

**MANSFIELD TOWNSHIP LAND USE BOARD  
ZOOM MEETING MINUTES  
NOVEMBER 16, 2020 at 7:34pm**

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by VAEZI 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 front door of the Municipal Building and Municipal web site;
2. causing said notice to be published in the Star Gazette/Express Times;
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.

A moment of silence was observed for John Barton

**ROLL CALL:**

Present: Farino, Hayes, Spender, Jewell, Keggan, Vaezi

Alternates present: Creedon, Cruts, Wielgus, Reagle

Absent: Hight, Barton, Petteruti

Also present: Attorney Bryce, Engineer Kastrud

Pledge of Allegiance was recited by all

**MINUTES:**

**MOTION** was made by **HAYES** to approve the minutes of the October 19, 2020 Regular meeting.

**SECONDED: KEGGAN**

Those in favor: Farino, Hayes, Spender, Jewell, Wielgus, Keggan, Vaezi

Opposed: None.

Absent: Hight, Petteruti

Abstain: Reagle, Cruts

**RESOLUTIONS:**

Virtual Emergency Meeting Resolution

Attorney Bryce briefly explained the necessity for the virtual meeting regulation compliance Resolution which is being dictated by DCA and DLGS.

**MOTION** by **HAYES** and seconded by **VAEZI** to approve Virtual Emergency Meeting Resolution

Those in favor: Farino, Hayes, Spender, Jewell, Keggan, Wielgus, Reagle, Cruts, Vaezi

Opposed: None.

Absent: Hight, Petteruti

Abstain: None

**APPLICATIONS:** None

**OLD BUSINESS:**

Mr. Cruts asked about the Landscape company down from the junkyard.

Engineer Kastrud stated that they were issued a Notice of Violation and if they do not submit a timely Site Plan they will receive a summons.

Chairman Vaezi asked about the old Columbia Too property status.

Engineer Kastrud stated that Mr. Harrington has cleaned up the site, widened the driveway, put a gate at the bottom and put up a landscape berm. He working with another car dealer very similar to BHT that came before us a few years ago. This will most likely have to come before our Board.

Chairman Vaezi also inquired regarding the status of Route 57 Auto Salvage.

Engineer Kastrud stated that the junkyard case was pushed to March 2021 since the Prosecutor wants the case to be heard in person.

### **NEW BUSINESS:**

Meadows at Mansfield request for clubhouse construction extension

Richard Schneider, Esq. spoke regarding Article 1.2 of the Developers Agreement which requires that the completion of the clubhouse occur no later than the closing of title of the 60<sup>th</sup> unit. He provided an explanation of the permit timeline, partially based on the Governor's non-essential construction moratorium, that caused delays and noted that this was presented to the Township Committee who referred it to this Board.

Attorney Bryce swore in Mr. Battaglia, Division Manager responsible for sales, production and warranty of Ryan Homes.

Mr. Battaglia provided status of the Meadows progress stating 43 units have been built and 12 are currently under construction. With COVID and low interest rates they are seeing a surge in home sales at 12 per quarter.

Attorney Schneider confirmed with Mr. Battaglia that, notwithstanding the progress being made on the clubhouse, the project would be significantly delayed or shut down if held to completion by the 60th unit.

Attorney Bryce swore in Bill Hotz.

Mr. Hotz stated that the clubhouse is projected to be completed in 5 months.

Board members questioned the utilities and road construction with relation to the clubhouse. A suggestion was made to provide a date deadline and not a number of homes.

Mr. Hotz explained that a house number is more tangible than a date and believes Ryan Homes would be more comfortable with.

The sewer plant construction was questioned.

Mr. Hotz stated that flow is being monitored but the plant cannot be turned on until there is 10,000 gallons of sustained flow, which has been projected will be around 100 homes. The equalization tank and pumps are already installed which was the most difficult portion of the system.

A question arose regarding how the 60<sup>th</sup> unit measurement get put into the Developer's Agreement and the Township taking over the street lights get slipped in. The islands with trees were recommended be taken out

while the Developer's Agreement is being revisited anyway and contact information should be provided so the Township Administration does not have to field calls from Meadows homeowners regarding when the clubhouse will be finished.

Mr. Hotz stated that the settlement agreement and original draft did not include this number. Later versions had a [blank] number of units listed. He agreed to remove the islands with trees.

Attorney Schneider stated that the unit number was entered by them and not negotiated with the Township based on the best projection at the time.

Mr. Battaglia stated that they are telling potential homebuyers that the clubhouse will be done around April or May 2021.

Engineer Kastrud suggested that the pool permit be obtained soon since there has been a backlog of residential pools, and expressed concern that residents who have been paying into the Homeowner's Association are going to be upset if facilities are still not built.

Property tax status was requested.

Mr. Hotz stated with certainty that Block 1501 Lot 9.01, the clubhouse lot, taxes have been paid through November 1<sup>st</sup>.

Chairman Vaezi re-stated the items discussed being 80 homes as the new threshold for the clubhouse completion with the swimming pool being completed by Memorial Day weekend, street light responsibility being turned over the Homeowner's Association, islands being constructed with pavement for maintenance and safety purposes and taxes to be made current.

Mr. Hotz stated that re-designing the islands is not an issue but the streetlights will have to be looked into. He also committed to having the clubhouse done by Memorial Day but not the pool. Mr. Hotz also stated that the clubhouse facilities will also include one tennis court and bocce court.

Attorney Bryce stated that any decision made by the Board will have to be memorialized.

Some discussion occurred regarding the timing of this approval and the amendment to the Developer's Agreement.

Mr. Hotz stated that he would be able to get confirmation on the street lights by tomorrow so it was requested a Special meeting occur to finalize the outstanding items. It was agreed to hold it on Tuesday, November 24 at 6:30pm.

[The Professionals were dismissed]

#### **DISCUSSION/CORRESPONDENCE:**

October 27 Warren County Light Industrial Area Traffic Impacts Meeting Presentation was briefly discussed.

RFPs -

Clerk Griffith stated she would provide a spreadsheet comparing last year's rates with this year's rates.

Chairman Vaezi asked if anything can be done to honor John Barton -

Clerk Griffith stated that she would create a draft Proclamation of Service and invite any members of his family.

2021 Land Use Board Budget -

The Board consensus was to submit the 2021 budget as is with no changes

Mr. Farino stated that he would like to have our meetings as a hybrid of in person and virtual meeting under certain circumstances.

**INVOICES:** None

**Chairman VAEZI** adjourned the meeting at 9:27 PM.

Respectfully submitted,

JoAnn Griffith, Clerk