

MAY 21, 2012

The regularly scheduled meeting of the Mansfield Township Land Use 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: Mayor Tomaszewski, Watters, Smith, Hazen, Vaezi, Mills, Spender, Farino.

Absent: Barton, Myers, Creedon, Hight.

Also present: Drew DiSessa, PE; William Edleston, Esquire.

MOTION was made by **VAEZI** to nominate Phil Hazen as Temporary Chairman. Hazen declined the nomination.

MOTION was made by **WATTERS** to nominate Robert Smith as Temporary Chairman. **SECONDED: HAZEN.** Smith declined the nomination.

MOTION was made by **SPENDER** to nominate Ali Vaezi as Temporary Chairman. **SECONDED: HAZEN.**

Voice Vote: ALL IN FAVOR.

MOTION was made by **WATTERS** to approve the minutes of the March 19, 2012 meeting, as written. **SECONDED: HAZEN.**

Those in favor: Watters, Smith, Hazen, Vaezi, Mills, Spender, Farino, Mayor Tomaszewski.

Opposed: None.

Abstained: None.

MOTION was made by **HAZEN** to approve the Executive Session minutes from the March 19, 2012 meeting, as written. **SECONDED: MAYOR TOMASZEWSKI.**

May 21, 2012 minutes

Page 2.

Those in favor: Smith, Hazen, Vaezi, Mills, Spender, Farino, Mayor Tomaszewski, Watters.

Opposed: None.

Abstained: None.

Case #12-01, Borealis Compounds, Inc.

Present for the applicant: Bob Benbrook, Esquire; Ken Wicoreck, President; David Fantina, PE

Benbrook explained the applicant's proposal was made in order to remain competitive in their field. The proposed construction would allow the applicant's operation to operate more cost effectively.

Edleston explained the applicant would need to meet the C2 standard, and not the standards for a use variance. Edleston stated the proposed construction would be for an accessory use, and not a principal structure.

Fantina was sworn in by Edleston, and was accepted as an expert witness.

Entered as Exhibit A-1 – preliminary & final site plan dated 3/23/12

Fantina explained the property is in the I (industrial) zone, and is approximately 36 acres. Fantina explained there are two industrial plants on the property, with rail access, loading and parking areas, etc. Fantina explained the existing tower is 55' in height, and an additional 20' will be added. The nearest residential property is approximately 1,000 feet away.

Mills asked if the tower addition will be finished in the same materials as the existing tower. Fantina replied the appearance will remain the same as currently exists. Benbrook stated the tower will resemble a silo, and Fantina replied that was correct.

Wicoreck explained they have the opportunity to add to the existing process, and the additional storage height is necessary. Wicoreck explained they have to retrofit the plant to address the new process.

Edleston asked if the applicant could work with less than 80' in height for the tower. Wicoreck explained they have investigated the proposed height, and 80' will allow for the minimal amount of footage required for the gravity necessary for the dust removal generated by the process. Watters mentioned the other plant building is actually higher, and Wicoreck replied that is correct.

Smith asked if there was any possibility of combustion. Wicoreck explained the process, and explained the dust is removed through a closed water system.

May 21, 2012 minutes
Page 3.

Vaezi asked if there was any noise generated by the process. Wieceoreck explained there should be no additional noise added by increasing the height of the tower. Wieceoreck stated there might be some noise generated by the pellets hitting the siding, but not any more noticeable than currently exists.

The hearing was opened to the public for comments and questions. There were no comments or questions from the public.

MOTION was made by **SMITH** to grant a bulk variance for the proposed tower height to be increased from 55' to 80' for Case #12-01, Borealis Compounds, Inc., and further to grant amended preliminary and final site plan approval, subject to conditions.

SECONDED: HAZEN.

Those in favor: Hazen, Vaezi, Mills, Spender, Farino, Mayor Tomaszewski, Watters, Smith.

Opposed: None.

Abstained: None.

A discussion was held regarding the monitoring of the noise levels. Wieceoreck explained they would take a baseline reading, and monitor thereafter.

Case #12-02, Yusen Logistics (Americas), Inc.

There was no representation for the applicant.

Edleston stated he spoke with the applicant's engineer, and they were expecting completeness only.

DiSessa explained the applicant was proposing an alteration to the loading and gravel parking area to the rear and east side of the property.

A discussion took place regarding a previous application that proposed additional parking, landscaping, and berms. DiSessa stated the applicant is proposing a change in the circulation for truck travel as well.

MOTION was made by **SPENDER** to deem the application for Case #12-02, Yusen Logistics (Americas), Inc. complete, and to schedule for a public hearing for June 18th.

SECONDED: HAZEN.

Those in favor: Mills, Spender, Farino, Mayor Tomaszewski, Watters, Smith, Hazen, Vaezi.

Opposed: None.

Abstained: None.

May 21, 2012 minutes
Page 4.

DiSessa mentioned the applicant is also proposing a small solar field on the property for usage at their facility.

Zotti mentioned she would distribute the resolution from their last approval.

MOTION was made by **HAZEN** to authorize the Township Committee to pay the invoices submitted by the professionals.

SECONDED: WATTERS.

Those in favor: Spender, Farino, Mayor Tomaszewski, Watters, Smith, Hazen, Vaezi, Mills.

Opposed: None.

Abstained: None.

Mayor Tomaszewski mentioned the Housing Element and Fair Share Plan has not been submitted for the public hearing yet.

Edleston mentioned the Meadows at Mansfield case is currently scheduled for June 1, 2012.

Farino asked if there are any solar Ordinance changes proposed. Farino stated he would like to see the solar mounts on the roof, and not take up viable farm land. DiSessa stated roof mounts are sometimes a cost prohibitive operation.

MOTION was made by **WATTERS** to adjourn the meeting at 8:17 PM.

SECONDED: HAZEN.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Clerk
(as written)