

## **MAY 16 2011**

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Chairman John Barton 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.

Mayor Ted Tomaszewski was sworn in as a member of the 2011 Land Use Board.

Present: Barton, Myers, Mayor Tomaszewski, Watters, Mannon, Creedon, Mills, Hight.

Absent: Hazen, Vaezi, Spender, Smith.

Also present: Drew DiSessa, P.E.; William Edleston, Esquire.

A brief discussion was held regarding the Regency at Mansfield, LLC matter. Edleston stated the applicant has used two of their three extension requests, and the resolution reflects the correct expiration date.

The Mayor stated he would like to see the development remain an age-restricted project.

**MOTION** was made by **MYERS** to approve the resolution for Regency at Mansfield, LLC Extension Request, as written.

**SECONDED: BARTON.**

Those in favor: Myers, Barton.

Opposed: None.

Abstained: None.

**MOTION** was made by **MYERS** to approve the minutes of the April 18, 2011 meeting, as written.

**SECONDED: BARTON.**

Those in favor: Myers, Barton.

Opposed: None.

Abstained: Mayor Tomaszewski, Watters, Mannon, Creedon, Mills, Hight.

**MOTION** was made by **BARTON** to approve the resolution for Case #10-05, Dennis & Carol McKevitt Extension Request, as written.

**SECONDED: MYERS.**

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Those in favor: Myers, Barton.  
Opposed: None.  
Abstained: None.

**Case #11-05, Leonid Afonkin**

Present for the applicant: Richard Keiling, Esquire; Leonid Afonkin; Sviatlana Quick

Creedon recused himself from the board for this application.

Afonkin was sworn in by Edleston. Keiling requested completeness and public hearing, and said he noticed for the meeting.

**MOTION** was made by **MANNON** to deem the application for Case #11-05, Leonid Afonkin complete, and to proceed to a public hearing.

**SECONDED: MYERS.**

Those in favor: Mayor Tomaszewski, Watters, Mannon, Mills, Hight, Myers, Barton.  
Opposed: None.  
Abstained: None.

Keiling explained the application is variance application to reconstruct a residential home on a pre-existing lot. Keiling explained a home existed on a .7 acre lot, but it was destroyed by fire, and the lot minimum has since been changed to three acres.

Entered as Exhibit A-1 – copy of tax map showing subject lot

Keiling explained there are existing residential lots on either side making acquiring additional land impossible. Keiling stated the applicant would build a home on the lot, and live there with his family.

Entered as Exhibit A-2 – photograph of previous house  
Entered as Exhibit A-3 – Chelsea II style home to be built

Keiling stated the home to be built would be the exact model that was previously there, and it would be on the same footprint and maintain the same setbacks.

Edleston asked if the neighbors had been contacted regarding the purchase of the lot. Keiling stated they had not been contacted.

Sviatlana Quick, the listing real estate agent for the property, was sworn in by Edleston. Quick stated the property has been for sale for several years, and the neighbors never made an offer to purchase any, or all, of the land.

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DiSessa stated the lot is an **improved** lot with an existing driveway, etc. DiSessa stated the purchase of part, or all, of this lot wouldn't make the adjacent lots conforming lots.

Myers asked about the tax lien on the property. Edleston stated the Township has been made whole, and the lien is a third party lien.

A discussion took place regarding the proposed size of the home. The applicant didn't know the exact size in square footage, but the home would be exactly the same as existed.

The hearing was opened to the public for comments and questions.

Jan Horwath of 9 Saxton Lane stated the Chelsea II model was approximately 2,400 square feet. Horwath explained she was one of the original homeowners in the development, and agreed the home would fit nicely in the neighborhood. Horwath stated she was happy to see the same home be constructed on the lot.

There were no other comments or questions from the audience. The public portion of the hearing was closed.

A discussion was held regarding the size of the home, and how long it would take to construct the home. Afonkin anticipated the home would take one year to build. Keiling explained the applicant probably wouldn't close on the property until August or September.

**MOTION** was made by **WATTERS** to approve the bulk variance application for Case #11-05, Leonid Afonkin to construct a home on a lot with insufficient lot area, subject to the home not to exceed 2,250 square feet, the home to be completed within one year from the issuance of the building permit, compliance with the comments in DiSessa's report, and the construction of the Chelsea II model as depicted in Exhibit A-3.

**SECONDED: MAYOR TOMASZEWSKI.**

Those in favor: Watters, Mannon, Mills, Hight, Myers, Mayor Tomaszewski, Barton.  
Opposed: None.  
Abstained: None.

Creedon returned to the board.

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

**SECONDED: HIGHT.**

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Those in favor: Mannon, Creedon, Mills, Hight, Myers, Mayor Tomaszewski, Watters, Barton.

Opposed: None.

Abstained: None.

DiSessa presented a draft copy of a variance checklist for consideration by the board. DiSessa explained there are checklists for the other applications, but none for variances. DiSessa stated it would make it easier for the layperson applying to understand the process.

A discussion took place regarding the fees collected for applications, and the possible introduction of an Escrow Agreement. DiSessa stated he would present a draft copy of the Escrow Agreement at the next meeting for the consideration of the board.

**MOTION** was made by **BARTON** to approve the variance checklist with the following changes: the submission time being changed to 21 days, and number four to include the Escrow Agreement.

**SECONDED: MAYOR TOMASZEWSKI.**

Those in favor: Creedon, Mills, Hight, Myers, Mayor Tomaszewski, Watters, Mannon, Barton.

Opposed: None.

Abstained: None.

DiSessa mentioned the next Master Plan Reexamination, according to a new law, doesn't have to be done for ten years. DiSessa stated the Township has until 2018 to complete the next reexamination.

Mayor Tomaszewski and Creedon apologized for missing the last meeting.

Creedon mentioned the excessive signage at Mack's Place located on Route 57. DiSessa stated he would consult the signage Ordinance, and speak with the property owner.

Watters mentioned the budget meeting held with Warren Hills Regional School, and reported that \$250,000 was taken out of the budget.

**MOTION** was made by **WATTERS** to adjourn the meeting at 8:38 PM.

**SECONDED: HIGHT.**

Voice vote: ALL IN FAVOR.

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Respectfully submitted,

Patricia D. Zotti, Secretary  
(as amended)