

MANSFIELD TOWNSHIP LAND USE BOARD
JANUARY 21, 2026
MINUTES

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by **Secretary Griffith** at 7:32 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 bulletin board of the Municipal Building;
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.

Appointments for 2026:

Brent Connelly – Class I - term expires **12/31/26**

Robert Jewell – Class II – term expires **12/31/26**

Ron Hayes – Class III - term expires **12/31/26**

William Watters – Class IV – term expires **12/31/29**

Casey Harrington – Alternate #1 – term expires **12/31/26**

Thomas Woodhour – Alternate #2 – term expires **12/31/27**

John Pappas – Alternate #3 – term expires **12/31/27**

Anthony Cifarelli – Alternate #4 – term expires **12/31/26**

The newly and re-appointed members of the Mansfield Township Land Use Board were issued their Oaths of Office for 2026 by Attorney Bryce.

Roll Call

Present: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Alternates present: Woodhour, Pappas

Absent: None

Also present: Attorney Bryce, Engineer Quamme

Pledge of Allegiance was recited by all.

Secretary Griffith opened the floor for nominations for Chairperson for 2026.

MOTION was made by **CRUTS** to nominate **JEWELL** as **CHAIRPERSON** of the 2026 Mansfield Township Land Use Board.

SECONDED: CREEDON

MOTION to close nominations for 2026 **CHAIRPERSON** was made by **FELLER**.

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

Secretary Griffith turned the meeting over to **CHAIRPERSON JEWELL**

CHAIRPERSON JEWELL opened the floor for nominations for Vice **CHAIRPERSON** for 2026.

MOTION was made by **HAYES** to nominate **PAT CREEDON** as **VICE CHAIRPERSON** of the 2026 Mansfield Township Land Use Board.

SECONDED: CRUTS

CHAIRPERSON JEWELL closed nominations.

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **HAYES** to appoint **JOANN GRIFFITH** as **Secretary/Clerk** of the 2026 Mansfield Township Land Use Board.

SECONDED: CONNELLY

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **CRUTS** to appoint **JAMES BRYCE, ESQ. of MURPHY McKEON** as **Board Attorney** for the year 2026.

SECONDED: CONNELLY

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **HAYES** to appoint **Rich Quamme of BOSELL ENGINEERING** as **Board Engineer** for the year 2026.

SECONDED: CREEDON

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **JEWELL** to appoint **DANIEL BLOCH, P.P. of Colliers Engineering & Design** as **Board Planner** for the year 2026.

SECONDED: HAYES

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **JEWELL** to approve the **MEETING DATES & TIME** for the Mansfield Township Land Use Board for the year 2026.

SECONDED: CREEDON

Voice Vote: All voted in favor

Opposed: None

Abstain: None

MOTION was made by **JEWELL** to approve **Express Times/NJ Zone and Daily Record** as the **official newspaper** for the year 2026.

SECONDED: FELLER

Voice Vote: All voted in favor

Opposed: None

Abstain: None

MOTION was made by **CRUTS** to approve **PAT CREEDON** and **BRENT CONNELLY** as the **Financial Oversight Committee** for 2026.

SECONDED: HAYES

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **FELLER** to authorize **CHAIRPERSON JEWELL** or **VICE CHAIRPERSON CREEDON** to execute **2026 Professional Contracts**.

SECONDED: WAEGENER

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruts, Creedon, Jewell

Opposed: None

Abstain: None

MINUTES:

MOTION was made by **HAYES** to approve the **minutes** of the **December 15, 2025** meeting.

SECONDED: FELLER.

Those in favor: Hayes, Watters, Feller, Cruts, Creedon, Jewell

Opposed: None

Abstain: Connelly, Wielgus, Waegener

RESOLUTIONS:

LUB-25-02 Michael Bollard, B 1510 L 4 – 781 Route 57 – Preliminary & Final Site Plan/Use & Bulk Variances

MOTION was made by **CRUTS** to approve **LUB-25-02 Michael Bollard**, B 1510 L 4 – 781 Route 57 – Preliminary & Final Site Plan/Use & Bulk Variances

SECONDED: JEWELL

Those in favor: Feller, Cruets, Creedon, Jewell

Opposed: None

Abstain: None

APPLICATIONS:

LUB-26-01 Annuals, Perennials & More LLC, B 1501 L 3 – 495 Route 57 – Zoning Interpretation

Mark Blount, representing APM, spoke about two prior wood boilers previously approved without zoning permits requested. He submitted construction permits for a 2023 and 2025 approved boiler and a late response to his OPRA for 255 Cherry Tree Bend Rd issued in 2008. He handed out copies of these which were marked Exhibit A-1 which the Zoning Officer confirmed no wood boilers obtained Zoning permit approval.

Attorney Blount stated that these types of boilers are permitted by NJ and under the Uniform Construction Code and the smoke is regulated by NJDEP and the Health Department. He referred to Case Law that if the intent is to prohibit something that prohibition must be specific within the local code per *Burn vs. Fairlawn*, a 1991 Appellate Case. Attorney Blount referenced the Township's web site Construction Matrix where Zoning approving is not required for air conditioning units, heat pumps or fuel tanks all of which are operational mechanical systems. He requested that the Board confirm that his client be treated the same way as all prior wood boilers installations and be able to proceed with construction review.

A Board members remembered an ordinance when the Cherry Tree Bend Rd. wood boiler came up and thought it was passed requiring that certain pieces of land and setbacks be required.

Board Attorney Bryce stated that he could not find any reference to these boilers in the codebook.

Attorney Blount stated the Site Plan shows the setbacks, front yard and side yard being 68 ft. This boiler was constructed in 2025 without a construction permit but was previously used.

Attorney Bryce stated that there were some zoning violations and environmental issues and simultaneously submitted a Site Plan application and decided to bifurcate this heating element.

Attorney Blount explained that complaints had been lodged by neighbors for the thick, white smoke during winter and summer months, and the State and County came out and found no violations.

Attorney Bryce stated that this is a complicated property in that it has a few uses for which an application was submitted for. There is an existing non-confirming use, the residence in front, which is not within the setbacks in the I zone district. Normally an accessory use (patio or garage) to a pre-existing non-confirming use you are looking at a 'D' variance but this is not expanding the principle use but rather a function use such as an outdoor fuel tank or air conditioning unit. As an accessory structure the front yard and side yard setbacks require 40

ft which this clearly meets absent a specific regulation regarding this technology. He also noted in Chapter 361-37 there is a performance standard with a smoke chart including a time limitation, potentially for fireplace startups. He also referenced the States Administrative Code Title 7 Chapter 27 Section 3.2 Stationary Heat Exchangers reference this same smoke chart.

Chair Jewell **OPENED to the PUBLIC**

Attorney Bryce swore in Matt Pozarycki

Mr. Pozarycki stated he was the primary complainer and believed they are burning wet and/or green wood. He pointed out some of the design specs and questioned the chimney height and expressed his concern over these potentially throwing sparks with all of the wood that's been cut down and sitting on the property.

Attorney Bryce swore in Carol Thompson of 510 Route 57

Ms. Thomspson stated that they came to the Township Committee last April regarding the smoke and presented pictures of this marked Exhibits O1-O4. She reached out to the police Clerk who stated there were several violations dating back to 2019. She also stated that the fire company has been there numerous times and is very concerned over potential of fire with all of the logs located on the property.

Attorney Bryce swore in John Malys

Mr. Malys stated when he drives to work the highway is covered with smoke constantly, he can't work in his shop and chokes when walking down to his shop. He said he offered to pay for an extension on their chimney but they said no.

Chair Jewell **CLOSED to the PUBLIC**

Attorney Bryce asked Attorney Blount about heightening the chimney regardless of the Board's interpretation.

Attorney Blount when asked, stated that there was an indoor wood burning furnace that caught fire and was replaced by this outdoor wood burning mechanism. He stated that he will remind his client that there may be violations issued if they do not comply with the smoke requirements.

Engineer Quamme stated that a 2009 NJDEP letter to the Construction Official for these type of units, states that even though permits are approved other agency violations can still be issued. This letter would have to be signed by the owner upon permit issuance.

MOTION was made by **CREEDON** that there is no requirement in Mansfield Township's regulations for prohibiting these outdoor wood burning heating unit but can be looked at as an

Accessory Structure **LUB-26-01 Annuals, Perennials & More LLC**, B 1501 L 3 – 495 Route 57 – Zoning Interpretation, but they must obtain Construction permits and comply with all construction requirements.

SECONDED: FELLER

Those in favor: Connelly, Hayes, Feller, Creedon, Jewell

Opposed: Waegener, Cruets, Watters, Wielgus

Abstain: None

Chair Jewell stated that two Committee people are on this Board can have the Township Committee create and ordinance to regulate these.

OLD BUSINESS: None

NEW BUSINESS: None

DISCUSSION/CORRESPONDENCE:

Clerk Griffith stated that there is mandatory training for the new Board members an the annual Stormwater Training required by everyone.

Mr. Connelly stated that there is an open OPRA requested by Mr. Bollard related to keywords.

Mr. Hayes stated there is also a torte claim against the Township and the Zoning Officer by Mr. Bollard.

INVOICES:

Boswell Engineering

Inv #209904	MAMs Enterprises	\$1,572.75
Inv #209905	APM, LLC	\$1,514.50
Inv #209906	VanLuvender	\$1,572.75
Inv #209911	Meadows at Mansfield Inspections	\$3,178.75
Inv #210633	Meadows at Mansfield Inspections	\$1,747.50
Inv #210634	Ariya (Dunkin)	\$306.50
Inv #210637	MAMs Enterprises	\$233.00
Inv #210638	APM, LLC	\$174.75
Inv #210639	VanLuvender	<u>\$116.50</u>
	TOTAL	\$9,892.75

Collier's Engineering

Inv #1125523	Bollard	\$510.00
Inv #1125524	Total Energies (Borealis Solar-Concept Plan)	<u>\$525.00</u>
	TOTAL	\$1,035.00

GRAND TOTAL

\$10,927.75

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

SECONDED: HAYES

Those in favor: Connelly, Hayes, Watters, Wielgus, Feller, Waegener, Cruets, Creedon, Jewell

Opposed: None

Abstain: None

MOTION was made by **HAYES** to adjourn the meeting at 8:59 PM.

SECONDED: FELLER

Respectfully submitted,

JoAnn Griffith, Clerk