

APRIL 17, 2006

The regularly scheduled meeting of the Mansfield Township Planning Board was called to order by Chairman William Mannon 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: Mannon, Barton (arrived at 7:35 PM), Baldwin, Watters, Lunghi, Hazen, Marchioni, Myers, Vaezi.

Absent: None.

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

The Pledge of Allegiance was recited.

Regarding the minutes of the March 20, 2006 meeting, Baldwin stated that he abstained from the Sharma resolution.

MOTION was made by **HAZEN** to approve the minutes of the March 20, 2006 meeting.
SECONDED: LUNGHI.

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

Opposed: None.

Abstained: None.

The resolution for Case #06-02, Alan and Barbara Typinski was carried to the next meeting. Mace indicated that certain notes should be put on the plans.

MOTION was made by **BALDWIN** to delay action on the resolution until the next meeting, or until the information is received.

SECONDED: MYERS.

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

Opposed: None.

Abstained: None.

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MOTION was made by **MANNON** to grant an extension for Case #04-16, Abram Simoff/MBAK Assoc. LP to the next regular meeting of May 15, 2006, but the applicant must re-notice prior to the next appearance.

SECONDED: BARTON.

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

Opposed: None.

Abstained: None.

MOTION was made by **MANNON** to grant an extension for Case #04-12, Eduardo & Edith Chua to the next regular meeting of May 15, 2006, but the applicant must re-notice prior to the next appearance.

SECONDED: VAEZI.

Those in favor: Marchioni, Vaezi, Barton, Watters, Mannon.

Opposed: None.

Abstained: None.

Mannon mentioned the letter that was received from the Environmental Commission, which stated that a well head and abandoned tires were found on the site.

MOTION was made by **WATTERS** to forward a copy of the Environmental Commission letter to the applicant, and to ask for a response from the applicant.

SECONDED: VAEZI.

Those in favor: Vaezi, Barton, Watters, Marchioni.

Opposed: None.

Abstained: Mannon.

Case #06-01, YH Fujiyama, Inc.

Present for the applicant: Joel Kobert, Esquire; William Gleba, P.E.; YH Kim; Young Shin, AIA.

Baldwin and Lunghi recused themselves from the application.

MOTION was made by **BARTON** to deem the application for Case #06-01, YH Fujiyama, Inc. complete, and to grant the requested waivers for purposes of completeness.

SECONDED: MYERS.

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Those in favor: Barton, Watters, Hazen, Marchioni, Myers, Vaezi, Mannon.

Opposed: None.

Abstained: None.

Gleba was sworn in by Edleston, and accepted as an expert witness. Gleba explained the details of the proposed site plan including the number of parking spaces, the detention system, and the landscape buffer. Gleba explained the extreme topographical constraints and the stream corridor contribute to the argument for the variance relief.

Kim explained that he purchases 80% of his groceries himself, and the remainder is delivered in the morning on small trucks. Kim stated the restaurant would be open at 11:00 AM, but the lower level would only be open on the weekends for lunch. The lower level would be open for dinner on a nightly basis. Kim stated that he picks up his employees so there is no need for employee parking.

Shin was sworn in by Edleston, and was accepted as an expert witness. Shin stated there would be only internal changes to the building, and no external changes.

Further discussion took place regarding the drainage, the compliance with Warren County Soils, the additional lighting, and signage. Gleba stated the applicant would comply with the Ordinance requirements for signage. Mace indicated that his office would need documentation on the proposed lighting and the signage.

MOTION was made by **WATTERS** to grant the variance requests for Case #06-01, YH Fujiyama, Inc. for east and west parking lot setbacks.

SECONDED: BARTON.

Those in favor: Watters, Hazen, Marchioni, Myers, Vaezi, Barton, Mannon.

Opposed: None.

Abstained: None.

MOTION was made by **HAZEN** to grant the variance requested for Case #06-01, YH Fujiyama, Inc. for locating a reduced size loading space in the parking lot isle.

SECONDED: MYERS.

Those in favor: Hazen, Marchioni, Myers, Vaezi, Barton, Watters, Mannon.

Opposed: None.

Abstained: None.

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MOTION was made by **MANNON** to draft a resolution granting preliminary and final major site plan approval for Case #06-01, YH Fujiyama, Inc. subject to the signage and lighting data being supplied to the engineer, copies of all state and federal permits being supplied, copies of additional utility letters being supplied, and any other routine conditions.

SECONDED: HAZEN.

Those in favor: Marchioni, Myers, Vaezi, Barton, Watters, Hazen, Mannon.
Opposed: None.
Abstained: None.

Baldwin and Lunghi returned to the board.

The Chairman called for a brief recess at 9:00 PM.

The board reconvened at 9:10 PM.

Present: Mannon, Barton, Baldwin, Watters, Lunghi, Hazen, Marchioni, Myers, Vaezi.
Absent: None.
Also present: Douglas Mace, P.E.; William Edleston, Esquire.

Case #06-03, Scott G. Lynn

The applicant represented his application.

MOTION was made by **LUNGHI** to approve the minor subdivision for Case #06-03, Scott G. Lynn subject to submission of the certification of taxes paid, the acquisition of the adjacent lot, and proof that all fees were paid.

SECONDED: BALDWIN.

Those in favor: Myers, Vaezi, Barton, Baldwin, Watters, Lunghi, Hazen, Marchioni, Mannon.
Opposed: None.
Abstained: None.

Case #06-05, NYK Logistics (Americas) Inc.

Present for the application: Joel Kobert, Esquire; William Gleba, P.E.; Dennis McNemar, NYK

Baldwin recused himself from the application.

Kobert explained the applicant received site plan approval some time ago, and was seeking approval of an amended site plan and a height variance. Kobert explained that the applicant is a global company and currently occupies 225,000 square feet. Kobert stated that the applicant would possibly apply to the board to double their size at some point in the future. The present application was for outside storage of Lenox HVAC units.

MOTION was made by **MANNON** to deem the application for Case #06-05, NYK Logistics (Americas) Inc. complete, and to schedule the hearing for the next regular meeting of May 15, 2006.

SECONDED: BARTON.

Those in favor: Vaezi, Barton, Watters, Lunghi, Hazen, Marchioni, Myers, Mannon.
Opposed: None.
Abstained: None.

Case #04-17, J. Renee Richmond

Present for the applicant: Kurt Ligos, Esquire.

Edleston indicated there were no fees paid, and no tax certificate supplied. Ligos indicated that the applicant was aware that fees and taxes had to be current. Edleston related the history behind the application which appeared on the agenda for many months without the applicant appearing.

MOTION was made by **BARTON** that in keeping with board policy to not hold a public hearing for Case #04-17, J. Renee Richmond for lack of fees and taxes, but to carry the notice to the next regular meeting of May 15, 2006.

SECONDED: HAZEN.

Those in favor: Barton, Baldwin, Watters, Lunghi, Hazen, Marchioni, Myers, Vaezi, Mannon.
Opposed: None.
Abstained: None.

MOTION was made by **BALDWIN** to adopt the Open Public Meetings Act resolution.
SECONDED: WATTERS.

Those in favor: Baldwin, Watters, Lunghi, Hazen, Marchioni, Myers, Vaezi, Barton, Mannon.
Opposed: None.
Abstained: None.

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MOTION was made by **BALDWIN** to adopt the resolution appointing the professionals for 2006, and authorize the Chairman to endorse the contracts for said professionals.
SECONDED: BARTON.

Those in favor: Watters, Lunghi, Hazen, Marchioni, Myers, Vaezi, Barton, Baldwin, Mannon.
Opposed: None.
Abstained: None.

Mannon mentioned a letter he received from Borealis Compounds, LLC.

Watters stated that they want to build a warehouse, but the property is in the Highlands. Watters explained further the difficulty the company is having, and he told them he was confident the Planning Board would help if they could by supporting them.

Mace indicated that they should submit a concept plan and appear before the board.

MOTION was made by **MANNON** to authorize Watters to contact Borealis Compounds, LLC, and to suggest they appear before the Planning Board on a concept basis.

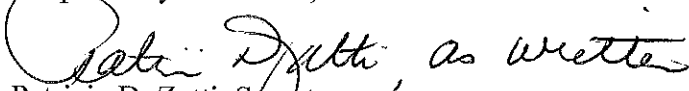
SECONDED: WATTERS.

Those in favor: Lunghi, Hazen, Marchioni, Myers, Vaezi, Barton, Baldwin, Watters, Mannon.
Opposed: None.
Abstained: None.

MOTION was made by **BALDWIN** to adjourn the meeting at 9:45 PM.
SECONDED: MYERS.

Voice vote: ALL IN FAVOR.

Respectfully submitted,


Patricia D. Zotti, Secretary