

JUNE 16, 2008

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by 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: Barton, Myers, Watters, Mannon, Hazen, Vaezi, Creedon.

Absent: Baldwin, Mills.

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

The Pledge of Allegiance was recited.

MOTION was made by **HAZEN** to approve the minutes of the May 19, 2008 meeting, as written.

SECONDED: VAEZI.

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

Opposed: None.

Abstained: None.

Case #08-01, Richard Baker

Present for the applicant: Richard Baker, Stuart Ours, Esquire

Ours indicated the notice didn't reach the newspaper in time, so they were appearing on a completeness basis. Ours discussed the waivers being requested by the applicant.

Baker indicated the road right-of-way is a major issue. Mace agreed, and stated it is problematic to link two lots on opposite side of a road. Mace stated that a 33' right-of-way minimum would be required. Baker asked if a septic easement would solve the problem. Mace replied there would then be no need for a subdivision.

Further discussion took place regarding the history of the property, and possible solutions to the roadway issue.

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MOTION was made by **WATTERS** to deem the application for Case #08-01, Richard Baker complete, and to grant the requested waivers as discussed. No further notice to be given to the property owners within 200', but to notice the newspaper.
SECONDED: HAZEN.

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

Case #08-03, Igor Perunsky

Present for the applicant: Igor Perunsky; Richard Keiling, Esquire

MOTION was made by **VAEZI** to deem the application for Case #08-03, Igor Perunsky complete, and to grant the requested waivers. The applicant is to submit a revised may by the next meeting to reflect the issues raised in the review letter issued by Mace's office. Notice is carried to the next regular meeting.
SECONDED: WATTERS.

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

Consideration of Proposed Ordinance 2008-09, Growth Share Ordinance

Watters explained the proposed Ordinance would bring the Township into compliance with the Third Round COAH obligation.

MOTION was made by **CREEDON** to endorse the proposed Ordinance 2008-09, Growth Share Ordinance, and to recommend adoption by the Township Committee as written.
SECONDED: MYERS.

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

Further discussion took place regarding the Township's COAH obligation, and other COAH issues.

Karl Strohmaier appeared regarding the conditions of his ECHO house approval. Strohmaier sought a waiver from the Township for paving the entire length of the driveway to the ECHO house. Strohmaier stated the County requires a 25' paved apron, and he thought that would be sufficient.

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Robert Jewell explained there would be no run-off or gravel that would travel onto the roadway. Jewell explained further the mechanics of the proposed driveway.

Mace indicated there is no provision for waiving the driveway requirements, and it is an obligation of the Township to provide emergency access.

Watters suggested using the current paved driveway as the primary means of access for emergency purposes.

MOTION was made by **BARTON** to approve a waiver for Case #08-02, Karl Strohmaier of the paving of the new driveway to the temporary ECHO house, and for the new driveway to be a secondary access, with the main paved driveway to provide the access for emergency purposes.

SECONDED: HAZEN.

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

Opposed: Mannon.

Abstained: None.

Mannon indicated his vote was based on the fact there is nothing in the Ordinance to support the action.

Carol and John Thompson, 510 Route 57, appeared requesting information on how to file an appeal of action taken by the Mansfield Township Zoning Board of Adjustment. C. Thompson explained there was concern over the approval granted for the Natural Stone site. Thompson indicated there were notice and safety issues.

J. Thompson stated he had concerns about a site being approved where a road goes over two properties.

Edleston stated the decision was made at the Zoning Board, and this board would have no jurisdiction at this time. Edleston stated if there was a defective notice there might be an argument for appeal, but it would have to be filed with Superior Court. Edleston suggested the Thompsons contact an attorney versed in Land Use Law.

MOTION was made by **MYERS** to authorize payment by the Township Committee invoices submitted by the professionals.

SECONDED: CREEDON.

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

Opposed: None.

Abstained: None.

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Creedon mentioned work being done in the area of Airport Road Estates. Mace stated they are working on the detention basin.

Creedon mentioned the proliferation of stick-in signs along Route 57 in the area of the malls. Mace stated that letters would need to be sent to the property owners.

MOTION was made by **MYERS** to adjourn the meeting at 9:15 PM.
SECONDED: CREEDON.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
As written