

**MANSFIELD TOWNSHIP LAND USE BOARD
MARCH 18, 2019
MINUTES**

Official notice of the time, date and location of this regular public meeting, where formal action may or may not be taken, was given by publication in The Star Gazette. In addition, notice of this meeting was posted on the bulletin board in the Municipal Building, publishing on the Municipal web site, and given to the Township Clerk.

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by **CHAIRMAN 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 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: Farino, Hayes, Hight, Spender, Barton, Petteruti, Jewell, Keggan, Vaezi

Alternates present: None

Absent: None

Also present: James Bryce, Esq.; Chris Kastrud, P.E.

Pledge of Allegiance was recited by all.

Mr. Bryce swore in returning members of the Board, Mr. Jewell and Mr. Creedon

Mr. Jewell stated that the minutes do not reflect his absence from January's meeting.

MINUTES:

MOTION was made by **HAYES** to approve the minutes of the January 16, 2019 Re-organization and Regular meeting minutes.

SECONDED: KEGGAN

Those in favor: Farino, Hayes, Spender, Petteruti, Keggan, Vaezi

Opposed: None

Abstain: Hight, Barton, Jewell

APPLICATIONS:

Case 19-01 – B 1501 L 9.01, 9.03-9.07 and 9.111 and 9.112 – Meadows at Mansfield LLC Phase I – Final Amended Plat – Completeness and Hearing

Mr. Schneider, Esq. of Vogel, Chait, Collins & Schneider representing Meadows at Mansfield for Amended Final Subdivision approval. Mr. Schneider, Esq. stated that the Phase I Plat was already been filed with the County not including the additional 8 preliminary lots approved. This is time sensitive as there is a lot that Hotz Development cannot convey to Ryan Homes until the new Plat is filed as it is one that was impacted by the additional 8 added lots.

Mr. Schneider, Esq. stated there are no issues with any of the recommendation, suggestions or requirements imposed by Kastrud in his review reports with only one issue and one clarification. First, a construction estimate is required for Bonding purposes and has been provided. Secondly, a comment regarding Redwood Run stated that it should be labelled as a private drive which it is not. This clubhouse section Meadows at Mansfield would assume maintenance responsibilities for but this is a public street. The only other issue is an alternate to Redwood Run.

Chairman Vaezi asked that we begin with Completeness. A few items from Mr. Kastrud's 3-18-19 Completeness report were deferred to Secretary Griffith.

Secretary Griffith stated that those items have been provided except a certification of taxes paid.

Mr. Bryce, Esq. explained that payment of taxes as a submission requirement is set by municipal ordinance but the Land Use Law allows for a temporary waiver of that requirement then becoming a condition of approval.

Mr. Schneider, Esq. confirmed that all taxes on Phase I lots owned by Meadows at Mansfield, LLC will be paid current before the Plat gets signed. In conjunction with the sales process of Meadows to Ryan Homes then Ryan Homes to the private homeowner, at each closing taxes are paid when payment of taxes is then out of our control.

Mr. Kastrud reviewed his list of completeness items: 1) item #2 waiver requested for Completion of Improvements which requires construction cost estimates that have now been provided so no waiver is required, 2) item #3 Warren County needs a letter stating that we have everything we need so the County can provide a report, this requires a temporary waiver, 3) item #3 State or County easement dedication deeds were not provided. Since they are pre-existing on an already approved Plat and clearly delineated on the plans a permanent waiver is recommended 4) items 5, 6, 7, 8, 9 & 10 have all been submitted or shown on the plat. Completeness is recommended if the Board agrees.

MOTION made by **VAEZI** to deem application 19-01 – B 1501 L 9.01 – Meadows at Mansfield, LLC Phase I – Final Amended Plat – COMPLETE with a condition of taxes being paid prior to signing of the final plan.

SECONDED: BARTON

Those in favor: Hight, Barton, Jewell, Spender, Petteruti, Keggan, Vaezi

Opposed: None

Abstain: Farino, Hayes

Mr. Bryce, Esq. swore in Mr. Keenan

Mr. Schneider, Esq. reviewed Mr. Kastrud's technical review report dated 3-18-19. Item #1 was agreed

that the conditions of the prior 18-01 amended Preliminary Subdivision approval conditions will be complied with prior to the Final Plat being signed.

Mr. Keenan agreed to item #2 regarding the application paperwork showing Lot 9.02 which is a neighboring parcel and not part of Meadows at Mansfield. The paperwork will be updated to reflect this change.

Mr. Keenan also noted that items #3a-g will be corrected as suggested. A discussion was held regarding a possible name change of Redwood Run but the consensus is to keep it Redwood Run.

Mr. Schneider, Esq. stated that an item regarding Redwood Run being labelled a "Private Drive" is not the case. This road on the East side of Thomas Knoll Blvd. is a public street and Mr. Hotz agreed they would be responsible for plowing all of clubhouse section of Redwood Run.

A few Board members inquired about the details of Thomas Knoll Blvd.

Mr. Hotz stated he would go get the plans from his car to answer that question.

Mr. Kastrud questioned the equalization tank and not being connected to the sewer main, how often it's being pumped and requested status be put on the record.

Mr. Hotz stated that the two cartways are 15 ft each with a 10 ft island having trees planted in which will be maintained by the Homeowner's Association. All vegetation maintenance will be the responsibility of the HOA.

Mr. Bryce, Esq. swore in Mr. William Hotz, 10 Peapack Rd, Far Hills, NJ.

Mr. Hotz stated the 25,000 gal equalization tank is constructed with an 8000 gal 4 bay and 16,000 EQ tank. He explained that the sewage flow is collected in a main that runs down the Boulevard down to the tank which then flows to the 4 bay/trash trap then empties into the EQ tank from where it will be pumped to the plant. With flows being so low the pumping is occurring at the last manhole. The plan at the next Russell Reid pumping is to pull all of the plugs to begin utilizing the 4 bay.

The 12 inch water main is almost complete with the exception of the sections that go under the stream targeted to be complete by April 1. The gas main is already live up to the subdivision.

Mr. Kastrud asked about the clubhouse having to be built by the 60th unit.

Mr. Hotz stated that the clubhouse plans were done and are part of the Final Phase I plat. He estimated filing building permits to start by May 1 with a 4-6 month build.

In response to a Board members' inquiry regarding the threshold for the treatment plant to begin operating, Mr. Hotz stated it is based on an operational threshold of 10,000 gals minimum for a fully functional biological reactor. The original estimated usage of 200 gals. a day per home, or about 45 homes, was used but flows thus far are less than 100 gals. per day. The new estimate is about 80 homes but this will continue to be monitored and may actually require some Phase II homes to be completed to get to this threshold.

Mr. Hotz went on to explain that once there's enough waste to feed the biological reactor, the waste goes through a number of processes and comes out as grey water.

Chairman **VAEZI** open the application for public for comments
Chairman **VAEZI** closed public comment portion

MOTION by **BARTON** to approve Case 19-01 – B 1501 L 9.01, 9.03-9.07 and 9.111 and 9.112 – Meadows at Mansfield LLC Phase I – Final Amended Plat with the following conditions 1) taxes will be paid current before Final Plat is signed, 2) easements noted on Plat as is, 3) entirety of East side of Redwood Run will be plowed by Homeowners Association and all trees in development to be maintained by HOA, 4) all open or outstanding items from Kastrud Engineering report dated March 18, 2019 (except for 3E), 5) clubhouse buildout threshold must be followed, and any other temporary and permanent waivers as discussed.

SECONDED: PETTERUTI

Those in favor: Hight, Barton, Jewell, Spender, Petteruti, Keggan, Vaezi

Opposed: None

Abstain: Farino, Hayes

PUBLIC COMMENT:

Ms. Carol Thompson, 510 Rt. 57, wished to advise the Board that the Route 57 Auto Salvage Resolution is not being enforced. Ms. Thompson welcomed the new Board Attorney and asked Engineer Kastrud why a zoning violation has not been issued.

Mr. Kastrud stated that a Zoning violation was issued based on the junkyard ordinance for outside storage. Mr. Tuscano decided to present his case to Judge Mennen on March 5, 2019 who decided no junkyard ordinance violations were present.

Mr. Bryce, Esq. explained to Mrs. Thompson that this Board is not an enforcing agent.

Mr. Joe Toscano, Route 57 Auto Salvage, stated that what was discussed in the Court proceeding was regarding junk not being allowed outside the fence. The Judge said that with the Used Car Dealers license used cars are allowed outside the fence from dawn to dusk. Mr. Toscano also stated that the NJ State Highway Act also states that no junk is allowed in front of the fence.

Carol Borden, neighbor across the street, spoke regarding this same issue.

Chairman **VAEZI** closed the Public Comment portion.

RESOLUTIONS: None

OLD BUSINESS: None

NEW BUSINESS: None

DISCUSSION/CORRESPONDENCE:

Zoning Officer Report was mentioned

INVOICES:

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, Barton, Jewell, Spender, Petteruti, Keggan, Vaezi

Opposed: None.

Abstained: None.

Chairman VAEZI adjourned the meeting at 9:16 PM.

Respectfully submitted,

JoAnn Griffith, Clerk