

MANSFIELD TOWNSHIP LAND USE BOARD

JULY 15, 2024

MINUTES

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by **Chair Jewell** 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 Express Times/NJ Zone;
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.

Roll Call:

Present: Farino, Hayes, Reagle, Wielgus, Petteruti, Waegener, Cruts, Jewell

Alternates present: Feller, Watters, Connelly

Absent: Creedon

Also present: Attorney Bryce, Engineer Quamme

Pledge of Allegiance was recited by all.

MINUTES:

MOTION was made by **JEWELL** to approve the **minutes** of the **June 17, 2024** meeting.

SECONDED: FELLER.

Those in favor: Farino, Reagle, Petteruti, Waegener, Feller, Jewell

Opposed: None

Abstain: Hayes, Wielgus, Cruts

RESOLUTIONS: None

APPLICATIONS:

21-05 Ariya Realty (Dunkin) – B 1102 Lots 4.02 – 2021 Route 57 – Prelim/Final Site Plan – Approval Extension Request

Attorney Lowcher stated that this request is pursuant to 40:55D-52 extending the protection period for zoning changes that may impact this application. He stated there is a short list of outstanding items of which is HMUA and NJ DOT approvals of a second water tap HMUA is requiring. The initial letter requested a one year extension but they would like to request three years making the approval expiration date March 21, 2027. They are currently under a lease that they do not want to renew so this should be resolved well before the three years.

MOTION was made by **HAYES** to approve **21-05 Ariya Realty (Dunkin)** – B 1102 Lots 4.02 – 2021 Route 57 – Prelim/Final Site Plan – Extension Request

SECONDED: REAGLE

Those in favor: Farino, Hayes, Reagle, Wielgus, Petteruti, Waegener, Cruts, Jewell

Opposed: None

Abstain: None

24-03 Weathertite Solutions, 1509 L 7.02, 502 Route 57 – Site Plan

Attorney Lowcher stated that Weathertite Solutions filed a site plan for change of use. There was previously a nursery operating there and a residence. Weathertite intends to build a new building to house his roofing supplies and have an office.

Attorney Lowcher reviewed Engineer Quamme's completes report which had three items listed, architectural drawings, septic application and plan and accessory structure data. He stated these will be provided well in advance of the next meeting and requested waivers for these three items for completeness so they may advertise for a public hearing at the August 19 meeting.

Engineer Quamme agreed with that request.

MOTION was made by **WAEGENER** to deem **24-03 Weathertite Solutions, 1509 L 7.02, 502 Route 57 – Site Plan COMPLETE** granting requested waivers for completeness only.

SECONDED: CRUTS

Those in favor: Reagle, Wielgus, Petteruti, Waegener, Cruts, Feller, Jewell

Opposed: None

Abstain: Farino, Hayes

24-02 Brent Connelly, B 1105.05 L 9, 19 Canterbury Ln – Garage

Attorney Bryce reminded Mr. Connelly that he was still under oath.

Mr. Connelly stated that since the last meeting Land Use Board Attorney researched the ordinance applicable to this and submitted a letter.

Attorney Bryce stated for the record that Mr. Connelly relied upon a schedule in the zoning ordinance which was amended twice, it appears that 18 ft is the maximum permitted height of the accessory structure. This was not updated in the online code but the approved ordinances are accessible.

Mr. Connelly stated that the original application was only for a second story so a revision was submitted to include a height variance for 21'11".

It was identified that the current ordinance also requires setback (required 15 ft/proposed 6 ft), *square footage* and coverage (existing 6% /proposed ~9%) variances.

Attorney Bryce reminded Mr. George Dakak, 12 Windsor Place that he was still under oath.

Chair Jewell **OPENED TO PUBLIC**

Chair Jewell **CLOSED TO PUBLIC**

Mr. Dakak reiterated his concern from the last meeting that the garage will obstruct his view and now there is a number of ordinance violations that require variances.

[Mr. Farino stepped down as an ineligible member and Mr. Watters stepped up to fill his seat]

MOTION was made by **WATTERS** to approve **24-02 Brent Connelly**, B 1105.05 L 9, 19 Canterbury Ln – Garage with the following variances: second floor, height, side yard setback, lot coverage and square footage.

SECONDED: FELLER

Those in favor: Reagle, Feller, Watters, Jewell

Opposed: Petteruti, Waegener

Abstain: Farino, Hayes, Wielgus, Cruts

[Mr. Connelly rejoined the meeting at 8:26p]

It was discussed that the ordinance updates are done by eCode which the Township Clerk would look into verify.

The Zoning Officer, Tom Silva, confirmed that after looking at the online codebook and paper codebook which both showed 24’.

Attorney Bryce explained that it is not the Zoning Officer’s fault.

DISCUSSION/CORRESPONDENCE:

Steven Slattery, 450 Mount Bethel Rd explained that there is a significant project going on at 446 Mount Bethel Rd. He stated that the proposed use of the land has not been shared with any local or County entity but there is a 14 bedroom church retreat addition planned on an existing house. He also stated that this is in the Highlands and most recently Knowlton Township classified this use as commercial and asked that this work be ceased until a full investigation of this land use is done.

Zoning Officer, Tom Silva, stated that from a zoning perspective they submitted a zoning application which met setback and height requirements so there was no reason for it to be denied. They then sought a Warren County Health Department septic approval for an additional 8 bedroom septic on top of the existing 4 bedrooms, which was obtained.

Attorney Bryce stated that the Board has no jurisdiction without an application for the Board to hear and explained that there is an appeal process for the Zoning Officer’s determination.

OLD BUSINESS:

Walmart - B 1105 L 12.01 -Minor Site Plan Approval LUB-23-04 - Administrative Amendment

Engineer Quamme explained that the Board approved their Site Plan to move the online grocery shopping pick area and were ready to go but then recently came in requesting to keep this where it is at. Engineer Quamme stated that this could be approved administratively but wanted them to explain their plan with the Board. The new section of sidewalk is still being done just the online shopping pickup spots are staying where they are with some minor signage changes.

NEW BUSINESS: None

INVOICES:

Murphy McKeon

| | | |
|------------|---------------------------|-----------------|
| Inv #12699 | Giant Gymnastics | \$315.00 |
| Inv #12700 | Meetings & Administration | <u>\$200.00</u> |
| | TOTAL | \$515.00 |

Boswell Engineering

| | | |
|-------------|----------------------------|-------------------|
| Inv #190081 | General Land Use Board | \$58.25 |
| Inv #190082 | Popeyes | \$58.25 |
| Inv #190083 | Meadows - Misc Engineering | \$1,398.00 |
| Inv #190086 | Popeyes | \$58.25 |
| Inv #190088 | Giant Gymnastics | \$2,796.00 |
| Inv #190091 | Connelly | <u>\$174.75</u> |
| | TOTAL | \$4,543.50 |

Colliers Engineering

| | | |
|-----------------|--------------------------------|-------------------|
| Inv #0000952387 | Stormwater Control Master Plan | \$127.50 |
| Inv #0000952396 | Giant Gymnastics | <u>\$405.00</u> |
| | | \$532.50 |
| | GRAND TOTAL | \$5,591.00 |

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

SECONDED: HAYES

Those in favor: Farino, Hayes, Reagle, Wielgus, Petteruti, Waegener, Cruts, Watters, Jewell

Opposed: None

Abstain: None

Clerk Griffith mentioned a recent update from Goldstar regarding the bridge repair. They were denied by both the railroad company and Township Committee so it's still up in the air if the applicant is going to continue with their application.

MOTION was made by **HAYES** to adjourn the meeting at 8:36 PM.

SECONDED: CRUTS

Respectfully submitted,

JoAnn Griffith, Clerk