

Township of Mansfield
Joint Land Use Board Meeting
Special Meeting
May 8, 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, Carl Schwartz, Ralph Wainwright, Joseph Broski, Rudy Ocello, Maureen Villegas, and Deputy Mayor Sisz. Jeff Grouser and Frank Pinto were not in attendance. Professionals in attendance were Attorney Patrick Varga and Planner, David J. Benedetti, Planner. Also in attendance was Land Use Coordinator Ashley Jolly and Secretary Linda Semus. The following Opening Statement read by Secretary Semus

“The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this special meeting was published on April 17, 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.

MINUTES: April 17, 2023

A motion was offered by Chairman Preidel and second by Deputy Mayor Sisz to approve the minutes of the April 17, 2023 meeting. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2023-4-9

(A copy of Resolution 2023-4-9 is found 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, Herbert, Schwartz, Broski, Ocello
NAY: None ABSTAIN: None
ABSENT: Borgstrom, Pinto
NOT VOTING: Wainwright, Villegas

APPLICATION: Miller, Block 40, Lot 15- 1166 Jacksonville Road

Chairman Preidel introduced this application for a variance for an oversized pole barn in the R-1 zone.

Planner David Benedetti from Environmental Resolutions (for Ed Fox) was sworn in by **Attorney Varga**.

Attorney for the applicant, Jonas Singer, Esq. from the firm of Wells & Singer, Bordentown, explained the application for a C-2 variance to permit the construction of a garage in the rear portion of his existing lot. Arnold Miller, applicant, was sworn in by Attorney Varga.

Mr. Miller said he and his wife, owners of the property in question purchased the run down property about 3 years ago. He has been working on the property to improve it and noted that he is a member of the Franklin Fire Company as well as the Florence Fire Company. He is requesting permission to construct a 2,200 square foot pole barn with a lean-to added comprised of 400 square feet with a total of 2,600 square feet. He is requesting 16 feet in height. The survey attached to the application depicts the garage to be planned approximately 65 feet from the Homestead Homeowner's Association property line. The sideline to the north is proposed to be 666 feet and to the south 31.9 feet. The reason for this larger building is for a 16 foot car trailer, lawn tractor, fishing boat, a project car, plus and work area. His current garage is too small for his belongings and, currently they are exposed to the weather. Mr. Miller feels this will clean up his property. The current unsafe shed will be removed if approval is given. He will not operate a business from this building. Currently he has a work truck for his plumbing business but no customers come to the site. No plumbing is planned. No truck greater than 19,000 pounds will be stored there. No bathroom and no kitchen is planned. He will use low dim motion censored downward facing lighting. None will face Homestead. He felt he could maneuver his boat through the barn and out the other side. Three doors will face south, one will face north, none to the rear. There is no issue with drainage. He will submit a drainage plan if required. Mr. Miller explained the photographs he had taken. The project will not impact his septic or well. He will submit a lighting plan if required. Mr. Schwartz confirmed that the car in the garage is not a racecar.

Mr. Benedetti reviewed the report from Ed Fox. He explained the items the Board needs to consider before granting any approval. The applicant testified that no large trucks would be stored in the building. Mr. Benedetti further read the report of Ed Fox dated March 22, 2023. Attorney Singer responded about the comments about a D Variance, which is not part of the application.

Attorney Singer said they would provide a lighting plan, which is accent lighting and motion censored.

Chairman Preidel said he observed piping in the rear yard. Mr. Miller said those items were there. He said he would not store plumbing items outside.

Mr. Broski questioned items appearing to be stored outside as observed on Google Earth. Mr. Miller said currently there is an old pickup truck, his boat and small digger in the yard. Mr. Broski also questioned the doors to which Mr. Miller responded.

Mr. Miller then explained images posted for the view of the public.

In answer to Colleen Herbert's question about storage, Mr. Miller said it would be all personal items in the proposed pole barn.

Mr. Broski referred to the drive through part of the building and how it will be utilized so he can pull in one side and out the other. Is there enough room to make a swing and will there be room to pull out. Mr. Miller said there is sufficient room as there are tree shavings to prevent tires from sinking into the ground. He said he has tried movement and it is sufficient. He referred to his son's car to be refurbished. It is not a race car.

Chairman Preidel opened the Public Hearing.

Matthew Hamilton, 13 Candlelight Circle, presented 2 photographs, marked as Exhibit 01 and 02. Mr. Hamilton felt Mr. Miller has not been forthcoming on the size of the pole barn. Because it will be larger. Mr. Hamilton had signed a petition presented by Mr. Miller agreeing to his request. Mr. Hamilton said he felt this was not exactly what he was asking for and asked to have his name removed from the petition. He asked the board to deny the application for the variance. Mr. Hamilton had a new petition, which he asked to present to the Board. However, Attorney Varga commented that the Board could only consider sworn testimony. Mr. Hamilton felt this 2200 square foot, 16 foot tall building, 140 feet from the rear of their homes, will affect their view, their quality of life, and may affect the value of their homes. He asked that the Board would feel if someone built such a garage. Would they be willing to give up the country feel with sunsets? He said he is not nor are his neighbors.

Kate Wainwright, 31 Candlelight Circle, said she is disappointed because, when Mr. Hamilton asked for signatures, a big piece of information was missing. Omitting information was not honest. She asked that her mother's, living at 21 Candlelight Circle, name be remove from the list.

Attorney Singer explained the signatures were to acknowledging the notice requirements for this meeting. There was no attempt to see endorsement from the neighbors, just acknowledgement they received notice of this application.

Mr. Hamilton felt he was looking for signatures to ok the building.

Kathy Panasowich, 11 Candlelight Circle, referred to the flood light on the south side of his home. This faces her house. Instead of considering for a pole barn, she felt it was more like a small warehouse. It will obstruct views.

Anthony Costanzo, 1164 Jacksonville Road, a neighbor, said he signed the petition making it clear as to his intentions. As an electrician, he designed the lighting, keeping in mind not to shine on neighbors. He has no objection and is looking forward to seeing the property cleaned up.

Jean Daly, 15 Candlelight Circle, said things were not explained to her when Mr. Miller asked for her signature. She is directly behind Mr. Miller's property. When Mr. Miller presented the document for signature, he said he was replacing the shed. She felt this was good as the shed

is an eyesore. Currently she can see the sunset, which will block her view. She purchased a home in this location because of the view. She felt it was unfair not to be told what was proposed.

Attorney Singer stated that, prior to this meeting, she received a notice from him explaining the application has been filed.

Rosemary Orocchi, 27 Carriage Hill Lane, noted that this pole barn is for personal use. She asked how this would be proven over the years. Mrs. Orocchi said there is quite a bit of flooding in Homestead and questioned whether Mr. Millers building will exasperate this problem.

George Hickman, 1168 Hedding Jacksonville Road, lives on the northern side of Mr. Miller's property. He doesn't see any threat to the community. Possessions will be kept out of the weather.

Rosemary Orocchi commented the proposed garage would be three times the size of her house.

Kate Wainwright commented that she felt no one would object to a size that can be accomplished without a variance. Going much large than what is allowed is the problem. There are real problems with this along with not being presenting truthfully.

George Hickman said it seems the view has become the major issue here. There may be times; there will be no problems with sunset views. It is going to be bigger than permitted but Mr. Hickman questioned to what extent it really hurts anything.

Joe Broski referred to A-2 plan questioned the full height. This was explained to his satisfaction.

Doug Borgstrom questioned any landscaping for screening in the rear of his property. Mr. Miller said he would plan evergreens behind the building. It depends on what the neighbors want. Supplemental buffering is to be approve by the Township Planner.

Doug Borgstrom made a motion to approve this application based on storage for personal equipment, large lot size in relation to the size of the building, landscaping buffering to shield the building from view, submit a lighting plan as well as a grading plan, providing supplement buffering as required by the Board's professionals. This motion was second by Scott Preidel and carried on a Roll Call Vote, recorded as follows:

AYE:	Borgstrom, Wainwright, Herbert, Schwartz, Ocello, Preidel
NAY:	Sisz, Broski, Villegas
ABSENT:	Grouser, Pinto

RESOLUTION 2023-5-11

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

A short recess was taken.

REDEVELOPMENT PLAN REVIEW FOR MASTER PLAN CONSISTENCY

Planner David Benedetti, speaking for Planner Ed Fox, explained this redevelopment plan was necessitated as a resolution of an agreement between Tower Gate and the Township to resolve development of this area. As a result, Mr. Fox prepared a report showing that this property met the requirements for a non-condemnation re-development area where it would allow a mixed use area where it would provide some warehouse development and some affordable housing. The project includes 96 affordable housing units and a maximum of 1.1 million square feet of warehouse. There are specific provisions in the plan for design and locations of these uses along with restriction on vehicles on the street to insure no trucks through residential areas. Accessory buildings are considered for a Club House of 45 feet, maintenance building of two stories or 30 feet, any other structure with a maximum of 15 feet. He explained the building setbacks, inclusion of 8 town house units, and 36 multi-family dwellings. There is also land set aside for outside activities. The warehouse area will be a minimum of 100 acres. He explained the setbacks, buffers, landscaping, parking and loading requirements, landscape design, lighting design, fences and walls,

At this point, Mrs. Herbert made a motion for a brief adjournment. The motion was second by Ralph Wainwright and carried.

Attorney Varga explained that this is a redevelopment plan said this is a redevelopment plan that has been presented to the board. The board is to review the proposed plan to determine if it substantially consistent with the Municipal Master Plan. The Tower Gate property is approximately 122-acre lot. The proposed study areas have been attached to the redevelopment plan as Figure One. Mr. Fox and the Township have prepared a redevelopment plan for the Board's consideration and review, which does advance the Township's Land Use Objectives. This is a result of the court order dated March 15, 2022 in the case of the Tower Gate Associates vs. the Bordentown Sewage Authority to provide sewer conveyance. The redevelopment plan also advances population density and the Township's housing objects at it provides 96 units of deed restricted affordable housing.

Chairman Preidel opened this portion of the meeting for public comment. With no comments or questions, this portion of the meeting was closed.

A motion was offered by Chairman Preidel and second by Colleen Herbert to approve Resolution 2023-5-10. Motion carried on a Roll Call Vote, recorded as follows:

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

Resolution 2023-5-10: Resolution Reviewing Redevelopment Plan for Block 70, Lots 6.01 and 6.02, also known as the Tower Gate Redevelopment Area, Southeast Corner of Route 130 and Kinkora Road, and Referring Same to the Mansfield Township Committee for Consideration and Adoption.

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

COMMENTS FROM THE BOARD/PUBLIC

There were no additional comments.

MOTION FOR ADJOURNMENT

A motion was offered by Deputy Mayor Siz and second by Douglas Borgstrom to adjourn. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer, Deputy Clerk

Linda Semus, Secretary