

SEPTEMBER 18, 2006

The regularly scheduled meeting of the Mansfield Township Planning Board was called to order by Acting Chairman Richard Myers 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 regular 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: Baldwin, Watters, Lunghi, Hazen, Marchioni, Myers.

Absent: Mannon, Barton, Vaezi.

Also present: Douglas Mace, P.E.; William Edleston, Esq.

The Pledge of Allegiance was recited.

MOTION was made by **HAZEN** to approve the minutes of the August 21, 2006 meeting, as written.

SECONDED: WATTERS.

Those in favor: Watters, Lunghi, Hazen, Marchioni, Myers, Baldwin.

Opposed: None.

Abstained: None.

Zotti announced that Marchioni had listened to the tapes of the August 21, 2006 meeting.

Case #04-16, Abram Simoff/MBAK Assoc. LP

Present for the applicant: Michael B. Lavery, Esquire; Katrina Campbell, Esquire; Hal Simoff, P.E.

Hazen recused himself from the application.

Lavery indicated there was to be no new testimony presented, but the applicant was awaiting Mace's input regarding the roadway connection between subdivisions.

Mace explained there were no restrictions on the bike path other than the original specifications. Mace also showed a map of Section 4 of Brantwood Estates that clearly shows a 50' right-of-way to the property line for the purposes of extending access beyond the lot line. Mace stated every effort to ease congestion on Route 57 has been a goal of the Planning Board for the last 10 to 15 years, and the efforts are supported in the Master Plan.

September 18, 2006 minutes

Page 2.

Patricia Brigantine of 31 Brantwood Estates stated she looked at the plans in January or February and the access road wasn't shown then. She stated she doesn't want the access to enter Brantwood Estates.

Myers stated that he has lived in Mansfield Township all of his life, and has been a member of the Fire Department for 30 years. Myers stated that ten years ago he had a heart attack, and if the rescue squad didn't just happen to be traveling along the highway, he would be dead. Myers was adamant that emergency services have every opportunity for easiest access, and stated that two minutes can make all the difference in an emergency. Myers further stated that the board has to consider what is right for the entire Township, and not just one community. Myers stated there will not be a lot of traffic generated on this road, and the road is designed to slow the traffic.

David Stimpson of Brantwood Terrace for 24 years asked why the through road wasn't installed long ago if it was necessary for emergency access. Stimpson stated the road will be used as a cut through from Diamond Hill to Airport Road.

Kathleen Stimpson of Brantwood Terrace stated there are a lot of walkers in the Brantwood Estate area.

Al Duda of 12 Walter Terrace submitted a letter expressing his concern over the safety of the residents in Brantwood Estates.

Meryl Morse of 3 Walter Terrace submitted a letter expressing concern over the legal notice given by applicants, opposition to the through street, and concern over the turn lanes off Route 57 never being installed.

Marjorie McClintock of 14 Walter Terrace asked who would benefit by the through street. McClintock provided an exhibit showing how close the Fire Department is to the development, and the difficulty fire trucks will have maneuvering the turns. McClintock asked questions regarding sight distance in the area of the bike path. McClintock stated her primary concern is the safety of those in the neighborhood.

Maryanne Mangels of 15 Walter Terrace stated that she is in sympathy with her neighbors, but has also listened to the testimony and comments. Mangels stated it is not easy pulling out onto Route 57, and fully understands the need for emergency access. Mangels asked for assurance that everything possible would be done to protect the neighborhood, and further asked that construction traffic be prohibited from the Brantwood Estates development.

There being no further comments, the public portion of the hearing was closed.

September 18, 2006 minutes
Page 3.

Marchioni stated that emergency access is critical, but a cul-de-sac is not a good plan for snow removal.

Watters stated that a lot of people in the Township have been inconvenienced over the years, but additional emergency access will be a benefit.

Mace indicated that maintenance of the detention basin would be the responsibility of the Homeowner's Association, or the alternative would be maintenance by the Township and assessed to the property owners.

Mace indicated that a Letter of Interpretation indicating the absence of wetlands needs to be submitted.

MOTION was made by **MYERS** to grant preliminary major subdivision approval for Case #04-16, Abram Simoff/MBAK Assoc. LP, subject to the conditions and comments of the testimony and Mace's review letters, restriction of construction vehicles in Brantwood Estates, hours of construction from 8:00 AM to 8:00 PM.
SECONDED: BALDWIN.

Those in favor: Lunghi, Marchioni, Myers, Baldwin, Watters.
Opposed: None.
Abstained: None.

MOTION was made by **BALDWIN** to authorize the board attorney to modify the draft resolution and to present the resolution for memorialization at the October meeting.
SECONDED: WATTERS.

Those in favor: Marchioni, Myers, Baldwin, Watters, Lunghi.
Opposed: None.
Abstained: None.

The Acting Chairman called for a brief recess at 8:45 PM.

Upon reconvening at 8:50 PM, roll call was taken.

Present: Baldwin, Watters, Lunghi, Hazen, Marchioni, Myers.
Absent: Mannon, Barton, Vaezi.
Also present: Douglas Mace, P.E.; William Edleston, Esquire.

Case #06-10, Harry R. Pool, Jr. Conceptual
Present for the applicant: Harry R. Pool, Jr.; Kevin Hahn, Esquire; Drew DeSessa, P.E.

Hahn explained that the applicant wants to apply for a minor subdivision.

September 18, 2006 minutes

Page 4.

DeSessa explained the layout of the property, and the alternatives available given the access issues. DeSessa explained what variances would be necessary should the board give approval for a subdivision.

Mace and Edleston stated the site is a difficult one, and the applicant would have to begin from scratch and attempt the subdivision. Mace suggested bifurcating the application with the variance issues being presented first.

The applicant stated they would consider the comments made by the professionals.

Case #06-09, PNC Realty Services

Present for the applicant: Paul Nusbaum, Esquire; Robert Streker, P.E.; Ralph Walker, AIA; Thomas Rosselot, PNC; John Harder, Traffic Engineer.

Nusbaum explained the application was for a new PNC Bank where Donaldson's and a doctor's office now sit on Route 57.

Mace indicated the applicant was to show access to the Baldwin Drive behind the proposed bank. Mace stated he would attempt to facilitate matters between the property owners.

Nusbaum expressed concern that access to the mall would create complications with NJDOT.

Streker was sworn in and accepted as a expert witness.

Entered as Exhibit A-1 – boundary and topographic survey dated 4/24/06

Entered as Exhibit A-2 – color version of Sheet 3 of 10, site plan dated 9/12/06

Streker explained the advantage over what exists today will be elimination of driveways, and the utilization of the left turn lane. Streker explained the on-site circulation of the proposed bank site, and further explained the characteristics of the proposal.

Marchioni expressed concern over the fire lanes, ladder access, the availability of fire hydrants, and Knox box availability. Streker stated they would do everything possible to comply with the Fire Department.

Streker explained the proposed drainage, impervious coverage, the design of the building, the lighting, and plantings.

Mace mentioned that the 25' parking lot setback had been upheld in other cases, and asked if alternatives had been considered. Mace suggested a few alternatives to be considered.

September 18, 2006 minutes

Page 5.

Walker was sworn in and accepted as an expert witness.

Entered as Exhibit A-3 – Photographs of an existing bank branch

Entered as Exhibit A-4 – AO9.01

Entered as Exhibit A-5 – AO9.00 – building elevation showing proposed signs

Walker stated the building is a highly efficient energy user, and is a Leadership in Energy and Environmental Design building. Walker explained that 104 square feet of sign is proposed where 100 square feet is allowed. Walker stated there will be a conforming free-standing monument sign as well. Mace suggested an alternative to the proposed signage that would allow for totally conforming signage.

Rosselot was sworn in, and accepted as an expert witness. Rosselot explained that all design elements for the site are prototypical. The hours of operation would be 8:00 AM to 6:00 PM, and will include Saturday and Sunday operations. There will be 12 to 15 total employees with eight to ten on any given shift.

Rosselot explained there will be no dumpster on site, and a separate contractor will collect the confidential shredded trash. Other trash will be collected daily.

Rosselot asked that the Knox box be alarmed.

Mace asked why hide the drive through lanes? Rosselot explained they aren't attractive, and the applicant would rather have the building be the focal point. Rosselot stated that customers also feel more secure if not visible to all while making their transactions.

Nusbaum stated they would end their testimony at this point for this meeting. Nusbaum stated they would contact Mace for further information, and return at the next meeting to continue the hearing.

MOTION was made by **BALDWIN** to continue the application for Case #06-09, PNC Realty Services at the next regular meeting.

SECONDED: WATTERS.

Those in favor: Myers, Baldwin, Watters, Lunghi, Hazen, Marchioni.

Opposed: None.

Abstained: None.

MOTION was made by **BALDWIN** to adjourn the meeting at 10:25 PM.

SECONDED: LUNGHI.

Voice vote: ALL IN FAVOR.

September 18, 2006 minutes
Page 6.

Respectfully submitted,

Patricia D. Zotti, Secretary