

Township of Mansfield
Joint Land Use Board Meeting
February 27, 2023

The regular meeting of the Joint Land Use Board was held on the above shown date with the following in attendance: Chairman Scott Preidel, Douglas Borgstrom, Colleen Herbert, Jeffrey Grouser, Frank Pinto, Ralph Wainwright, Carl Schwartz, Joseph Broski, Deputy Mayor Sisz and Maureen Villegas. Rudy Ocello was not in attendance. Professionals in attendance were Attorney Patrick Varga and Planner Ed Fox. Also in attendance was Land Use Coordinator Ashley Jolly and Secretary Linda Semus. The following Opening Statement read by Land Use Coordinator Jolly.

“The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was published on January 12, 2023. Said Notice was published in the Burlington County Times and Trenton Times, filed with the Clerk of the Township of Mansfield and posted on the official website of the Township of Mansfield. Notice of which contained the date, time, and purpose of this meeting stating that formal action will be taken.

Everyone in attendance took part in the salute to the flag.

A motion was offered by Brian Sisz and second by Frank Pinto to close the Executive Session. Motion carried.

Attorney Varga explained that, during Executive Session, matters related to litigation were discussed.

Chairman Preidel noted that we have lost a valued member of the Joint Land Use Board as well as the Zoning Board over the years with a heavy heart. A Proclamation has been prepared to support the member. This has been provided and will be passed on to the Township Committee to read at their meetings.

Before the proclamation was read, there was a moment of silence for Mr. William Tahirak.

***Resolution of Respect
In Loving Memory of
William J. Tahirak***

Whereas, The Township of Mansfield has learned with profound sorrow the death of William J. Tahirak, on March 10, 2023, and

Whereas, William, known as Bill to his friends and neighbors, has served his township with devotion and integrity, and

Whereas, Bill became a member of the Zoning Board of the Township in 1999 and served as Vice-Chair from 2001 to 2004 at which time he became Chairman until 2020 when the Joint Land Use Board was formed, and

Whereas, Bill became a member of the Joint Land Use Board upon its formation in 2020 and served as Vice-Chairman of the Board since 2021.

Whereas, Bill so deservedly gained the respect and confidence of his colleagues as well as applicants appearing before the Board, and

Whereas, Bill undertook the tasks of the Municipal Boards, unheralded and without any thought of recognition, and

Whereas, on behalf of the citizens of Mansfield Township, recognizes the devotion of Bill to his community and gratefully acknowledges his many contributions; and

Now, therefore be it resolved, on behalf of the citizens of Mansfield Township, members of the Joint Land Use Board extend sincerest condolences to the family of William J. Tahirak and to the community as a whole deprived of a beloved and distinguished citizen.

The above resolution will be forwarded to the Township Committee to be read at their next meeting.

Mr. Preidel said Bill was a good friend of him, having known him for years. He devoted a lot of time to the Township and he will be missed.

Doug Borgstrom noted that Bill was a neighbor of his. He was seen frequently on the Kinkora Trail wherein they engaged in conversation about the neighborhood and their families. He was a good man and he will be missed.

MINUTES FOR APPROVAL: February 27, 2023

A motion was offered by Doug Borgstrom and second by Frank Pinto to approve the minutes of February 27, 2023. Motion carried on a Roll Call Vote, recorded as follows:

AYE: Borgstrom, Pinto, Grouser Herbert, Sisz, Schwartz, Broski, Villegas
NAY: NONE ABSENT: Ocello NOT VOTING: Wainwright

RESOLUTION 2023-3-6: Resolution of the Township of Mansfield Joint Land Use Board authorizing execution of Stipulation of Dismissal and Consent Order and Completion of Negotiations on Settlement Agreement to resolve litigation filed by the Myra C. Wahlberg Trust against Mansfield Township and the Mansfield Township Planning Board

(A copy of the above Resolution is spread on the following pages.)

A motion was offered by Deputy Mayor Sisz and second by Chairman Preidel to adopt the foregoing Resolution. Motion carried on a Roll Call Vote, recorded as follows:

AYE: Sisz, Preidel, Borgstrom, Grouser, Herbert, Pinto, Wainwright, Schwartz, Broski, Villegas
NAY: NONE ABSENT: Ocello

APPLICATION FOR COMPLETENESS

Applicant: Ad-Dawah Center of NJ

Location: Block 30, Lot 13.01 – 3191 Route 206

Application for: Amended Site Plan Approval for the addition of 495 sq.ft. of second floor area

Planner Ed Fox noted that Engineer Knoll was not in attendance. He then referred to his March 22nd letter wherein it was recommended that the Board find this application complete. He did recommend that the Check List for major site plans and minor site plans is identical and further explained that this application is complete as they have met all conditions per the site plan ordinance.

A motion was offered by Frank Pinto and second by Deputy Mayor Siz to deem this application complete. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PINTO, SISZ, PREIDEL, BORGSTROM, GROUSER, HERBERT, WAINWRIGHT, SCHWARTZ, BROSKI, VILLEGAS
NAY: NONE ABSENT: OCELLO

APPLICATION FOR COMPLETENESS

Applicant: Arnold Miller

Location: Block 40, Lot 25 – 1166 Hedding-Jacksonville Road

Application for: Variance approval for a 2,200 sq.ft. pole barn in the R-1 zone

Chairman Preidel explained this application for a variance approval for a 2,200 square foot pole barn in the R-1 zone.

Planner Ed Fox referred to his report dated March 22 recommending the application to be complete with the consideration of the bulk variance.

Solicitor Varga explained, to a resident, the process for deeming an application complete.

A motion was offered by **Frank Pinto** and second by **Chairman Preidel** to deem the application complete. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PINTO, PREIDEL, GROUSER, HERBERT, SISZ, WAINWRIGHT, SCHWARTZ BROSKI, VILLEGAS
NAY: NONE ABSTAIN: BORGSTROM ABSENT: OCELLO

APPLICATION: *Applicant asked for a continuance per letter dated March 27th

Applicant: Nicolas & Lisa Vrettos

Location: Block 24, Lots 37 & 38.03 – 131 Public Road

Application for: Minor Subdivision with Bulk & Use Variance

Chairman Preidel said the applicant has requested a continuation of this application.

Attorney Varga explained that Attorney Jonas Singer had sent correspondence to the Board on March 27, 2023 indicating that the applicant is requesting one-month extension. **Mr. Varga** responded advising Mr. Singer that, in the event the Board would grant the extension, the Application would not be heard until the May meeting. It is up to the Board to grant the adjournment, noting the applicant has received several adjournments in the past. It would be appropriate to condition the adjournment on the condition that, if the applicant does not proceed in the May meeting, they shall dismiss the applicant without prejudice for failing to prosecute their application. In addition, they will have to re-notice.

A motion was offered by Frank Pinto to allow the continuation to the May meeting with the caveat that, if they do not attend the May meeting, the application will be dismissed without prejudice. The applicant will be required to re-notice. The motion was carried on a Roll Call Vote, recorded as follows:

AYE: PINTO, SISZ, PREIDEL, BORGSTROM, GROUSER, HERBERT, WAINWRIGHT, SCHWARTZ, BROSKI, VILLEGAS
NAY: NONE ABSENT: OCELLO ABSTAIN: NONE

Chairman Preidel announced that he would like to move the regular April meeting up to April 17th and then made a motion for this recommendation. The motion was second by Doug Borgstrom and carried. **Chairman Preidel** also made a motion that a special meeting will be held on **May 8, 2023**. This motion was second by Deputy Mayor Siz and carried.

Frank Pinto made a motion to amend the agenda to hold the Public Comment portion of the meeting at this point, prior to the liability training. The motion was second by **Chairman Preidel** and carried.

PUBLIC COMMENT

Kathy Panasowich, 11 Candlelight Circle questioned the timing of the Miller Application. **Attorney Varga** explained the applicant will be heard on April 17th. New Notices will be mailed to property owners within 200 feet of the property line.

Matt Hamilton, 13 Candlelight Circle, felt they were wasting their time at this meeting and then asked for clarification of receipt of the notice for the next meeting.

Jean Bayley, 15 Candlelight Circle, questioned the process for the applicant to mail to the residents being affected.

Bob Tallon, 2454 Axe Factory Road, referred to comments he made at the prior meeting in regard to the Master Plan and his desire to speak out about the plan. He had his concerns listed and planned to mail them to the members of the Master Plan Committee. He would like the Committee to consider his matters related to the Master Plan. Mr. Tallon was advised to present his documentation to Attorney Varga first. Mr. Fox advised the Board that the Township Committee as well as the Administrator want the process to be as open and transparent as possible which means people will be able to comment. He suggested that people should be advised to go to the Steering Committee first.

Tom Stevenson, Jacksonville Road in Springfield Township, said he belonged to the Mansfield Township Historical Society and had met with Mayor Mojena as well as Administrator Fitzpatrick and with a working group including the Township Engineer and Planner, the site contractors for Elion and the Quakers as well as two representatives including the Ramos Trustee and himself. Mr. Stevenson said they have recovered some items out of the building including the windows and front doors, which are being reconstructed as an exhibit. Other items are being set aside to be reclaimed. He noted the cemetery in the rear. A group had been on the property with a metal detector to collect artifacts to be placed in the Mansfield Museum. Mr. Stevenson introduced Henry Winzinger with a video, which will be available for the Ad-Dawah folks.

Attorney Varga noted that the property Mr. Stevenon is referring to is adjacent to Elion warehouse, which is in the township's jurisdiction. Therefore, the Board does not have any jurisdictional rule on what is being done on the property. This would be a Township concern. He had a concern about any testimony until Ad-Dawah is present to present their testimony about what they are proposing and how it may or may not impact that site. Mr. Varga felt this is too closely related to what Ad-Dawah is coming in to apply for. After discussion, Attorney Varga said this is outside this board's jurisdiction and, to the extent that what is done may be related to the Ad-Dawah, any testimony and comment should be done during the Ad-Dawah meeting.

Victor Ramos, 133 Georgetown Road and Historical Society Trustee, encouraged having anything pulled from the ground for the museum. He is currently stripping items from the building.

Chairman Preidel closed this portion of the public hearing.

LAND USE LIABILITY TRAINING: Attorney, **Patrick Varga** reviewed land use Liability and land use law for the Board's knowledge, a program to equate local officials with Risk Management Principals. It is designed to provide a general understanding of the legal principals pertaining to government operations. **Mr. Varga** proceeded with the training through the presentation of slides. This training was required by JIF, the Township's Joint Insurance Fund.

Upon conclusion of the training, a motion was offered by Colleen Herbert and second by Frank Pinto to adjourn. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus
Secretary