

**MANSFIELD TOWNSHIP LAND USE BOARD
NOVEMBER 15, 2021
MINUTES**

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by JEWELL at 7:31 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 meeting on the front door of the Municipal Building and Municipal web site;
2. causing said notice to be published in the Express Times/NJ Zone;
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.

ROLL CALL:

Present: Farino, Hayes, Hight, Spender, Petteruti, Cruts, Creedon, Jewell

Alternates present: Reagle, Waegener

Absent: Keggan, Feller

Also present: None

The flag salute was recited by all

MINUTES:

MOTION was made by **HAYES** to approve the **minutes** of the **October 18, 2021** meeting.

SECONDED: CRUTS

Those in favor: Hayes, Spender, Petteruti, Cruts, Creedon, Reagle, Jewell

Opposed: None

Abstain: Farino, Hight

RESOLUTIONS: None

APPLICATIONS:

21-05 Ariya Realty – B 1102 Lots 4.02 – 2021 Route 57 – Prelim/Final Site Plan

Attorney Lowcher, representing the applicant, explained that this proposal is for a retail building which would replace what's there with a drive-thru Dunkin Donuts and an additional retail space. Mr. Lowcher asked for a temporary waiver of the items listed in the Engineer's report for completeness only.

Engineer Quamme, standing in for Paul Ferriero, stated that he agrees with the temporary waiver as long as the applicant can provide the missing items by the next meeting. He also noted that a Technical Review has been started and there are two variances that were not noted in the application, one is a setback variance for the dumpster enclosure and a parking setback from the property line which was applied for as a driveway design waiver but is actually

a variance. that will have to be noticed for.

MOTION was made by **HAYES** to deem application **21-05** Ariya Realty – B 1102 Lots 4.02 – 2021 Route 57 – Prelim/Final Site Plan **INCOMPLETE** with granted waivers subject to submission of outstanding documents submitted by the December 20 meeting.

SECONDED: CREEDON

Those in favor: Farino, Hayes, Hight, Spender, Petteruti, Cruts, Creedon, Reagle, Jewell

Opposed: None

Abstain: None

19-02 Meadows at Mansfield – Request for Extension of Preliminary Subdivision Ph 2 & 3 Approval

Attorney Schneider stated that the 2014 approval are set to expire December 31, 2021 and wish to request a three year extension. He also stated that they are at the 80th Certification of Occupancy in Phase I which originally had 91 with an additional 8 having been approved.

Board Attorney Bryce stated that subdivision approvals don't expire this is just an extension of the protection from zoning changes permitted by the Land Use Law. He also spoke to the taxes being paid except for one lot.

Mr. Schneider stated that there is an error in the block/lot designation which is still being worked through.

MOTION was made by **CREEDON** to grant a three year extension expiring December 15, 2024 for Preliminary Subdivision of the Ph 2 & 3 Approval.

SECONDED: CRUTS

Those in favor: Farino, Hayes, Hight, Spender, Petteruti, Cruts, Creedon, Reagle, Jewell

Opposed: None

Abstain: None

Meadows at Mansfield – Clubhouse Construction Delay Request

Attorney Bryce swore in Joseph Battagli and William Hotz

Applicant's Attorney Schneider stated that previously they appeared to get relief from the 60th CO requirement of the Developer's Agreement which the Board granted modification to the 80th but are here now to request a modification to the 88th due to the clubhouse being substantially complete but not complete due to the electric service.

Mr. Hotz stated that the clubhouse exterior is complete, the interior painting is complete with

the exception of some flooring around the elevator areas and the elevator itself is not installed. A delivery issue occurred with one of the electric panels which prevents the installation of the elevator since that company will not install it without having permanent power. The panels are now installed but JCP&L has to hook up permanent power then the elevator installation has to be put back on that company's schedule.

A question was asked about if a permit was obtained for the two sheds.

Mr. Hotz explained that they are there for pool supplies and that permit applications were submitted for.

Some discussion occurred regarding the status of the sewage treatment system.

Mr. Hotz stated that the system was designed for a certain flow which has not been reached. Their engineer has been re-engaged to modularize the system so that they can turn it on with lesser flows then turn on additional modules when flows increased.

Mr. Hotz also stated that the pursuit of connecting to Washington sewer utility became too complicated.

Some questions regarding the number of homes arose and the other clubhouse amenities.

Mr. Hotz stated that Ryan Homes can get as many permits as they want but Engineer Ferriero is preventing CO's beyond 80 which is where the numbers are now.

Mr. Hotz stated that the pool is in but not plastered which will be done in April and the residents will be swimming by May 2022.

Mr. Battaglia stated that the additional homes that are under contract have delivery dates in April.

MOTION was made by **FARINO** to amend the prior Resolution granting the additional 8 homes for a total approval for 88 CO's.

SECONDED: PETTERUTI

Those in favor: Farino, Hayes, Hight, Spender, Petteruti, Cruts, Creedon, Reagle, Jewell

Opposed: None

Abstain: None

OLD BUSINESS: None

NEW BUSINESS:

Ordinance 2021-16 Amendment and Revision to Chapter 361 Design and Performance Standards Amending Section 361-77 (B) to delete section 363-56 (C) to remove warehouses and

distribution centers.

Some discussion occurred regarding the reason and purpose for this change.

MOTION was made by **SPENDER** that the Board determine this ordinance amendment is consistent with the Master Plan.

SECONDED: CREEDON

Those in favor: Farino, Hayes, Hight, Spender, Cruts, Creedon, Reagle, Jewell

Opposed: Petteruti

Abstain: None

DISCUSSION/CORRESPONDENCE:

2022 Budget:

No changes were recommended.

A question arose regarding getting copies of the zoning codebook.

The Secretary would look into this with the Clerk.

An additional question was raised regarding a resident being denied a shed because the property fronts two streets, one of which is a paper street that never came about.

It was suggested that the Township Committee would have to take action to vacate that paper street.

Engineer Quamme briefly reviewed the Zoning report.

2022 Professional RFP Responses:

The professionals were dismissed.

MOTION was made by **HAYES** to accept the RFPs as submitted by the existing professionals.

SECONDED: CRUTS

Those in favor: Farino, Hayes, Hight, Spender, Petteruti, Cruts, Creedon, Reagle, Jewell

Opposed: None

Abstain: None

INVOICES:

James Bryce

Inv #6336

Meadows at Mansfield

\$90.00

\$90.00

GRAND TOTAL

\$90.00

MOTION was made by **SPENDER** to authorize payment by the Township Committee for the invoices submitted by the professionals.

SECONDED: HAYES

Those in favor: Farino, Hayes, Hight, Spender, Petteruti, Cruts, Creedon, Reagle, Jewell

Opposed: None

Abstain: None

OLD BUSINESS:

Food Recycling Center Readout

FARINO briefly commented on the site visit at the similar existing Sussex County facility explaining that this operation is in the middle of nowhere but there was no activity at the time of the visit. Only questions were answered as to odor, rodents and runoff water management.

Scott Reyes stepped forward to speak about what the Grandview neighbors are doing. They will be making a presentation to the County Solid Waste Advisory Council.

MOTION was made by **HAYES** to adjourn the meeting at 9:34 PM.

SECONDED: KEGGAN

Respectfully submitted,

JoAnn Griffith, Clerk