

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

JANUARY 21, 2008

The regularly scheduled meeting of the Mansfield Township Planning Board was called to order by Board 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.

Present: Barton, Myers, Baldwin, Watters, Hazen, Mills, Vaezi, Creedon.

Absent: Mannon.

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

Edleston issued the Oath of Office to the new and re-appointed members.

The Pledge of Allegiance was recited.

MOTION was made by **BALDWIN** to nominate **John Barton** as **CHAIRMAN** and **Richard Myers** as **VICE CHAIRMAN** and **Patti Zotti** as **Secretary** of the 2008 Mansfield Township Planning Board.

SECONDED: HAZEN.

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

SECONDED: CREEDON.

Those in favor of the nominations: Myers, Baldwin, Watters, Hazen, Mills, Vaezi, Creedon, Barton.

Opposed: None.

Abstained: None.

MOTION was made by **BALDWIN** to appoint **William Edleston, Esquire** as **Board Attorney**, **Douglas Mace, P.E.** as **Board Engineer**, and **Joseph Layton, P.P.** as **Board Planner** for 2008.

SECONDED: CREEDON.

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

Opposed: None.

Abstained: None.

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MOTION was made by **HAZEN** to adopt the meeting dates for 2008 as presented by Zotti.

SECONDED: MYERS.

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

MOTION was made by **BARTON** to appoint Myers, Hazen, and Vaezi as the Financial Oversight Committee for 2008, with Myers as Chairman.

SECONDED: CREEDON.

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

MOTION was made by **BALDWIN** to approve the minutes of the December 17, 2007 meeting, as written.

SECONDED: WATTERS.

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

MOTION was made by **VAEZI** to approve the resolution for Case #07-09, The Shoppes at Mansfield, LLC (Starbucks).

SECONDED: HAZEN.

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

Case #07-08, Manjit Jabbal (Buffalo's Southwest Café)

Present for the applicant: Michael B. Lavery, Esquire

Lavery indicated the newspaper failed to publish the notice in a timely fashion, and requested the 200' notices be carried to the meeting of February 18, 2008.

MOTION was made by **MYERS** to carry the application for Case #07-08, Manjit Jabbal (Buffalo's Southwest Café) to the February 18, 2008 meeting, and to further carry the notice to the property owners within 200'.

SECONDED: CREEDON.

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Watters asked if there was a liquor license active for the subject and adjoining property. Lavery stated they would clarify during testimony.

Creedon asked what the proper name is for the applicant. There appeared to be several different names on different items of correspondence. Lavery stated they would also clarify this information.

Those in favor of the motion: Creedon, Myers, Watters, Hazen, Mills, Vaezi, Barton.
Opposed: None.
Abstained: Baldwin.

Case #08-01, Richard Baker

Mace briefly explained the application is for the rehabilitation and subdivision of a lot on Bright Road. Mace stated he would research the previous Zoning Board application on Bright Road.

Case Z03-01, Regency at Mansfield (formerly the Meadows at Mansfield)

Present for the applicant: Louis Goldshore, Esquire; George Ritter, P.P.

Edleston stated that no notice was necessary for this application since it is a phasing/final approval application.

Entered as Exhibit A-1 – Phase I

Ritter explained this phase includes the sewage treatment facility and the main entry driveway. Ritter explained this phase also includes 91 homes and 56.6 acres of green space.

Entered as Exhibit A-2 – Phase II

Ritter explained this phase includes 90 more homes, 1.2 acres of open space, and a second roadway access.

Entered as Exhibit A-3 – Phase III

Ritter explained this phase includes 45 more homes.

Ritter explained the housing market would drive the construction of the homes, but the applicant would like to begin work in the summer of 2008.

A discussion took place regarding the acceptance and upkeep of the roads during construction.

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Mace stated he would like to see included in Phase I the landscape buffer presently designated for Phase II. Ritter agreed to Mace's request.

Further questions were asked regarding the fire access, and the construction of the wastewater treatment facility.

MOTION was made by **CREEDON** to grant approval for Case #03-01, Regency at Mansfield (formerly The Meadows at Mansfield) for amended preliminary and final major subdivision for the proposed three phase project, subject to the inclusion of the landscape buffer in phase I.

SECONDED: BALDWIN.

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

Opposed: None.

Abstained: None.

Goldshore requested the time of approvals to toll after receipt of the DEP approval. Mace and Edleston explained further that an applicant is allowed additional time if an outside agency approval has interfered with progress.

MOTION was made by **BALDWIN** to grant the applicant for Case #03-01, Regency at Mansfield (formerly The Meadows at Mansfield) the time of approval from the DEP approval.

SECONDED: MYERS.

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

Opposed: None.

Abstained: None.

Under old/new business, Baldwin mentioned the adoption of the Ordinance combining the boards into one land use board.

Baldwin also mentioned that Planner Joe Layton would be advising the board on COAH matters.

Vaezi suggested that board members might participate in continuing education regarding issues that were formerly Zoning Board issues.

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

SECONDED: VAEZI.

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

MOTION was made by **BALDWIN** to adjourn the meeting at 8:45 PM.
SECONDED: MYERS.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
As Written