

OCTOBER 20, 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: Mannon, Barton, Baldwin, Watters, Mills, Hazen, Creedon, Myers, Vaezi, Hight.
Absent: None.

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 September 15, 2008 meeting, as written.

SECONDED: BALDWIN.

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

Opposed: None.

Abstained: None.

MOTION was made by **BALDWIN** to approve the resolution for Case #08-03, Igor Perunsky, denying without prejudice the minor subdivision.

SECONDED: HAZEN.

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

Opposed: None.

Abstained: None.

Case #08-07, Philip Rich/Mario Razzacchi

Present for the applicant: Robert Stiles, Esquire; Philip Rich

Stiles explained the subject property is located in the Industrial Zone, and the residential component of the property is a non-permitted use. Stiles explained the proposed tenant, Adam Drupka, would like to locate a wholesale automobile office at the site.

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The office would fulfill and comply with the requirements as set forth by the State of New Jersey by offering a desk, a chair, a filing cabinet, a phone, air conditioning, outside identifying signage, and two parking spaces. There would be no business transacted at the site. Orders for high-end automobiles would be taken by computer at another location, and shipped directly overseas from a dealership. There would be no automobile equipment, no employees, and no customers at the site. One inspection would be done by the State in order to confirm compliance by the applicant.

Rich, after being sworn in, answered questions posed to him by the board members. Rich stated the property is surrounded by two 40-acre farm parcels and State owned property. There is a 20-foot right-of-way on Hazen Road.

Further discussion was held regarding any restrictions that could be placed on the proposed use. Mace indicated that most site plan requirements could be waived subject to an accurate survey being submitted. The applicant would have to demonstrate who maintains the right-of-way, and the State requirements should be provided for review by the board.

Edleston suggested that a draft resolution be written indicating approval of the single automobile dealership office use, no car sales to be made from the site, no more than two cars to be at the site at any one time, the proposed office space square footage to be indicative as requiring two parking spaces, licensing by all required authorities, signage as required by the State.

The issues to be clarified were the definition of wholesale vs. retail sales, sale of car parts, the extent of any site plan requirements.

Mace indicated that sales of motors and parts would constitute an expansion, and the applicant would have to return to the board for site plan approval.

Mario Pirrello of Hazen Road expressed concern over additional traffic on Hazen Road.

The hearing was closed to the public as there were no further comments or questions.

MOTION was made by **BALDWIN** to continue the application for Case #08-07, Philip Rich/Mario Razzacchi to the November meeting, and to authorize the board attorney to draft an approving resolution to be considered at the meeting.

SECONDED: CREEDON.

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

Opposed: None.

Abstained: None.

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Edleston indicated that the applicant for Case #08-03, Igor Perunsky could have his application reinstated by letter and an update of the escrow account.

Creedon mentioned a sign "Apartment for Rent" in the Route 57/Beattystown area, and wondered if the apartment use was legal. Mace replied it is difficult to determine the use without a search warrant. Myers and Hazen indicated there was always an apartment at the site mentioned by Creedon.

Creedon mentioned an "appliance repair" use on Route 57 across from Anderson Road. Mace stated he would investigate the property.

Myers mentioned the outside sprinkler use at the Shop Rite property. Myers indicated there is a lot of runoff from the sprinkler use in the early AM, and it could create an icing situation in the winter.

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

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

MOTION was made by **BARTON** to adjourn the meeting at 8:35 PM.
SECONDED: BALDWIN.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti
Secretary
(Adopted as written)