

## **MARCH 3, 2008**

The regularly scheduled meeting of the Mansfield Township Zoning Board of Adjustment was called to order by Vice Chairman Pat Creedon 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: Harris, Creedon, Rosenblum, Smith, McGuinness, Spender.

Absent: Hight.

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

The Pledge of Allegiance was recited.

**MOTION** was made by **SMITH** to approve the minutes of the February 4, 2008 meeting, as written.

**SECONDED: HARRIS.**

Those in favor: Harris, Creedon, Rosenblum, Smith, Spender.

Opposed: None.

Abstained: McGuinness.

### **Case #Z07-01, Natural Stone Traditions, Inc. John Malyshko & Jean Bonnet**

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

Aaroe briefly related the history behind the continuance of the application. Aaroe stated the applicant advertised to include Lot 4.01 in the discussion since the driveway to the proposed use was granted a cross-easement across the lot.

Christopher Bry-Nildsen, 518 Route 57, and Carol Borden, 7 Cheerio Lane, were sworn in by Aaroe. They both agreed the most important issue is safety. They related testimony as to the accidents they have witnessed, and increase in traffic along the highway.

Borden stated she has a disabled child picked up by a school bus every day on Cheerio Lane, and it is concerned with the maneuverability in the area. Borden stated the speed limit on Route 57 in the area of the subject property is 50 MPH, and is also a passing zone.

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Carol Thompson, 510 Route 57, stated her driveway is directly across from the new driveway. Thompson stated traffic safety is the main issue. Thompson stated she didn't have an issue with the proposed business, but tractor trailer access to the property is the issue.

John Thompson, 510 Route 57, stated it was his opinion the tractor trailers won't be able to access the property without traveling into the opposite lane of traffic.

The public portion of the hearing was closed.

Parker explained the driveway configuration, and stated the DOT standards for turning templates have been met. Parker stated the applicant has applied to the DOT for a minor access permit. Parker stated the trucks won't have to travel into the opposite lanes in order to access the site.

Malyshko stated the curb cut would be widened once DOT approval has been granted.

Board members asked clarifying questions regarding access to the property.

Mace indicated the applicant wouldn't receive a land disturbance permit until third party agency approvals were granted.

Ours stated the applicant erroneously went forth with the construction with the approval granted by Warren County Soils Conservation District.

Aaroe asked if Parker was aware there was a bus stop in the vicinity, and Parker replied he was not. Ours stated the trucks are slowing in the vicinity of the site, not accelerating.

**MOTION** was made by **HARRIS** to re-affirm the previous approvals granted August 6, 2007 and January 7, 2008 for Case #Z07-01, Natural Stone Traditions, Inc. regarding the use variance, preliminary and final site plan and bulk variance approvals.

**SECONDED: MC GUINNESS.**

Those in favor: Creedon, Rosenblum, Smith, McGuinness, Spender, Harris.

Opposed: None.

Abstained: None.

**MOTION** was made by **HARRIS** to approve the resolution for Case #Z07-01, Natural Stone Traditions, Inc. as amended.

**SECONDED: SMITH.**

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

Mace indicated his part in the meeting was at an end. Mace stated it was with great sadness that this would be the final meeting of the Mansfield Township Zoning Board of Adjustment. Mace wished the members well.

Aaroe indicated the resolution for Case #Z02-08, Abram Simoff/Hal Simoff would be available for action at the meeting in April.

**MOTION** was made by **SMITH** to approve the resolution for Case #Z07-02, Dick Appleby, as written.  
**SECONDED: ROSENBLUM.**

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

The Vice Chairman adjourned the meeting at 8:35 PM.

Respectfully submitted,

Patricia D. Zotti, Secretary  
As Written