

JUNE 21, 2004

The regularly scheduled meeting of the Mansfield Township Planning Board was called to order by Vice Chairman John Barton 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: Mannon, Barton, Baldwin, Watters, Hazen, Myers, Vaezi.

Absent: Lunghi, LeClair.

Also present: Douglas Mace, P.E.; William Edleston, Esquire.

The Pledge of Allegiance was recited.

MOTION was made by **BALDWIN** to approve the May 17, 2004 minutes as written.
SECONDED: BARTON.

Those in favor: Barton, Baldwin, Watters, Hazen, Myers, Vaezi, Mannon.

Opposed: None.

Abstained: None.

MOTION was made by **WATTERS** to approve the resolution for Case #04-04, Mike Mikitik as written.

SECONDED: MYERS.

Those in favor: Watters, Myers, Vaezi, Barton, Mannon.

Opposed: None.

Abstained: Baldwin.

MOTION was made by **VAEZI** to approve the resolution for Case #04-05, James & Taryn Hummel as written.

SECONDED: MYERS.

Those in favor: Watters, Hazen, Myers, Vaezi, Barton, Mannon.

Opposed: None.

Abstained: None.

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MOTION was made by **BALDWIN** to approve the resolution for Case #02-15, Jayeff Construction Mgt. & Devel. Corp. (Mansfield Commons II) as written.

SECONDED: MYERS.

Those in favor: Hazen, Myers, Vaezi, Barton, Baldwin, Watters, Mannon.

Opposed: None.

Abstained: None.

Case #03-02, RJDD, LLC

Present for the applicant: Barnet Epstein, Esquire; Eugene Weber, P.E.; David Delseni, Principal; William Hamilton, P.P.; Scott Minnich, P.E.

Referring to exhibits A-1 and A-3, Weber explained the revisions that were made since the last meeting. Weber stated that the road widths had been increased to 20', portions of Hilltop and Eagle Valley Roads were made one-way, fire protection underground storage tanks had been added, etc.

Hamilton explained the Environmental Impact Report Addendum I that was submitted. Mace stated that an independent consultant had concurred with the report. Mace stated that he had received a report from hydro geologist Frank Getchel, and would forward the report to the board.

Further discussion took place regarding the existing sight distance problem at the Westervelt and Hilltop Road intersection.

Wilma Frey of the New Jersey Conservation Foundation spoke regarding the potential for problems with the runoff created by the development. Frey stated that the steep slopes would be disturbed creating major runoff impacts. Frey explained the difference between aquifer and ground water recharge. Frey encouraged the board to require a mapped inventory of the wild and endangered species on the property. Frey encouraged the board to contract with a consultant to be paid out of the applicant's escrow.

Marilyn Madsen of Hilltop Road stated that the applicant's environmental report was inconsistent with the Warren County Soil Survey. Madsen stated that the property has severe limitations because of the impact to the steep slopes, erosion, etc. Madsen urged the board to consider hiring a private consultant to investigate the situation.

Mace indicated that a report was received from a hydro geologist supporting the finding that adequate water was present to serve the lots.

John VanderHoff of 60 Hilltop Road related his concern about runoff onto Hilltop Road.

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Kevin Huff expressed his concern about the detention pond located adjacent to his property, and the impact on his well and septic system.

Mark Beatty of 12 Hilltop Road stated that he was concerned about the roadway configuration, and the well and septic impacts.

Jay Madsen of 56 Hilltop Road recommended that the access be from Jackson Valley Road. Madsen indicated that there were several pieces of property available on Jackson Valley Road that would help with access, and emergency access would be better.

Marilyn Madsen questioned who would maintain the detention basin. Mannon replied that the basin would be maintained either through a homeowner's association, or privately owned and maintained.

Mace stated that the process is much more stringent since the new storm water runoff regulations went into effect.

Mannon stated that the Warren County Mosquito Commission also monitors mosquito activity.

Minnich explained the revisions made to the storm water runoff plan, and explained how the system would work.

Further discussion took place regarding the storm water impact, and the location and construction of the detention basin.

Epstein explained that his client had complied with the RSIS standards and the municipal standards, and had attempted to address the neighbor comments and concerns. Epstein stated that the applicant had agreed to virtually all of the recommendations in Mace's report of 5/26/04.

The Chairman closed the public portion of the hearing based on the fact that the applicant had been before the board for several months of hearings, and the public had ample opportunity to speak.

The Chairman offered that the board could deny the major subdivision application; they could approve the application subject to compliance with the several months of testimony and Mace's 5/26/04 letter, or authorize the attorney and engineer to draft an approving resolution for consideration at the next meeting.

Edleston indicated that some form of action would be necessary at this meeting.

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MOTION was made by **MYERS** to authorize the attorney (in conjunction with the engineer) to draft a resolution for consideration at the next regular meeting approving the preliminary major subdivision application and waiver for Case #03-02, RJDD, LLC.

SECONDED: HAZEN.

Those in favor: Myers, Vaezi, Hazen, Mannon.

Opposed: Baldwin, Watters.

Abstained: Barton.

MOTION was made by **VAEZI** to grant an extension of time for action to July 20, 2004 without further notice.

SECONDED: HAZEN.

Those in favor: Vaezi, Barton, Baldwin, Watters, Hazen, Myers, Mannon.

Opposed: None.

Abstained: None.

The Chairman explained that the decisions made by the board are often difficult ones, and that the regulations imposed make it even more difficult.

The Chairman called for a brief recess at 9:30 PM.

Upon reconvening at 9:45 PM, the roll call was taken.

Present: Mannon, Barton, Baldwin, Watters, Hazen, Myers, Vaezi.

Absent: Lunghi, LeClair.

Case #04-06, Borealis

Present for the applicant: Kate Yannitte, Esquire; Thomas Wilkes, Borealis; Jim Mantz, P.E.

Mace explained that the applicant was looking for an amendment to their site plan allowing for a security building to be located in the parking lot of their complex. Mace stated that no variances were being requested, and would be subject to approval by the Warren County Planning Board.

Mantz was sworn in and qualified as an expert witness. Mantz explained what was being proposed by the applicant. Mantz stated that the applicant was proposed to construct a 28' X 60' modular office to house the guardhouse and offices. There would be no bathroom facilities offered in the unit.

There were no comments or questions from the public.

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MOTION was made by **BALDWIN** to approve the amendment to the existing preliminary and final site plan for Case #04-01, Borealis, subject to approval by the Warren County Planning Board.

SECONDED: WATTERS.

Those in favor: Barton, Baldwin, Watters, Hazen, Myers, Vaezi, Mannon.
Opposed: None.
Abstained: None.

Sheri Best Conceptual

Best explained that she owns a lot with a dilapidated multifamily home on it. Best stated that she would like to demolish the home, subdivide the lot, and construct two single family homes. Best stated that she is currently approved by the Warren County Board of Health for six bedrooms.

A consensus of the board indicated that the lot was problematic in that it wouldn't in any conform to the current zoning. It was determined that even with three-acre zoning, the property would allow for only one home.

Case #04-01, Eden Mansfield, LLC

Present for the applicant: Michael Lavery, Esquire; Calisto Bertin, P.E.; Edward Jaten, Eden Property, LLC.

Lavery and Mace discussed the items of the checklist that should be submitted, and those that could be waived.

MOTION was made by **BALDWIN** to deem the application for Case #04-01, Eden Mansfield, LLC complete, subject to additional information being submitted two weeks prior to the next regular meeting.

SECONDED: BARTON.

Those in favor: Baldwin, Watters, Hazen, Myers, Vaezi, Barton, Mannon.
Opposed: None.
Abstained: None.

Case #04-08, William & Carolyn McGarry Conceptual

Hazen recused himself from the conceptual.

The McGarrys explained that they planned to offer land for farmland preservation, but wanted to construct one home on five acres. McGarry stated that the problem arose in that the acreage is zoned industrial, prohibiting residential use.

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Mace stated that a use variance situation was being created, but that they probably had a good argument to present to the Board of Adjustment. Mace stated that they could represent that they were preserving land, but needed a homestead. McGarry stated that their plan was to build one home and sell it.

The determination was made that a use variance would be necessary to construct one residential home in the industrial zone.

Hazen returned to the board.

MOTION was made by **MANNON** to authorize the engineer to determine the status of previous approvals for Nichem Company, and if only one extension had been granted, grant one more extension. Should it be determined that two extensions had been granted, no further extensions would be granted.

SECONDED: BALDWIN.

Those in favor: Watters, Hazen, Myers, Vaezi, Barton, Baldwin, Mannon.

Opposed: None.

Abstained: None.

A discussion took place regarding the State cross-acceptance process. Baldwin stated that there would be additional meetings, and that there was a series of questions that needed to be answered by Mace and Layton.

MOTION was made by **MANNON** to direct the planner and engineer to cooperate with the cross-acceptance subcommittee, and to comply with the request for information.

SECONDED: BALDWIN.

Those in favor: Hazen, Myers, Vaezi, Barton, Baldwin, Watters, Mannon.

Opposed: None.

Abstained: None.

Baldwin stated that another meeting had been scheduled for 6/24/2004.

MOTION was made by **HAZEN** to authorize payment by the Township Committee invoice numbers 270 through 277 submitted by Attorney William Edleston for work completed on behalf of the Mansfield Township Planning Board.

SECONDED: MYERS.

Those in favor: Myers, Vaezi, Barton, Baldwin, Watters, Hazen, Mannon.

Opposed: None.

Abstained: None.

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MOTION was made by **HAZEN** to authorize payment by the Township Committee invoice numbers 11559, 11557, 11558, 11561, 11564, 11565, 11567, and 11578 submitted by Mace Consulting Engineers for work completed on behalf of the Mansfield Township Planning Board.

SECONDED: MYERS.

Those in favor: Vaezi, Barton, Baldwin, Watters, Hazen, Myers, Mannon.

Opposed: None.

Abstained: None.

MOTION was made by **BALDWIN** to adjourn the meeting at 11:00 PM.

SECONDED: WATTERS.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary