

AUGUST 17, 2009

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, Mayor Jewell, Watters, Creedon, Vaezi, Mills, Spender, Smith.

Absent: Mannon, Hazen, Hight, McGuinness.

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

The Pledge of Allegiance was recited.

The Chairman announced the meeting as a Joint Meeting with the Township Committee.

Present for the Township Committee: Mayor Jewell, Watters, Nerbak, Baldwin, Tomaszewski.

Absent: None.

MOTION was made by **VAEZI** to approve the minutes of the June 15, 2009 meeting, as written.

SECONDED: MYERS.

Those in favor: Myers, Mayor Jewell, Watters, Creedon, Vaezi, Mills, Spender, Smith, Barton.

Opposed: None.

Abstained: None.

Discussion of the Highlands Regional Master Plan: Initial Assessment Study

Dan Block, P.P., representing the Township Planner, presented and explained the Highlands Regional Master Plan: Initial Assessment Study document dated August 2009. Block went through the document informing the Planning Board and Township Committee of its contents.

Smith expressed concern that the water protection area doesn't include the area closest to the Musconetcong River.

August 17, 2009 minutes

Page 2.

Baldwin stated the Township has, over the years, been very pro-active regarding water protection.

Throughout the document explanation by Block, the board members and Township Committee members asked clarifying questions.

Block indicated the plan would have to be adopted by the December 8, 2009 deadline, and the Township is moving ahead and will meet the deadline. The Affordable Housing plan has a deadline of June 2010, and that too will have to be met.

Creedon expressed his opinion that the Township of Mansfield is being strangled by the Highlands and COAH obligations, and soon won't be able to function because of the inability to invite ratables. Creedon stated the Township has been the perfect poster child over the years, and now are being hit hard. Creedon suggested changes in the Master Plan be considered in order to allow development in other areas of the Township.

Further discussion took place regarding the implications to the Township regarding compliance with the Highlands and COAH regulations.

Baldwin stated there is a sentence on page thirty of the document that is a good one, and one the Township can be proud of. Baldwin stated the sentence is found under the heading *Consistency Evaluation*, and reads "Protection of landowner equity is of utmost importance to Mansfield Township."

Creedon stated the COAH obligation is practically unachievable for Mansfield Township. Block indicated the COAH obligation situation is a hardship shared throughout the state.

Vaezi made a few comments, and suggested a few clarifications.

Block explained the report is meant to educate the board as to the Highlands legislation and the position of Mansfield Township.

Barton indicated the Township has striven, over the years, to comply prior to any mandate, and to be pro-active in the protection of the Township.

Mayor Jewell mentioned there are critical areas shown on the planning and preservation area maps.

Block indicated the areas for allowed growth are substantially developed.

Block indicated there will be some Ordinance work for review and adoption later in the year, with additional changes to be made next year.

August 17, 2009 minutes
Page 3.

Watters stated that all of the towns will have comments, and hopefully the deadlines will be adjusted.

Mace stated the Ordinance changes will never be ready by December 8, 2009 if they are lengthy.

MOTION was made by **BALDWIN** to adjourn the joint session at 8:25 PM
SECONDED: NERBAK.

Voice vote: ALL IN FAVOR.

The Planning Board meeting continued.

Case #09-03, Jersey Central Power & Light Company, A First Energy Company and Nextel of New York, Inc.

Present for the applicant: Simone Sinisi, Esquire

Mace indicated that the spoke with the applicant's engineer, who had to leave to attend another meeting. The engineer agreed to comply with any outstanding items within two weeks. Mace recommended the board could deem the application complete, provided the outstanding items are submitted to the board office within two weeks of tonight's meeting, and to schedule the hearing for the next regular meeting.

Mace explained that co-location of cellular providers has been encouraged by the Township.

MOTION was made by **CREEDON** to deem the application for Case #09-03, jersey Central Power & Light Company, A First Energy Company and Nextel of New York, Inc. conditionally complete, and to schedule the public hearing for the next regular meeting of September 21, 2009 provided the outstanding information is received within two weeks.

SECONDED: MYERS.

Those in favor: Mayor Jewell, Watters, Creedon, Vaezi, Mills, Spender, Smith, Myers, Barton.

Opposed: None.

Abstained: None.

Barton asked what was happening with the proposed gun shooting range for Hoffman Road. Smith indicated the Freeholders turned the proposal down.

Further discussion took place regarding issues with the proposed site, and possible action that could be taken in the future.

August 17, 2009 minutes
Page 4.

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

Those in favor: Watters, Creedon, Vaezi, Mills, Spender, Smith, Myers, Mayor Jewell, Barton.
Opposed: None.
Abstained: None.

Watters mentioned the letter received regarding the Baker subdivision on Cherry Tree Bend, and asked why the subdivision still wasn't perfected. Zotti reminded the board that ultimately the subdivision wasn't required. Mace confirmed the road created the natural subdivision, and the applicant was going to amend his plan to comply.

Creedon mentioned that children are using the newly created road off Airport Road to connect to the bike path, and it is creating a hazardous condition on Airport Road. Creedon suggested some measure be taken to create a way to slow the kids down so there isn't an accident. Mayor Jewell stated the kids use Ryan Way as well. Mace stated he would suggest to the owner to block the sidewalk in hopes of slowing the kids down before entering the roadway.

MOTION was made by **SMITH** to adjourn the meeting at 8:40 PM.
SECONDED: CREEDON.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
As Written