

**MANSFIELD TOWNSHIP LAND USE BOARD
SEPTEMBER 19, 2022
MINUTES**

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order 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 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.

Roll Call:

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

Alternates present: Reagle, Waegener, Feller, Watters

Absent: Wielgus

Also present: Engineer Quamme, Attorney Bryce, Secretary Griffith

MINUTES:

MOTION was made by **HAYES** to approve the minutes of the **August 15, 2022** meeting.

SECONDED: KEGGAN

Those in favor: Farino, Hayes, Petteruti, Keggan, Cruts, Creedon, Jewell

Opposed: None

Abstain: Hight, Reagle

RESOLUTIONS:

22-04 Bryce Burke/SolarMe – B 1302.02 L 35.08, 104 Heiser Rd. –Variance

MOTION was made by **FARINO** to approve 22-04 Bryce Burke/SolarMe – B 1302.02 L 35.08, 104 Heiser Rd. –Variance

SECONDED: HAYES

Those in favor: Farino, Hayes, Petteruti, Keggan, Cruts, Creedon, Jewell

Opposed: None

Abstain: Hight, Reagle

22-05 Scott Guidera – B 1805 L 23 – 29 Canterbury Ln – Variance

MOTION was made by **HAYES** to approve 22-05 Scott Guidera – B 1805 L 23 – 29 Canterbury Ln – Variance

SECONDED: CREEDON

Those in favor: Farino, Hayes, Petteruti, Keggan, Cruets, Creedon, Jewell

Opposed: None

Abstain: Hight, Reagle

APPLICATIONS:

22-06 Aspen Dental – B 1105 L 12.02, 1885 Route 57 – Sign Variance

Engineer Quamme stated that they still have not provided item #14 an affidavit from the property owner where sign G is located and suggested the Board may want to deem this application incomplete.

MOTION was made by **CREEDON** to deem 22-06 Aspen Dental – B 1105 L 12.02, 1885

Route 57 – Sign Variance **INCOMPLETE**

SECONDED: KEGGAN

Those in favor: Farino, Hayes, Hight, Petteruti, Keggan, Cruets, Creedon, Reagle, Jewell

Opposed: None

Abstain: None

Zoning Officer’s Decision Appeal – B 1105 L 12.01, 1875-1885 Route 57 - Green Eagle Property – Kessler Institute of Rehabilitation

Attorney Mark Blount spoke on behalf of Kessler stating that a request was made to the Zoning Officer for a tenant fit-out of a space near Harbor Freight with no site improvements. The Zoning Officer sent a denial stating this was not permitted in the zone. He stated Mansfield Commons II currently has Synergy physical therapy and there are several other types of medical facilities in the same mall and nearby malls. This appeal was filed in response to this decision.

Attorney Bryce stated that medical facilities are not specifically listed in the permitted uses, only offices and other more intensive retail uses.

MOTION was made by **HAYES** to overturn the Zoning Officers denial of B 1105 L 12.01, 1875-1885 Route 57- Green Eagle Property – Kessler Institute of Rehabilitation.

SECONDED: CREEDON

Attorney Bryce swore in Ed Sandgran representing Synergy who spoke to the approximately 15 scheduled patients that would come to Kessler being mostly ambulatory.

It was suggested by the Board that any patient arriving by ambulance or non-ambulatory patients be unloaded in the back.

Attorney Blount stated that the architect could take a look at that.

It was also stated that the proposed suite has a curb cut and striped crosswalk in front.

Those in favor: Farino, Hayes, Hight, Petteruti, Keggan, Cruets, Creedon, Reagle

Opposed: Jewell

Abstain: None

DISCUSSION/CORRESPONDENCE:

Mr. Hayes stated that he attended the SWAC meeting and the people against the Blau Rd Food Recycling Center will have their presentation at the October 6 SWAC meeting.

Recommended Zoning Change:

In looking at a Tax Map and comparing this parcel to the letter submitted by the Township Clerk the zone reference appears to be different.

Attorney Bryce explained how this type of change can take place if the Board so desires.

No action was taken.

Chair Jewell OPENED TO THE PUBLIC

Chair Jewell CLOSED TO THE PUBLIC

Ms. Carol Thompson asked for guidance on how to get the junkyard to comply with the Board's Resolution.

Attorney Bryce explained that this Board does not have enforcement power and do not direct the Zoning Officer.

NEW BUSINESS:

2023 Professional RFPs

MOTION was made by **HAYES** to advertise RFPs for 2023 Land Use Board Professional Services

SECONDED: HIGHT

Those in favor: Farino, Hayes, Hight, Petteruti, Keggan, Cruets, Creedon, Reagle

Opposed: None

Abstain: None

OLD BUSINESS:

Some discussion occurred regarding the enforcement responsibilities for the Luna Farms denial.

It was stated that the

INVOICES:

Murphy McKeon

Inv #8248	Luna Farms	\$480.00
Inv #8249	Meadows	\$90.00

Inv #8250	Popeyes	<u>\$930.00</u>
		\$1,500.00

Colliers Engineering & Design

Inv #776618	Luna Farms	<u>\$720.00</u>
		\$720.00

Ferriero Engineering

Inv #97167	Burke	\$446.25
Inv #97168	Guidera	\$410.00
Inv #97209	Aspen Dental	\$489.00
		\$1,345.25

GRAND TOTAL	\$3,565.25
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MOTION was made by **FARINO** to authorize payment by the Township Committee for the invoices submitted by the professionals.

SECONDED: CREEDON

Those in favor: Farino, Hayes, Wielgus, Petteruti, Keggan, Cruts, Creedon, Waegener, Jewell
 Opposed: None.
 Abstain: None

Some discussion occurred regarding the Watters Road clearing across from Blau Rd. It was stated that a DEP permit was applied for an access driveway out to Route 57 which is in the Clerk's office.

Mr. Creedon asked about the opening that was cut across from him on Airport Road into Airport Road Estates and whether it was an approved driveway part of the plan.

MOTION was made by **HAYES** to adjourn the meeting at 8:36 PM.

SECONDED: CRUTS

Respectfully submitted,

JoAnn Griffith, Clerk