, even if the lots are later merged. Malyshko indicated he would return to the board should be business expand to the adjacent lot.

Smith stated that proper signage would be critical for truck maneuverability. Mace agreed with Smith, and stated revisions would be necessary to indicate signage.

Creedon asked questions regarding the adjacent lots.

MOTION was made by **CREEDON** to grant preliminary and final site plan approval for Case #Z07-01, Natural Stone Traditions, Inc. John Malyshko & Jean Bonnet, a waiver from the design standards for paving the rear portion of the truck loading area, other conditions as discussed, easements for truck access being obtained from the adjacent property, expansion to return to the board.

SECONDED: MC GUINNESS.

Those in favor: Creedon, Rosenblum, McGuinness, Spender, Hight.

Opposed: None.

Abstained: Smith, Mills.

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Case #Z07-02, Dick Appleby

Present for the applicant: Thomas Fischer, Esquire; Dick Appleby; Eric Snyder, P.P.; Jess Symonds, P.E.

Mace indicated there was sufficient information for action on the use variance, but additional review was necessary for site plan action.

Snyder gave testimony regarding the proposed use, that being a Post Office and deli.

Entered as Exhibit A1 thru 5 – photographs of the existing Post Office and surrounding area

Snyder stated the Post Office currently exists of a trailer and an awkward parking situation. Snyder gave testimony as to the special reasons for approval, and compared the positive and negative criteria. Snyder went over the requested variances, and testified to the suitability of the lot.

A discussion was held regarding the commitment of the Post Office in remaining at the site.

Appleby testified that the Post Office wants five-year lease increments. Appleby explained the proposed building is a replica of the old building.

The hearing was opened to the public.

Alice Mayberry of Port Murray Road stated the Post Office has been in Port Murray for at least 100 years.

John Dorsch stated it would be nice to have a deli in the village of Port Murray.

MOTION was made by **CREEDON** to grant use variance approval for Case #Z07-02, Dick Appleby, and to grant the rear yard setback variance, subject to site plan approval.
SECONDED: SMITH.

Those in favor: Rosenblum, Smith, McGuinness, Mills, Spender, Creedon, Hight.
Opposed: None.
Abstained: None.

Mace stated the site plan would be reviewed by the next meeting, but an application had to be filed.

The site plan application for Case Z07-02, Dick Appleby was carried to the February 4, 2008 meeting without further notice.

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MOTION was made by **SMITH** to adjourn the meeting at 9:10 PM.
SECONDED: CREEDON.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary