

JANUARY 19, 2009

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Attorney William Edleston 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.

The new and reappointed members of the 2009 Land Use Board were sworn in.

Present: Barton, Myers, Mayor Jewell, Watters, Mannon, Hazen, Creedon, Vaezi, Smith.

Absent: Mills, Hight, McGuinness, Spender.

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

The Pledge of Allegiance was recited.

MOTION was made by **HAZEN** to nominate John Barton as **CHAIRMAN** of the 2009 Land Use Board.

SECONDED: VAEZI.

MOTION was made by **MANNON** to close the nominations.

SECONDED: CREEDON.

Voice vote in favor of Barton as Chairman: ALL IN FAVOR.

MOTION was made by **HAZEN** to nominate Richard Myers as **VICE CHAIRMAN** of the 2009 Land Use Board.

SECONDED: BARTON.

MOTION was made by **MANNON** to close the nominations.

SECONDED: HAZEN.

Voice vote in favor of Myers as Vice Chairman: ALL IN FAVOR.

MOTION was made by **CREEDON** to nominate Patti Zotti as **SECRETARY/CLERK** of the 2009 Land Use Board.

SECONDED: HAZEN.

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MOTION was made by **HAZEN** to close the nominations.
SECONDED: MANNON.

Voice vote in favor of Zotti as Secretary/Clerk: ALL IN FAVOR.

MOTION was made by **BARTON** to nominate Attorney William Edleston as **BOARD ATTORNEY** for 2009.
SECONDED: CREEDON.

MOTION was made by **MANNON** to close the nominations.
SECONDED: HAZEN.

Voice vote in favor of Edleston as Attorney: ALL IN FAVOR.

MOTION was made by **MYERS** to nominate Douglas Mace, P.E. as **BOARD ENGINEER** for 2009.
SECONDED: VAEZI.

MOTION was made by **CREEDON** to close the nominations.
SECONDED: VAEZI.

Voice vote in favor of Mace as Engineer: ALL IN FAVOR.

MOTION was made by **MYERS** to nominate Joseph Layton, P.P. as **PLANNER** for 2009.
SECONDED: MANNON.

MOTION was made by **HAZEN** to close the nominations.
SECONDED: CREEDON.

Voice vote in favor of Layton as Planner: ALL IN FAVOR.

MOTION was made by **MYERS** to approve the meeting dates, to announce that all meetings would begin at 7:30 PM.
SECONDED: VAEZI.

Voice vote: ALL IN FAVOR.

MOTION was made by **CREEDON** to approve the official newspaper as The Star Gazette.
SECONDED: VAEZI.

Voice vote: ALL IN FAVOR.

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The Chairman appointed Myers, Hazen, and Vaezi as the Financial Oversight Committee for 2009.

MOTION was made by **HAZEN** to approve the minutes of the December 15, 2008 meeting, as written.

SECONDED: CREEDON.

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

Opposed: None.

Abstained: Mayor Jewell.

Edleston announced that he would formulate an Annual Report for the next meeting.

Case #08-03, Igor Perunsky

Present for the applicant: Igor Perunsky; Ronal Lai, P.E.; Richard Keiling, Esquire

Keiling explained the history behind the minor subdivision application, which began last year. Keiling stated the application has been reinstated, and the escrow updated. Keiling explained the application is to subdivide one lot that currently supports two dwellings.

MOTION was made by **CREEDON** to deem the application for Case #08-03, Igor Perunsky complete.

SECONDED: MYERS.

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

Opposed: None.

Abstained: None.

Keiling explained that the neighbors had been contacted, and only one response had been received back expressing no interest in selling a portion of their land.

Entered as Exhibit A-1 – Sheet 1 of 2, subdivision plat

Lai gave an overview of the proposed subdivision. Lai explained the homes share a single well, but each have a septic facility. Lai explained the required second driveway concept plan, and stated some landscaping would have to be removed should they have to install the driveway.

Keiling stated a driveway maintenance agreement would be drawn and submitted for the Township Engineer's approval.

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Creedon suggested a different location for the driveway, which appeared to offer a better sight distance. Further discussion took place regarding the location of the proposed driveway.

Perunsky stated there is no problem accessing both homes from the one driveway. He stated he purchased the property in 2007, attempted to do some work but was advised to come before the board. The cottage on the property has always been a rental property, according to the previous owners' daughter. Perunsky stated the septic system for the main house was inspected and repairs were made.

Keiling stated the Warren County Health Department doesn't perform inspections unless the systems are new. The applicant would have to get a private contractor to inspect the system.

Entered as A-2 – response letter from neighbor
Entered as A-3 – AA Sewer & Septic Inc. letter

Keiling explained bulk variances would be required for: acreage, frontage, lot depth and width, side yard setbacks, and the pool, which is a pre-existing, non-conforming structure in the front yard of a primary residence.

Edleston asked if the well was a shared well, and if so, would have to be deeded as such. Keiling agreed it would be a part of the deed agreement.

Edleston suggested returning next month with the driveway situation clarified, instead of giving the variance testimony this month and having to repeat it.

Vaezi suggested a different configuration for the driveway, instead of the current meandering configuration.

Mayor Jewell asked several questions regarding the septic system for the cottage property. Keiling stated the applicant would have the system tested, and would provide proof.

John Dorsch of 345 Hoffman Road stated the rental property was abandoned as such. Mace indicated there was action taken by the Board of Adjustment deeming it as a pre-existing, non-conforming use. Dorsch stated he would like to see the cottage house sold, and not be used as a rental property.

Jim Hummel of 360 Hoffman Road stated that he might be interested in selling some land to the applicant to help with lot conformance.

The public portion of the hearing was closed.

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Keiling stated they would return next month with proof of taxes being current, driveway options investigated, and proof of a stress test for the cottage septic system.

MOTION was made by **MANNON** to carry the application for Case #08-03, Igor Perunsky to the February 16, 2009 meeting.

SECONDED: HAZEN.

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

Opposed: None.

Abstained: None.

Mace indicated an application would be submitted soon for a change in the façade for Wal Mart creating a new entrance and an update of the corporate colors. Mace suggested treating the application as an amended site plan application.

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

SECONDED: VAEZI.

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

Opposed: None.

Abstained: None.

MOTION was made by **CREEDON** to adjourn the meeting at 8:35 PM.

SECONDED: MYERS.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
As Written