

JULY 18, 2011

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Vice Chairman Richard Myers 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: Myers, Mayor Tomaszewski, Watters, Mannon, Creedon, Mills, Hight, Smith.

Absent: Barton, Hazen, Vaezi, Spender.

Also present: Drew DiSessa, **PE**.

The Pledge of Allegiance was recited.

MOTION was made by **HIGHT** to approve the minutes of the June 20, 2011 meeting, as written.

SECONDED: MILLS.

Those in favor: Mayor Tomaszewski, Watters, Mannon, Mills, Hight, Smith.

Opposed: None.

Abstained: Creedon, Myers.

Case #10-03, Benjamin Fitz (amendment)

Present for the applicant: Benjamin Fitz; Tari Signor; Charles Gary Signor, AIA

Mayor Tomaszewski recused himself from the application.

Fitz explained there was a previously approved front yard setback variance for expansion of the home. Fitz stated the design of the expansion has changed, but the home still encroaches on the front yard setback. Fitz stated they will retain the current deck, and the proposed deck will not be constructed.

DiSessa stated the plan is an amended plan, but the same variance is needed. DiSessa stated the height of the proposed expansion complies with the Ordinance requirements. DiSessa asked for an update on the fuel tank in the Township right-of-way issue. Fitz replied the fuel tank has been removed and installed in the basement. DiSessa asked if there would be any grading changes made to the outside of the home, and Fitz replied there would not.

July 18, 2011 minutes
Page 2.

The hearing was opened to the public for comments and questions. There being none, the hearing was closed to the public.

MOTION was made by **HIGHT** to grant amended variance approval for Case #10-03, Benjamin Fitz to reflect the change in the configuration of the proposed home expansion, subject to conditions.

SECONDED: CREEDON.

Fitz asked if the restoration bond condition was still applicable since the tank had already been removed. DiSessa replied there was no need for the restoration bond. The determination was made that condition numbers four, five, and six, of the previously adopted resolution, are no longer applicable.

Those in favor: Watters, Mannon, Creedon, Mills, Hight, Smith, Myers.

Opposed: None.

Abstained: None.

MOTION was made by **HIGHT** to authorize DiSessa to write a letter to the Construction Official informing him of the approval granted tonight.

SECONDED: MYERS.

Those in favor: Mannon, Creedon, Mills, Hight, Smith, Watters, Myers.

Opposed: None.

Abstained: None.

Mayor Tomaszewski returned to the board.

MOTION was made by **CREEDON** to authorize payment by the Township Committee the invoices received from the professionals.

SECONDED: MYERS.

Those in favor: Creedon, Mills, Hight, Smith, Mayor Tomaszewski, Watters, Mannon, Myers.

Opposed: None.

Abstained: None.

Zotti announced that an application was received for a solar garden project, and it would be distributed to the members tonight.

DiSessa introduced a discussion of draft Ordinance to provide regulations regarding renewable energy facilities (solar and wind). DiSessa explained the proposed Ordinance.

July 18, 2011 minutes
Page 3.

Smith stated the proposed Ordinance is definitely a good one, and appears to cover a lot of material.

Questions were asked about the number of solar panels allowed, solar shingles, tax ramifications, etc.

Further discussion took place regarding other solar application issues: fence heights, applicant vs. property owner responsibility, fees, decommissioning the facility, setbacks, consistency with cell tower heights, decibel levels, etc.

DiSessa went through the proposed Ordinance.

Creedon asked if this proposed Ordinance can be used as a guideline with the new application. DiSessa stated the applicable Ordinances are the ones in place at the time the application is filed.

MOTION was made by **MANNON** to approve the draft Ordinance 2011-XX – An Ordinance to Amend Chapter 22 of the Code of the Township of Mansfield To Provide Regulations Regarding Renewable Energy Facilities (Solar and Wind), taking into consideration any changes as per this discussion, and recommending adoption by the Township Committee.

SECONDED: HIGHT.

Those in favor: Mills, Hight, Smith, Mayor Tomaszewski, Watters, Mannon, Creedon, Myers.

Opposed: None.

Abstained: None.

MOTION was made by **HIGHT** to adjourn the meeting at 9:00 PM.

SECONDED: MAYOR TOMASZEWSKI.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
(as amended)