

**MAY 17, 2004**

The regularly scheduled meeting of the Mansfield Township Planning Board was called to order by Chairman William Mannon 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, Lunghi, Hazen, Myers, Vaezi.

Absent: LeClair.

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 April 19, 2004 meeting, as written.

**SECONDED: BALDWIN.**

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

Opposed: None.

Abstained: None.

**MOTION** was made by **LUNGHI** to approve the resolution for Case #04-03, John & Lillian Varga, as written.

**SECONDED: BARTON.**

Those in favor: Baldwin, Watters, Lunghi, Hazen, Vaezi, Barton, Mannon.

Opposed: None.

Abstained: None.

**Case #03-02, RJDD, LLC**

Present for the applicant: Barnet Epstein, Esquire; Eugene Weber, P.E.; David Delseni, Principal; William Hamilton, P.P.

Mannon and Mace indicated that the revisions were only received at the meeting. Mace stated that his office had not had the opportunity to generate a report. Barton stated that he would rather have the engineer's report before hearing the testimony on the revisions.

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A discussion took place regarding possible solutions for drainage and maintenance of the storm water discharge.

Epstein agreed to continue the matter to the next regular meeting of June 21<sup>st</sup>, and would forward a confirming letter to the board.

**MOTION** was made by **BALDWIN** to continue the public hearing for Case #03-02, RJDD, LLC without further notice to the June 21, 2004 meeting.

**SECONDED: MYERS.**

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

Opposed: None.

Abstained: None.

**Case #04-04, Mike Mikitik**

Present for the applicant: Ronald Heymann, Esquire; Thomas Fitzgerald.

Hazen recused himself from the application.

**MOTION** was made by **BALDWIN** to approve the minor subdivision application for Case #04-04, Mike Mikitik.

**SECONDED: WATTERS.**

Those in favor: Lunghi, Myers, Vaezi, Barton, Baldwin Watters, Mannon.

Opposed: None.

Abstained: None.

Hazen returned to the board.

**Case #04-05, James & Taryn Hummel**

Present for the applicant: Thomas Stover, Esquire; Chris Briglia, P.E.; James Hummel

Baldwin recused himself from the application.

Mace indicated that it appeared that his office did not receive the revised plans. Upon inspection, Mace stated that a revised profile of the sight line distance was needed, but it could be subject to any approvals.

Briglia explained the plan, and further explained the sight line distance.

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**MOTION** was made by **LUNGHI** to approve the minor subdivision for Case #04-05, James & Jaryn Hummel subject to the submission of revised drawings showing the sight line distance profile to Mace's office for his review.

**SECONDED: MYERS.**

Those in favor: Hazen, Myers, Vaezi, Barton, Watters, Lunghi, Mannon.

Opposed: None.

Abstained: None.

Baldwin returned to the board.

**Case #02-15, Jayeff Construction Mgt. & Devel. Corp. (Mansfield Commons II)**

Present for the applicant: Kenneth Sauter, Esquire; Mack Moore, Jayeff Mgt.; John Hansen, P.E.

Moore explained that the previously approved bank with a drive-through window was now being proposed as additional retail space. Moore stated that the Ruby Tuesday was reducing the number of seats in the restaurant, and one of the retail stores would be a deli that would then utilize the transferred seats.

**MOTION** was made by **VAEZI** to approve the amended preliminary and final site plan application for Case #02-15, Jayeff Construction Mgt. & Devel. Corp. (Mansfield Commons II).

**SECONDED: BALDWIN.**

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

Opposed: None.

Abstained: None.

Old Business

**PEP Development**

Present for the applicant: Kenneth Sauter, Esquire; John Hansen, P.E.; Charles Pisano

Sauter explained that the applicant was seeking an amendment to the language in the resolution condition item 2C that would allow for either the highway access permit, or a Letter of No Interest.

Pisano stated that there was no change in the plan entrance since the 1989 plan.

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Mace stated that the NJDOT never issued a permit or a letter of no interest back in 1989 or 1990. Mace stated that there had been substantial changes made along the Route 57 corridor since 1989, and if NJDOT wasn't interested in the plan, the Township retained the right to review the plan in order to determine if the plan was in line with the Township standards of today. Mace stated that it was premature to discuss the matter until he had received an answer from the NJDOT.

Pisano cited a court case that he thought was pertinent, and gave the history behind his request.

Further discussion was held regarding the issue of road access and the need for a definitive answer from the NJDOT.

Mannon thanked the applicant, and suggested that he proceed with the application to the NJDOT.

Baldwin returned to the board.

**MOTION** was made by **LUNGI** to authorize the Township Committee to pay invoice numbers 266, 267, 268, and 269 submitted by Attorney William Edleston, and invoice numbers 11452 through 11456, 11459, 11468, 11473, 11475, and 11476 for work completed on behalf of the Mansfield Township Planning Board.

**SECONDED: HAZEN.**

Those in favor: Vaezi, Baldwin, Watters, Lunghi, Hazen, Myers, Mannon.

Opposed: None.

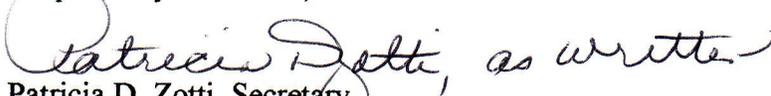
Abstained: None.

**MOTION** was made by **BALDWIN** to adjourn the meeting at 9:05 PM.

**SECONDED: MYERS.**

Voice vote: ALL IN FAVOR.

Respectfully submitted,

  
Patricia D. Zotti, Secretary