

MANSFIELD TOWNSHIP LAND USE BOARD
MAY 20, 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 7:30pm.

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 and 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

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

Alternates present: Creedon, Wielgus, Reagle

Absent: Hayes, Hight, Barton

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

Pledge of Allegiance was recited by all.

MINUTES:

MOTION made by **PETTERUTI** to approve the minutes of the April 15, 2019.

SECONDED: KEGGAN

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

Opposed: None

Abstain: None

RESOLUTION:

Case 19-02 – B 1402 L 4 - 985 Route 57, Port Murray – BHT of NJ 07335, LLC -
Expansion of pre-existing nonconforming use variance

Mr. Wayne Ingram requested a condition amendment with regards to the no draining of fluid on site as only damaged cars would come to the site drained but not the fleet vehicles.

Board members briefly discussed this issue and wished to leave it as is until the Site Plan application is heard.

Mr. Bryce, Esq. advised Mr. Ingram to make sure that in the noticing for the Site Plan application mention seeking relief from this condition.

MOTION by **VAEZI** to approve Memorializing Resolution for Case 19-02 – B 1402 L 4 - 985 Route 57, Port Murray – BHT of NJ 07335, LLC - Expansion of pre-existing nonconforming use variance as written.

SECONDED: JEWELL

Those in favor: Spender, Petteruti, Jewell, Keggan, Reagle, Wielgus, Creedon, Vaezi
Abstain: Farino

Case 19-03 – B 1702 L 8 – 1780 Rt. 57 – Mr. & Mrs. Randall Wanous – Addition

[Mr. Jewell recused himself]

MOTION by **FARINO** to Approve Memorializing Resolution for Case 19-03 – B 1702 L 8 – 1780 Rt. 57 – Mr. & Mrs. Randall Wanous – Addition

SECONDED: KEGGAN

Those in favor: Farino, Spender, Petteruti, Keggan, Vaezi
Opposed: None
Abstain: None

APPLICATIONS:

Case 19-04 – B 11.05 L 12.01 - 1885 Rt. 57 - WalMart – sign variance

Ms. Tracy Siebold of Nehmad Perillo Davis & Goldstein, Esq. representing WalMart stated that the applicant is requesting relief from sign square footage. All existing façade signs will be replaced with one sign being added for the new online grocery pickup program.

Mr. Kastrud reviewed his April 24 memo.

Clerk Griffith confirmed all administrative items were completed satisfactorily.

MOTION by **CREEDON** to deem Case 19-04 – B 11.05 L 12.01 - 1885 Rt. 57 - WalMart – sign variance – COMPLETE

SECONDED: KEGGAN

Those in favor: Farino, Spender, Petteruti, Jewell, Keggan, Creedon, Wielgus, Reagle, Vaezi
Opposed: None
Abstain: None

Mr. Bryce, Esq. swore in Mr. Brad Kern, P.E. of Massa Multimedia Architecture

Ms. Siebold described the signs associated with this variance request stating that the Outdoor Living sign will be replaced with a Lawn & Garden sign, the Market & Pharmacy sign with a Grocery & Pharmacy sign, the WalMart letters and sunburst will be replaced with a like sign and adding a Pickup sign on the corner of the building for an online grocery program.

These proposed sign changes require an increase from 314.7 sf, which was approved in June 2009, to 346.12 sf which is less than the previous approval of 369 sf.

Mr. Kern reviewed the existing site plan and proposed changes. He stated that the existing Outdoor Living sign is 49.48 sf which will be replaced with a Lawn & Garden sign at 37.34 sf. The existing WalMart sign will just be replaced with an internally illuminated one. The Market & Pharmacy sign which is 65.75 sf will be replaced with a Grocery & Pharmacy sign at 67.92 sf, and an internally illuminated Pickup sign at 41.86 sf. will be added.

Mr. Creedon mentioned a blinking light on the front corner and on the back of the building which was never approved by the Board.

Some Board members questioned the entrance and parking for the new grocery pickup program.

Ms. Siebold confirmed that everyone will still park in the regular parking spots and go through the main entrance for pickup.

Mr. Creedon noted that WalMart has grown from what they are allowed to do out front to almost out to the street. The line of sight at the stop sign from the parking lot onto Corey Reed Drive is being obstructed by overgrown bushes. There is also not supposed to be any overnight tractor trailer parking which is happening.

Mr. Jewell stated that something that was missed with early WalMart applications was there is no sidewalk from Airport Rd entrance at Cory Reed along Cory Reed to the front of the store.

Mr. Farino mentioned paperwork was submitted to the Township Committee regarding the Lot Cop cameras with blinking blue lights but no approval was obtained from this Board.

Mr. Kastrud stated that these types of things should at least come to the Zoning Officer.

VAEZI confirmed with Mr. Kastrud that he has not cited WalMart for any of these issues mentioned.

Ms. Siebold stated she would take these issues back to WalMart corporate to provide a response.

OPENED TO PUBLIC

Mr. Bryce, Esq. swore in Mr. Mike Miller, 9 Airport Rd.

Mr. Miller expressed his concerns regarding being open 24 hours with trucks unloading all night long, constant garbage in and around the detention basin, chain saws cutting up crates of the early morning, flashing lights and the intercom ads and announcements in both English and Spanish.

Mr. Farino/Hayes stated he would check with Chief Riley regarding the Lot Cop cameras/security lights.

Mr. Miller was asked if he has ever filed a complaint with the Zoning Officer.

Mr. Miller stated he did a while ago and was told to call the police.

CLOSED TO PUBLIC

Some Board members discussed not taking any action tonight due to the above mentioned issues. It was concluded that this application was for signage only and most other concerns were zoning issues to be dealt with by Mr. Kastrud. The sidewalk issue, if not on an existing site plan approval would have to come to the Board in a Site Plan application.

MOTION by **FARINO** to draft Resolution for Case 19-04 – B 11.05 L 12.01 - 1885 Rt. 57 - WalMart – sign variance

SECONDED: CREEDON

Those in favor: Farino, Spender, Petteruti, Jewell, Keggan, Creedon, Wielgus, Reagle, Vaezi

Opposed: None

Abstain: None

OLD BUSINESS: None

Mr. Kastrud provided an update to the Meadows development with 22 zoning permits issued and 16 or 17 certificates of occupancy. The sanitary sewer is connected to the equalization tank but still being pumped out. Warren County OEM discussions were held regarding minor street name changes. The final plat for signature has not been submitted yet.

NEW BUSINESS: None

DISCUSSION/CORRESPONDENCE: None

INVOICES:

Murphy McKeon, P.C.

Inv #1365	Meeting & Admin	\$135.00
Inv #1349	Meadows at Mansfield Ph I	\$525.00
Inv #1348	BHT	\$90.00
Inv #1545	Randall Wanous	\$465.00
Inv #1541	BHT	\$630.00
Inv #1543	Meadows at Mansfield Ph I	\$675.00
Inv #1544	WalMart	<u>\$285.00</u>
		\$2,805.00

Kastrud Engineering, LLC

Inv # 1438	04-16 Airport Rd Subdivision - Brinkerhoff	\$510.00
Inv # 1439	16-04 Rhodes Sheninger	\$510.00
Inv # 1440	18-01 Meadows - Amended Ph I	\$1,710.00
Inv # 1442	18-02 Callari	\$120.00
Inv # 1443	04-16 Airport Rd Subdivision - Brinkerhoff	\$330.00
Inv # 1444	04-16 Airport Rd Subdivision - Brinkerhoff	\$240.00
Inv # 1445	04-16 Airport Rd Subdivision - Brinkerhoff	\$570.00
Inv # 1446	18-01 Meadows - Amended Ph I	\$180.00
Inv # 1447	17-06 Mansfield Commons II	\$90.00
Inv # 1448	04-16 Airport Rd Subdivision - Brinkerhoff	\$1,020.00
Inv # 1449	Shoppes at Mansfield	\$120.00
Inv # 1450	Master Plan Review	\$240.00
Inv # 1452	LUB Meeting - December 2018	<u>\$120.00</u>
		\$5,760.00

GRAND TOTAL **\$8,565.00**

INVOICES:

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

SECONDED: VAEZI.

Those in favor: Farino, Spender, Petteruti, Jewell, Keggan, Creedon, Wielgus, Reagle, Vaezi

Opposed: None.

Abstained: None.

ADJOURNMENT:

Chairman Vaezi adjourned the meeting at 8:56 pm