

AUGUST 18, 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, Baldwin, Watters, Hazen, Mills, Myers.

Absent: Mannon, Vaezi, Creedon, Hight.

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

MOTION was made by **BALDWIN** to approve the minutes of the July 21, 2008 meeting, as written.

SECONDED: HAZEN.

Those in favor: Baldwin, Watters, Hazen, Mills, Myers.

Opposed: None.

Abstained: Barton.

Regarding the resolution for Case #08-01, Richard Baker, Baker explained that his neighbors were concerned with the proposed turn-around on Bright Road. Baker stated his neighbors were concerned that the Township would no longer service the length of road currently serviced for snow removal.

Baldwin and Edleston it would be an issue to be discussed with the Township Committee and not the Land Use Board. Edleston further advised Baker that he and his neighbors should contact the Township Clerk to be placed on the Township Committee's agenda.

MOTION was made by **MYERS** to approve the resolution for Case #08-01, Richard Baker, as written.

SECONDED: WATTERS.

Those in favor: Watters, Hazen, Mills, Myers, Baldwin.

Opposed: None.

Abstained: None.

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MOTION was made by **HAZEN** to approve the resolution for The Cleaners (Mr. Lee).
SECONDED: MYERS.

Those in favor: Hazen, Mills, Myers, Baldwin, Watters.
Opposed: None.
Abstained: None.

Public Hearing – Master Plan Periodic Reexamination Report

Layton explained that once every six years it is the responsibility of the Land Use Board to hold a Master Plan Reexamination. Layton stated once the public hearing has been held and a resolution adopting the report passed, the Township will be current with the MLUL.

Layton explained the Master Plan has been reviewed and issues addressed. The goals and objectives of the Township really haven't changed. Layton stated that programs implemented by the State such as COAH and the Highlands, have taken some of the home rule away from the Township.

The hearing was opened to the public. There were no comments or questions from the public. The public portion of the hearing was closed.

MOTION was made by **BALDWIN** to adopt the Master Plan Periodic Reexamination Report as presented.
SECONDED: MYERS.

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

A discussion was held regarding the scheduling a meeting with Layton to address the newest COAH round. Edleston stated that COAH has stated that if no plan is in place all the COAH funds in the Township trust fund will be forfeited to the State.

MOTION was made by **BARTON** to carry Case #08-03, Igor Perunsky to the next regular meeting of September 15, 2008, without further notice.
SECONDED: MYERS.

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

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Case #05-02, AZR 1, LLC Extension Request

Present for the applicant: Arthur Robinson

MOTION was made by **BALDWIN** to grant a one-year extension of approvals for Case #05-02, AZR 1, LLC to run from 5/16/08 to 5/16/09.

SECONDED: HAZEN.

MOTION was made by **BALDWIN** to amend the previous motion to include a second one-year extension of approvals for Case #05-02, AZR 1, LLC to run from 05/16/09 to 05/16/10.

SECONDED: HAZEN.

Those in favor: Baldwin, Watters, Hazen, Mills, Myers, Barton.

Opposed: None.

Abstained: None.

Case #08-07, Philip Rich/Mario Razzacchi

There was no one present for the application

Mace indicated the application was severely incomplete, and that some sort of sketch showing reasonable feasibility for road access, parking, etc. was needed. Mace stated the board had to have at least enough information to make a decision on the matter. Mace recommended the matter be deemed incomplete. Mace indicated this type of application was addressed by the Board of Adjustment and the Board of Adjustment attorney typically wrote a letter to the board and applicant spelling out the issues and deficiencies. Mace stated in the future his office would write the letter.

MOTION was made by **WATTERS** to deem the application for Case #08-07, Philip Rich/Mario Razzacchi incomplete.

SECONDED: BALDWIN.

Those in favor: Watters, Hazen, Mills, Myers, Baldwin, Barton.

Opposed: None.

Abstained: None.

Case #08-08, Borealis Compounds, LLC

Present for the applicant: William Gold, Esquire (representing Robert Benbrook, Esquire, attorney of record for the applicant); Ken Wieceoreck

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Mace explained the applicant was seeking approval to construct a lunchroom for the employees on an already existing slab. In actuality they are enclosing a covered patio. Mace recommended that a waiver of a formal site plan application could be granted, subject to the submission of a site plan showing the existing conditions once the construction is complete.

Gold stated there is currently a trailer on site for the employees to use as a lunchroom in inclement weather. Once the construction is concluded the trailer will be removed.

MOTION was made by **MILLS** to waive the necessity of a formal site plan for the minor matter proposed by the applicant for Case #08-08, Borealis Compounds, LLC, subject to the submission of an "as built" site plan once the construction is completed, and further, the temporary trailer to be removed by 12/31/08.

SECONDED: MYERS.

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

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

SECONDED: HAZEN.

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

Watters informed the board that despite their recommendation against it, the Township Committee voted to give the requested open space money to the recreation commission for the walking track. Watters indicated the consensus of the Township Committee was that the Planning Board decision was biased since they didn't hear both sides of the issue. Further discussion was held regarding the matter.

MOTION was made by **BARTON** to adjourn the meeting at 8:25 PM.

SECONDED: BALDWIN.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
As Written