

MANSFIELD TOWNSHIP LAND USE BOARD
JULY 15, 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:

- posting a notice of this meeting on the bulletin board of the Municipal Building;
- causing said notice to be published in the Star Gazette and Express Times;
- furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
- filing said notice with the Township Clerk

Present: Keggan, Spender, Hayes, Barton, Farino, Petteruti, Hight, Vaezi

Alternates present: Creedon, Wielgus, Reagle

Absent: Jewell, Cruts

Also present: James Bryce, Esq., Christian Kastrud, P.E.

Pledge of Allegiance was recited by all.

MINUTES:

MOTION made by **HAYES** to approve the minutes of the June 17, 2019.

SECONDED: KEGGAN

Those in favor: Keggan, Hayes, Barton, Farino, Wielgus, Vaezi

Opposed: None

Abstain: Spender, Petteruti, Creedon

RESOLUTIONS: None

[**HIGHT** arrived at 7:33pm]

APPLICATIONS:

Case 19-05 – B 1302.01 L 7.02 – 1561 Rt. 57 – Anthony Donofrio – Minor Subdivision

Mr. Anthony Donofrio stated he wants to subdivide his property located on Route 57.

Mr. Kastrud reviewed his completeness review letter.

Clerk Griffith confirmed taxes and application fees have been paid but there is no evidence of submission to the County Planning Board.

Mr. Kastrud stated that the Boundary Survey was not provided but was handed out this evening. A partial waiver was requested for topography across the entire site, only existing contours are shown not proposed contours, and driveway feasibility which will all have to be provided with the future zoning and driveway permit applications. The application has Not Applicable for deed restrictions/easements item which Mr. Kastrud stated may be required later after the driveway permit application is submitted to NJ DOT. Also, the Flood Hazard and Wetlands checklist items are marked submitted but not included with the application. Based on the map there is a category 1 stream which requires a 300 ft buffer along with the Township ordinance requiring that area be placed in a Conservation Easement, which all has to be shown on the plan.

Mr. Bryce, Esq. verified that public notice was adequately given but there was a question whether a variance would be needed for a flag lot. It was determined that the ordinance allows for this.

MOTION by **BARTON** to deem Case 19-05 – B 1302.01 L 7.02 – 1561 Rt. 57 – Anthony Donofrio – Minor Subdivision – COMPLETE

SECONDED: **HAYES**

Those in favor: Keggan, Spender, Hayes, Barton, Farino, Petteruti, Hight, Creedon, Vaezi

Opposed: None

Abstain: None

Mr. Bryce, Esq. swore in Mr. Anthony Donofrio

Mr. Bryce, Esq. led Mr. Donofrio through some basic facts in the absence of attorney representation.

Mr. Donofrio stated that the existing property is 8.2 fronting Route 57 with an existing driveway between Lot 7 and 7.01 and improved with a current dwelling and fallen down shed. The proposed subdivision would result in an existing lot of 5.083 acres with 3.165 acres remaining.

Mr. Bryce, Esq. requested confirmation from Mr. Donofrio that the existing and new lots will conform to all zoning requirements and a driveway permit will have to be obtained from the State for access to the new lot.

Mr. Bryce, Esq. also confirmed with the applicant that if the Board acts favorably on this application conditions must be met including any environment issues like potential wetlands riparian buffers, submissions to NJ DOT for the driveway and Warren County Planning Board.

Mr. Donofrio stated he had bought the large property about 3 years ago with the intention of building a home for his Mom who has since decided the taxes were too high. He further stated that after the subdivision both properties will be sold.

Board members expressed some concerns regarding the existing car dealer with these properties directly behind it and discussed adequate buffering. All agreed to impose a condition of buffering along the business property lines to protect the eventual buyer.

Mr. Kastrud reviewed his Technical comments dated July 12, 2019.

- A minor subdivision has to be signed and sealed by a licensed surveyor by law, which is appears an engineer prepared it. This will need to be a condition of approval.
- Mr. Kastrud stated he would work out the lot numbers with the tax assessor for the final plan.

- Also, the key map needs to be cleared up since it is difficult to read the labels.
- The septic system will require approval by the Warren County Board of Health, soil samples were already performed.

When asked about utilities Mr. Donofrio stated that power poles were put up along the driveway then underground to the house. Mr. Kastrud stated the new lot will have to be served by underground utilities.

Through discussion regarding a well it was discovered that the newly built dwelling on the main lot was constructed without having a well approved and installed first.

- Mr. Kastrud went on to state that copies of the filed deed metes and bounds descriptions for both lots would need to be reviewed prior to the plans being signed.
- An NJ DOT driveway access permit will be a condition of approval
- The riparian buffer must be shown on the plan and the conservation easement prepared per NJ DEP and Mansfield Township requirements.

**OPENED TO PUBLIC
CLOSED TO PUBLIC**

MOTION by **HAYES** to authorizing the drafting of a Resolution of approval of Case 19-05 – B 1302.01 L 7.02 – 1561 Rt. 57 – Anthony Donofrio – Minor Subdivision with the conditions discussed – COMPLETE

SECONDED: **HIGHT**

Those in favor: Keggan, Spender, Hayes, Barton, Farino, Petteruti, Hight, Creedon, Vaezi

Opposed: None

Abstain: None

OLD BUSINESS:

Mr. Kastrud provided status on the final plat which needed to be revised prior to signing. The clubhouse zoning application was submitted since the number of homes threshold (60) is rapidly approaching.

The Walmart issues, mentioned during the final sign variance approval meeting, were discussed as to whether there was any resolution. Board members commented that the detention basin appears clean and the rear intercom and blinking lights were turned off as a result of a Board members' discussion with our WalMart store contact. Mr. Kastrud stated he would follow-up on the sight distance issue on Corey Reed Dr.

NEW BUSINESS:

Mr. Spender asked about the variance events such as Donaldson's Night on the Farm dinners or Food Truck Festival and what permits might be required.

It was mentioned that all events are required to submit an event application to Washington Township to address any inspections, etc.

DISCUSSION/CORRESPONDENCE: None

INVOICES:

Kastrud Engineering, LLC

Inv #1509

Meadows

\$1,260.00

\$1,260.00

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

SECONDED: SPENDER

Those in favor: Keggan, Spender, Hayes, Barton, Farino, Petteruti, Hight, Creedon, Vaezi

Opposed: None.

Abstained: None.

ADJOURNMENT:

Chairman **VAEZI** adjourned the meeting at 8:55 pm