

**TOWNSHIP OF MANSFIELD  
JOINT LAND USE BOARD MEETING**

**DECEMBER 18, 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, Mayor Marcial Mojena, Frank Pinto, Ralph Wainwright, Joseph Broski, Rudy Ocello and Maureen Villegas. Jeffrey Grouser, Colleen Herbert, Carl Schwartz and Deputy Mayor Siz were not in attendance. Professionals in attendance were Attorney Patrick Varga and Planner, Ed Fox, Planner, Mr. Lopez, Engineer. Secretary Elizabeth MacLennan attended. The following Opening Statement read by Secretary MacLennan.

“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.

Chairman Preidel called the meeting to order at 7:00 pm

**MINUTES: NOVEMBER 27, 2023**

Motion to adopt the November 27, 2023 meeting minutes was made by Mr. Borgstrom. Second by Mr. Broski.

Roll Call Vote, recorded as follows:

AYE: Borgstrom, Mojena, Pinto, Wainwright, Preidel, Broski, Ocello, Villegas

NAY: None ABSENT: Grouser, Herbert, Schwartz, Siz

**APPLICATION: JOSE PACHECO**

**BLOCK 42.30, LOT 21**

**19 FIELDCREST DRIVE**

**Application for Bulk variance for a pool with patio increasing the overall lot coverage.**

Zoe Ferguson, Esquire, of the firm of Lieberman Blecher & Sinkevich, represented the applicant appeared virtually. Attorney Varga questioned Ms. Ferguson on her appearance virtually and explained to her that the Board prefers in-person attendance. Ms. Ferguson was under the impression it was a virtual meeting and hoped they could still appear at this meeting.

It was the consensus of the board that the applicant can proceed.

Attorney Ferguson explained the application for a bulk variance relief and introduced two witnesses, Scott Lynn, Engineer and Andrew Janiw, Consultant.

Ms. Ferguson explained the application to add a back yard pool with a patio as well as a back yard driveway expansion, which will bring the lot coverage to 32%. Testimony will be

provided by two witnesses, Mr. Scott Lynn and Mr. Andrew Janu. Mr. Pacheco and Mrs. Pacheco are also in attendance remotely.

Scott Lynn was sworn in, explained his education and professional background. He was accepted as an expert in Civil Engineering and explained the location of the property in Country Walk containing under 17,000 square feet. He explained the existing impervious coverage as being about 4,620 square feet totaling 27.3%. With the addition of the patio proposed for the pole along with the filter and patio, 32.09% lot coverage is proposed where 25% is permitted. He felt there was no drainage issues nor would there be with the proposed addition. No additional outdoor lighting is proposed other than lights in the pool.

Anthony Lopez, Board Engineer, was concerned over the 90-degree turn of a swale and asked if the applicant would, as a condition of approval, agree to provide a yard inlet and a popup emitter to better control storm water on the property. The applicant agreed to this suggestion.

Mr. Andrew Janiw, Planning Consultant, explained his background and current positions and was accepted as a professional. He presented an exhibit including a site plan stating the uses on the property are currently permitted and the proposed use is permitted as an accessory use. He described the curved shape of the lot and the situation leading to a longer than another driveway. He felt that the benefits of the application include this as a customary accessory use in a residential neighborhood. It is outdoor recreation, which is common in the neighborhood. Appropriate drainage will be addressed. It is a use anticipated in the zone although the lot coverage is exceeded which could be mitigated with engineering controls for runoff.

Ed Fox, Planner for the Board, questioned the extension of the driveway to which Mr. Lynn said it had been expanded but they are seeking to rectify that as well. Mr. Fox noted that it is difficult to apply the R-1 specifications to homes in Country Walk.

Attorney Ferguson noted that Mr. & Mrs. Pacheco were in attendance if the Board had any questions.

Chairman Preidel opened this application up to the public. With no comments or questions, this portion of the meeting was closed.

A motion was offered by Frank Pinto and second by Joseph Broski to approve this application with the condition that the applicant would work with the Board Engineer to install a small ADS inlet with a popup emitter to control storm water. The motion was carried on a Roll Call Vote, recorded as follows:

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

#### RESOLUTION 2023-12-18

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

**APPLICATION: TRI-STATE PETRO  
BLOCK 1, LOTS 1,2,3**

**3372 ROUTE 206 & 800 NJ ROUTE 68**

**Application for preliminary & final major site plan with bulk variances to permit fueling station and Dunkin Donuts Restaurant with drive-through.**

Chairman Preidel introduced the above application.

Kevin Moore, Esq. represented the applicant and reviewed the prior meetings. He explained the location included 9.59 acres at the intersection of Routes 206 and 68. The project has been divided into Phase 1 to include the gasoline service station and Dunkin Donuts restaurant. Phase II includes parking for 27 trucks. The applicant was seeking approval for Phase 1 tonight. Phase II will be at a future meeting. He requested a waiver from the Environmental Commission's tree removal ordinance as there is very little tree removal required with the application. Another waiver requested is the submission of a water conservation plan.

Mr. Moore introduced five witnesses present for this application. Zachary Chaplain, Engineer, John Corak, Traffic Engineer, Tracy Craig, Architect for Dunkin Donuts Restaurant, Rick Perez, Architect for the Service Station, and John \_\_\_\_\_,

Mr. Moore presented the exhibits including Exhibit A-1, aerial exhibit and A-2, aerial exhibit, A-3, proposed water resource buffer, A-4 colorized version of the overall site plan and A-5, architectural plans, A-6, Dunkin Donuts plan, A-7, Page 2 of A-6, Exhibit A-8 Signage plan for Dunkin Donuts, A-9, Signage plan, A-10, Another Dunkin Sign, A-11 Sign, A-12 Sign.

Zachary Chaplain, Engineer, was sworn in, explained his professional experiences and was recognized by the board. Mr. Chaplain had prepared Exhibits A-1 through A-4. He explained the two phases, Phase I for Dunkin Donuts and Phase II for truck parking. He noted that about 70% would remain preserved or landscaped with the full development. In addition, he felt this is an upgrade to the current area. It was explained that the Dunkin Donut portion of the application is located at the site of the current gas station and the truck parking lot will be located at the site of the foreign car repair current location. Also located on the site is a PSE&G easement as well as an underground gas transport easement. Thus, along with environmental sensitive areas, the easements are located on the site. There is a tributary to Black's Creek that runs through the center of the site along with wetlands where a 50-foot transition area is located. None of these are being disturbed. Mr. Chaplain explained the surrounding area where no residential neighborhoods are nearby. Mr. Chaplain referred to Exhibit A-3, Water Resource Conservation Zone. No disturbance is planned for this area. They agreed to deed restrict these areas. Large curb cuts on Route 206 existing today will be re-constructed to DOT standards. Curb cuts on Route 68 will be consolidated. A 2,000 square foot Dunkin with drive-through is being proposed with 10 fueling positions. There are two truck-fueling positions. He explained the routes for trucks to be separated from the passenger vehicle traffic. He spoke of road widening and the need for County approval. The drive-through will be planned for 10 vehicles. A propane tank is proposed operated by the service station staff. LED fixtures will be used for the lighting. A septic disposal field is proposed. There will be a new well for water usage. He

explained signage for the site. The landscaping plan included existing trees to remain. Any tree removal is limited. A mix of trees and shrubs is proposed. The gas and diesel stations will be operating 24-7. No car/truck sales, no sleeping facilities proposed. Maximum number of employees per shift is three. The hours of operation for the Dunkin will be from 4:30am to 10pm, 7 days a week. Maximum number of employees is 5 to 6. They will recycle, to be served by special company.

Mr. Chaplin referred to Phase II where 27 truck parking spaces are proposed. The current auto repair operation will be removed. One new curb cut on Route 68, an internal connection with the gas station and truck parking is proposed. A retention basin is proposed. There will be an 8-foot-high security chain link fence. Parking will be assigned for specific clients. Although there are no Federal endangered species on the property, a blue heron has been known to take up residence in this area as well as a bald eagle.

Large portion of the recording was inaudible at this point.

Frank Pinto questioned the wetlands. He was told submission to the DEP had not occurred as of this point. They need a general permit for the storm water outfalls.

Mr. Chaplin explained the location of the underground fuel tanks. Re-fueling trucks would be located at a specific location. Mr. Borgstrom questioned the location of fire hydrants. He felt available fire protection should be available. Mr. Chaplin felt fire protection could be provided.

Mr. Chaplin said, if required, they could file for a lot consolidation.

Inaudible recording.

John Corak, Traffic Engineer, presented his qualifications and was accepted by the Board as a Traffic Engineer. He had submitted Traffic Impact Statement. Mr. Corak referred to internal site circulation, access to the proposed roadway network, and proposed impacts. He referred to the roadway including Route 206, Route 68, and Old York Road. Proposed driveways include a right-in driveway along Route 206, a right-out driveway along Route 206, and a full movement driveway on Old York Road. Substantial traffic will utilize Route 206 utilizing Dunkin and/or fueling pumps. Trucks will access their proposed area off, back onto Old York Road, and then back to Route 206. The proposed uses are convenience type uses specifically to Dunkin and gas fueling. The truck parking will be under contract. They do not expect or anticipate a heavy volume of trucks fueling with unlikely truck back up. Mr. Borgstrom questioned whether there would be a deceleration lane on Route 206 leading to the entrance. He was told there were no plans for a deceleration lane as the shoulder of the road would serve. Inaudible.... Mr. Corak said a major access permit is being requested from the NJDOT. Inaudible.... Stacking on Old York Road was questioned. Chairman Preidel was concerned over the stacking of tractor-trailers and noted, this was the last stop before the turnpike. Chairman Preidel noted that, with the addition of warehouses, the tractor-trailers could increase and stacking could be a problem. Inaudible....

Frank Pinto expressed concern over traffic and the possibility of tractor-trailers blocking the highway. Mr. Corak presented statistics indicating truck traffic on Route 206 and felt their

proposal would not stack back in any significant way. He referred to their traffic study and their calculations.

Mr. Corak explained that many vehicle circulation plans that were prepared for the site and he felt they could accommodate three or four, including two at the pump. Chairman Preidel asked for detail and was concerned over blocking of driveways, etc. He felt this was a poor design. He stressed the possible blocking of the entrance way. (Poor taping) .... Mr. Corak said they will review Chairman Preidel's concerns and return.

Chairman Preidel asked if the drivers could park their tractor and the trailer overnight. This would be up to the owner/operator.

Rudy Ocello questioned whether there is any consideration of for tractor-trailer, once it is in there, to come back out onto Route 68 and make a left hand turn to go south. Mr. Corak explained that the circulation plan only allows the tractor-trailer to turn onto Route 206. Mr. Corak explained that, in this area, it is a divided highway at that intersection where the service road meets Route 68. The tractor-trailer could make a left onto Route 68. However, the circulation in that area only allows tractor-trailers to exit onto Route 206.

Manpreet Gill was sworn in and explained that people will not spend the night in the parking area. Chairman Preidel was concerned over preventing this. Attorney Varga questioned whether there is an agreement that sleeping overnight is prohibited. He was told yes. Their cars are parked in the same site until the tractor-trailer arrives. (inaudible tape)

Frank Pinto questioned the type of truck being parked there. He was told (inaudible)

Mr. Corak referred to the number of trucks being requested for parking. Currently, they are seeking parking for 26 trucks. If the board would prefer 19, they would be willing to reduce the number to 19.

Frank Pinto was concerned over over-night parking. (inaudible) He asked if the applicant would agree to empty trailers being parked over-night. Attorney Varga questioned the Board members over the possibility of only perishable, refrigerated items, and/or hazardous goods being unacceptable for overnight. Anything not falling under the prior criteria would be acceptable for a one-night stay. This will be addressed when the applicant returns to the board.

Frank Pinto questioned the number of parking areas at the Westampton site.

Mr. Gill said that his site in Westampton had 27 parking spaces.

Planner Ed Fox noted that the application is for a trucking facility, which indicates that there can be contents in the trailer.

Attorney Chaplin said they will return to the next Board meeting.

Ricardo Perez was sworn in and presented his qualification in the field of architecture. He was accepted as an expert in the field of architecture.

Mr. Perez explained the two canopies and presented an exhibit. He explained the size of the canopies and the signage involved. (very poor audio).

Tracy Craig-Paci was sworn in and presented her professional education and qualifications in the field of architecture. She was accepted as an expert in the field of architecture.

Ms. Craig-Paci explained the signage on the Dunkin Donuts and said it is a prototype. Mr. Fox referred to working with the Redevelopment plan for this part of Bordentown Township and their architectural considerations with this area. He referred to the architecture at the current Wawa. Ms. Craig-Paci explained the type of materials used in the construction. An exhibit of the coloring rendering was presented and marked as A-14. Ms. Craig-Paci spoke of the signage.

Mr. Borgstrom questioned their plan for the 9-1-1 addressing numbers. Ms. Craig-Paci said this would be added.

Chairman Preidel clarified with the applicant that the new plan would include 19 parking locations instead of the proposed 27. This was agreeable with the applicant.

Mr. Fox confirmed with the applicant that they will deed restrict any and all parts of the site not being utilized.

Doug Borgstrom confirmed that the applicant would present a hydrant layout.

Frank Pinto clarified that the applicant is not requesting any waivers to wetland buffering or any DEP wetland permits. Mr. Perez said they would request storm water permits.

A motion was offered by Chairman Preidel to continue this application on February 26 at 6:30PM without future notice. A Roll Call Vote was taken as follows:

AYE: Borgstrom, Pinto, Wainwright, Preidel, Broski, Ocello, Villegas

NAY: None ABSTAIN: None

ABSENT: Grouser, Herbert, Schwartz, Sisz

#### COMMENTS AND DISCUSSION

There were none from the Board Members.

#### PUBLIC COMMENT

No public

#### MOTION FOR ADJOURNMENT

A motion was offered and second to adjourn.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

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Barbara A. Crammer, Deputy Clerk

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Elizabeth MacLennan, JLUB Secretary

