

**TOWNSHIP OF MANSFIELD  
PLANNING BOARD  
Monday, February 25, 2013  
REGULAR MEETING**

The Regular meeting of the Mansfield Township Planning Board was called to order by **Vice Chairman Robert Semptimphelter** at 7:00 P.M. on the above shown date followed by the Flag Salute and the following opening statement:

The notice requirements provided for in the 'Open Public Meetings Act' have been satisfied. Notice of this meeting was properly given in the annual notice, which was adopted by the Mansfield Township Planning Board on January 28, 2013. Said resolution was published in the Burlington County Times on February 1, 2013, e-mailed to the Burlington County Times, Trenton Times, and Register News, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body, and mailed to each person who has requested copies of the regular meeting schedule and who has prepaid any charge fixed for such service. All the mailing, posting and filing having been accomplished on January 29, 2013.

**ROLL CALL:**

**Board Members:**

Douglas Borgstrom, LaVerne Cholewa, Robert Higgins, John Kampo, Gary Lippincott, Arthur Puglia, Robert Semptimphelter, Douglas Walker. Scott Preidel was absent.

**Professional Staff:**

Thomas J. Coleman, III, Solicitor; Harry McVey, Planner

**PUBLIC COMMENTS:**

**Vice Chairman Semptimphelter** opened the floor to public comments on non-agenda items only.

Hearing no comments **Vice Chairman Semptimphelter** closed this portion of the meeting.

**APPROVAL OF MINUTES:**

A motion was offered by **Douglas Walker** and duly second by **LaVerne Cholewa** to approve **January 28, 2013**. Motion carried.

**ACCEPT, RECORD & FILE CORRESPONDENCE:**

**Natural Systems Utilities Applied Water Management – Jacob R. Quick, E.I.T., Project Engineer II**

Date: January 31, 2013

Re: Treatment Works Approval (TWA)

Homestead WWTP Fine Screen – NJDES-DSW Permit #NJ0098663

Mansfield Township, Burlington County, New Jersey

A motion was offered by **Arthur Puglia** and duly second by **LaVerne Cholewa** to accept, record and file the correspondence as submitted. Motion carried.

**JOINT SPECIAL MEETING  
TOWNSHIP COMMITTEE & PLANNING BOARD  
AGENDA**

**Monday, February 25, 2013**

The notice requirements provided for in the 'Open Public Meetings Act' have been satisfied. Notice of this meeting was properly given in the following manner:

Filed with the Mansfield Township Municipal Clerk; posted on the official bulletin board in the Municipal Complex, faxed to the Trenton Times and Register News; mailed to each person who has prepaid any charge fixed for such service and published in the Burlington County Times as a legal advertisement on Friday, February 15, 2013.

**ROLL CALL:**

**Township Committee:** Fred Clark, Janice DiGiuseppe, Sean Gable, Robert Higgins, Arthur Puglia

**ROLL CALL:**

**Planning Board:** Douglas Borgstrom, LaVerne Cholewa, Robert Higgins, John Kampo, Gary Lippincott, Arthur Puglia, Robert Semptimphelter, and Douglas Walker. Scott Preidel was absent.

**Transfer of Development Rights Briefing**

**Vice Chairman Semptimphelter** explained this being a joint meeting of the Township Committee and the Planning Board we are here for informational purposes only. They will hear the presentation on what is to be offered on TDR, hear comments from the public, note their comments and get back to the public with responses. He then turned the meeting over to Harry McVey, Planner for the Mansfield Township Planning Board.

**Harry McVey** he is from Louis Glass Associates – Township Planners:

Assisting Mr. McVey this evening is Bob Melvin of Group Melvin Design as well as Ed Fox and Mark Remsa, Burlington County Bridge Commission all of whom have been involved heavily in this TDR project.

**Mr. McVey** said they are not here tonight to look at an individual project or an individual development. None are proposed, none are planned and none are before the Planning Board. We are here tonight for the long range planning of the Township. What could the Township look like, what do we want it to look like and how do we get there. TDR is Transfer Development Rights. It is basically a method of transferring the development potential of one property to another. There are several reasons to do that. The benefits to the Township would include maintaining farmland, open space, concentrating developments so it is cheaper and easier to serve. For instance, instead of having 900 homes scattered through out the Township, you are dealing with it in one small area, so it is much more efficient to serve. They are some of the broad benefits. The biggest problem with TDR in the past has been the cost of developing a program. Start to finish about ten years ago it was about \$250,000.00 so they are probably well up over \$300,000.00. That is the basic issues and the cost with that. In terms of how does it operate, what does it mean. What they have attempted to do is to establish a sending area where the development potential in that area would be sent to a smaller receiving. The smaller receiving area has to be set up so that it can absorb all the development potential of the sending area. It should be able to be serviced by appropriate infrastructure, by that he is primarily talking about sanitary sewer, roadways and things of that nature. There is also environmental constraints that have to be looked at. In terms of Mansfield, why are we doing it here and what is triggering it. TDR has been something that the Planning Board and the Township Committee have been discussing and looking at since at least 2001. It first showed up in the Master Plan in 2001 as a recommendation to proceed. Many of the proposals in that 2001 Master Plan are still applicable. It has changed over the years due to changing conditions. Originally, in 2001 they had proposed possibly up to three receiving areas, Georgetown being one, that fell off the table because there was not enough open land and significant environmental issues. Second was around the Village of Hedding and again due to Farmland Preservation and the County purchase of the Crystal Lake project there really was not enough land in that area either make it worthwhile and sanitary sewer was the big issue and that left the Village of Columbus. The Village of Columbus has and continues to suffer from septic system problems. They either having overflowing systems, they have to be continually pumped, they are old system and they really need to be hooked up to a sanitary sewer system. There is capacity at the Homestead plant for the existing Village approximately 200 homes. The problem always has been how do we pay to get it served. It is a long distance and that type of money simply was not available. They had a project, the Calton Homes project on Petticoat Bridge Road. There were a number of approvals. One of the properties went to Farmland Preservation, they

had to come back in and negotiate. There was a court settlement between the Developer and the Township that led to approximately 400 homes to be built at that location. Those 400 homes would be serviced by the Homestead plant effectively transferring the gallonage that was reserved for the Village of Columbus to this project. To make it worthwhile for the Township the developer has agreed to donate a property called the Reed Farm where a potential sewer treatment plant could be located as well as the disposal fields and to put up the seed money for the planning, design and construction of the first phase of the sewer treatment plant, which would only originally service the existing Village. That gave them the breakthrough that was needed to deal with the sewer question because prior to that there really was not any answers in terms of where they were going to go with sewer treatment. Without sewer treatment, they are not talking high densities but it is the type of densities that would not work on septic. The sewer actually allowed them to proceed with that. In terms of what the Township was trying to accomplish, in terms of the purposes or the benefits, the goal is to continue to preserve farmland, to maintain a rural character of the Township rather than have a hodge podge of development scattered through out the countryside, again the goal is to concentrate that development. It also allows the appropriate planning to take place for the necessary infrastructure, the sewer, the waterlines, and the roadway system that will allow that to happen. It allowed inner connectivity of open space, wetland corridors, greater setbacks from streams, again to cut back on flooding and those types of issues. Reduce the cost of providing public services and similar type issues. He has mentioned Farmland Preservation, the two, Farmland Preservation and Transfer Development Rights are very similar in some respects. To date the Township has preserved approximately 2,400 acres, actually, the County has preserved it with the Townships assistance. Nonetheless, 2,400 acres are preserved against any future development, which is a large portion of the Township. The red are farms that are already preserved, green was desired and blue was the County proposal to acquire. Since this map, there has been several additional farms that have been acquired bringing the total up to over 2,400 acres. There is an attempt to tie it together into a large grouping of open space and farmland, which is expected to continue. The problem is there is not enough public funds to continue the Farmland Preservation Program in the format that it originally was. The County is still continuing to acquire properties. The kicker is the Township owes a percentage of that purchase price and they have not, do not and will not have those funds available, which means they had to come up with alternatives to deal with it. Both retire the development potential on that particular farm. In the case of Farmland Preservation however many homes could have been built on that property are retired, they will never be built. In the case of the Transfer Development Rights program that farm is protected for the future, is deed restricted for the future but those homes will then be submitted elsewhere. With the continuing Farmland Preservation Program the Counties share of the credits, the number of homes that could be built are retired. For instance, on a 30-acre site our zoning is generally one unit for every three acres we would have ten homes. Approximately eight (8) of those homes would be retired through the Counties efforts two (2) would be still remaining out there, which is the Townships share and they either pay for them to have them retired or they allow them to be transferred elsewhere. That is how the two systems relate. They will continue to operate the Farmland Preservation program, which is their preference. Over the years they retired a number of units, a number homes, maintained large acreage, which he thinks everybody in this Township has enjoyed, it is part of the reason you are here as homeowners and that is what they will continue to do. The next question then became if those are the goals where and how do we define the receiving area. The receiving area that was looked at is the Village of Columbus primarily because of sewer, the existing development patterns and also the amount of vacant land originally surrounding it. What they looked at in terms of that was the number of homes that would have to be supported in that area based on the number of potential homes in the sending area. Right now, they are talking in the neighborhood of approximately 400 possible future homes if everything was built out and that would

translate into thru credits to approximately 950 homes that we are dealing with at this point. We need enough land to support that, enough land to provide the infrastructure, the roadways, the storm sewage collection system and the sanitary sewer system. They also need to take a look at the area of wetlands and streams. They have had constant communication with the State agencies. The State is pushing hard for not just TDR and planned development in Mansfield but also statewide. Nonetheless, they have had significant communication with them and the boundaries have been a work in progress since approximately 2001. He noted that in the sending and receiving area map, the red denotes the receiving lots and he then referred to the map that was the concept development pattern consisting of the roadways as well as the homes and commercial areas. There is significant wetlands to the north and to the west of the existing Village, which is olive green. Therefore, there were constraints in terms of where they could grow. They extended to the north to the new municipal building. There is also a need to tie that into the rest of the Township because right now, it is difficult to get in and out of the building and they are working to resolve that issue. That was the reason for the size and the shape of the receiving area. As you can see to the east, they have preserved farmland so that acted as a constraint. To the west, they have the wetlands and existing development and to the north, they have primarily wetlands and streams and a small northern portion to tie it into the new municipal building. He then asked Mark Remsa to talk about credits and how they relate.

**Mark Remsa** said his job is to tell everyone about the way the transfer development rights credits work. Stating that out in the farmland, referring to the green areas on the sending map that they of that as one dollar. So for every housing unit that is going to be built out there think of it as one dollar. So then, to take the movement of one house or one dollar to movement to this area they have to maintain the value of that when it is moved. The reason is that the lots in the receiving area are a little bit smaller. Therefore, if you will a single family home that is built in here, it does not have a septic system but it has a hook up to a sewer line and it has public water. Out here, it has a septic system and a well but it has three acres of land. Therefore, in order to make the one dollar exchange for over here it might be a dollar and a quarter or a dollar fifty. Therefore, roughly, one and a quarter or one and a half homes here equals one out here. If you play with the mix of the housing units instead of single family homes, Townhomes, the exchange rate changes in order to maintain an exchange rate of one dollar. So, what happens is they look at all of the development potential through out the town where all the farmland is and they remove out the wetlands, the floodplain, the areas you cannot develop on and so you get a fixed number of roughly four hundred and some odd homes and then over here you look at the exchange rate and say it is roughly the nine hundred homes that are over here and that is due to a mix of different housing types and different housing types have different value. That is in general how a TDR program will work and so everything is in play, there could be more homes, there could be less homes but there will not be anything more than the 900 homes and actually as more and more lands are either developed out here or they are preserved the number of credits lessens in the receiving area. He does also want to mention the other thing is they were lucky enough to be working with Mansfield a number of years ago and they had some workshops. Over at the Eco-complex they had work shops and they had people actually playing with legos and they had this whole area laid out and they invited people from the town and many town folks came in and they started to lay things out and so that is how they learned what the residents wanted to see and their receiving area. When they were doing that, they learned two other reasons why the receiving area was so important. One was Florence-Columbus Road goes right thru the historic part of town and many homes are built up on the road and they learned from a lot of the residents that they did not like the truck traffic rumbling thru their historic downtown and so one of the things they learned was to put a by-pass in. Get the trucks and heavy traffic away from the historic downtown. The other thing they learned, many folks liked this little historic downtown but were dismayed by the fact that it was struggling and it is important that the commercial center had faded over

time because the market and the economy have changed. We shop elsewhere. Therefore, they were concerned about somehow getting enough vitality to help revitalize their downtown. Therefore, those were the things that they learned. Not only what Harry said was with Farmland preservation they did not want to see anymore sprawl, they did not want to see farmland gobbled up by large housing lot after large housing lot. So they were the things they learned from the residents when they did those work shops a number of years ago and ever since then they have been lucky enough to be working with Harry and the Town officials in preparing this because there are a lot of steps involved. Many of the costs are actually, you are not paying because he and Mr. Fox come for free so a lot of their planning experience and their work adds no cost to the Town. Therefore, that is a way for the Township Fathers and Mothers to keep the planning costs down. They also have Mr. Melvin thru a grant from the Burlington County Bridge Commission so again there is no costs to the municipality. **Mr. McVey** said he covered the credits well and he appreciates him bring up the costs. He had mentioned that he was going to get back, he had talked about a soup to nuts cost in the order of \$250,000 and \$300,000 and Mr. Remsa is correct, the County has provided numerous assistances with mapping, computer runs, computer generations and research. In addition to that, the State has also stepped up. As he indicated, the State is very interested in seeing a planned development and a TDR type of development and they have been successful in the order of approximately \$150,000 and up in terms of grants. They have several that are currently under way, the design, they have a transportation element to the address the traffic concerns downtown, to address the by-pass Mr. Remsa mentioned. He thinks they are all important issues. Again, the amount of money out of the Townships pocket is relatively small for a project of this magnitude. **Mr. Remsa** said Burlington County has preserved over 50,000 acres of farmland. They are number six in the nation for Farmland Preservation and the urbanized State that New Jersey is and to have County preserve that much farmland is remarkable and that goes back to the 1980's when realtors really started to do this. With such a successful program, the one thing they are learning rapidly is government cannot buy it all and now they are hearing Mansfield not being able to come up with the match that is required. That is understandable because municipalities are under financial stress. There are tools in the toolbox to use to continue your farmland preservation, you use your conventional program like the farmland preservation program. However, if you start using market forces, meaning you have the market help buy and pay for preserving that green so that you can put it elsewhere, that is another tool in the tool box to help stretch that dollar and that is ever so more important for municipalities that do want to continue to preserve farmland and keep their rural character or it will slide away and then after it is developed you turn around and say how did it turn up this way.

**Vice Chairman Semptimphelter** asked if there is a formula or methodology to get from 1 to get to 1.3 or 1.5 specific. **Mr. Remsa** said there is and there is going to be another meeting for that. They hired a consultant under a grant and he does what is called a Real Estate Market Analysis or a REMA and that REMA actually has a scientific method to arrive at the exchange rate. They will be coming back to them with that and that is a very good question and there is a formula. **Mr. McVey** said they are putting a lot of information out, they have some additional information to go, the REMA is a critical part of TDR, it is basically economics and how it works and how it is going to function. They thought it best to keep that separate so that will be the next meeting.

**Mr. McVey** said they did have a series of public workshops, they were not meetings, they were not public hearings, they were workshops back in February 2009. The result of that really came out, what do you want your community to look like, how do you want it to function, what do you like about your community now, what would you like to see changed and the result of that was a lay out of potential housing types, architectural types, concentration of the retail areas, the roadway system, a big factor was inner connectivity with bikeways and pedestrian ways as well as inner connective open space without getting the Township into the ownership and maintenance of that open space. That was all

developed, they spent three (3) Saturdays on that, the plan that is currently being worked on follows that vision planning as prepared by the residents, it is not something the consultants prepared, they helped them get their thoughts out on paper but it basically was what the community group wanted at that point, they did advertising, they did postings, they invited people, anybody that would listen they invited in. They probably averaged on a Saturday morning between 50 and 60 people at a time. Most of them came to all three meetings. It was a very worthwhile process, something he does not think they have ever done here before but as he said, it formed the basis of moving forward in terms of the form-based code.

**Bob Melvin – Group Melvin Design – Planning Firm** was brought on to help with the issue of code. One of the things that comes with this Transfer of Development Right is the fact that the receiving area tends to be more dense than the sending area. As a result, the quality of controls on the design become even that much more important and one aspect, a form-based code versus traditional code is the concept of predictability and predictability of effectuating a vision. In order to do that you have to take the work that Harry's group did through the workshops and turn it from the verbalized vision into code that a developer or a series of developers would follow to effectuate an outcome that is predictable both for the community and for the developer there is this process called form base code. In the old days they would write code, give it a zoning designation, call it R-1 for example, one acre housing, and they would right some rules about, you have to have an acre of land, you have to have a front yard setback, a rear yard setback and then you would walk away and you would watch the development community come forward and implement that. Board after Board over the last 50 years has been surprised at some of the outcomes that their own zoning would allow to take place. With form code, you actually control a lot more of the design process from the public end of the arena. There is what is called a street regulating plan and this the outlines and the basis for a street regulating plan and that becomes codified to make that the connectivity that you would want and the quality of the streets that you would want would be effectuate during the development process. There is an open space regulating plan so that your parks and tot lots and everything do not become areas that are just the remnants or leftover areas found after the developer used the prime land for their purposes for development. Finally, there would be code that would articulate building types and the rules that govern the architecture. So unlike traditional code you actually can regulate where a building sits on a property, the type of the building, where parking is relative to the front yard or the back yard and also the quality of the architecture in the sense of building materials, roof lines, solids and voids and so that in the vision process when you want a more traditional outcome to reflect the heritage of your community it is easier to make sure that the built outcome reflects that. As indicated the two building types more or less specifically in this particular area were going to be single family homes on what they consider small lots and townhouses. What they would also build into a code are max/mins so that it does not become all of one or all of the other but becomes equal to the vision that the community would want to see and similarly how you connect commercial into the overall scheme of things and the quality of that commercials architecture. So, in a nut shell form code still regulates use but it emphasis' is on the quality of the built environment and the form rather than traditional zoning which speaks very little about the design elements and a lot about the use. Therefore, that is why there is a lot of surprises typically in traditional zoning.

**Mr. McVey** said the number they are throwing out tonight of approximately 950 homes is based on about 90% of those being single family detached homes. That appears to be the goal of the Township, that seems to be the way they want to go. There will be a certain percentage that will be allowed to be townhouses and flats primarily to allow for affordable housing that they have to meet under State code. There is also the ability with the way the code is set up to modify that. They can

allow a greater percentage of townhouses for instance if that is the ultimate desire. Affectively, what that does is shrink the amount of land that you need for development purposes.

**Mr. Melvin** said one of the other reasons that this level of details is by State Statute your receiving has to have some rational connection to the sending area in terms of carrying capacity. Therefore, you have to go to this level of detail to see the number of units necessary to effectuate the market transfer of development rights can be accommodated in your receiving area in order for it to be designated as such. Therefore, there is another reason for going to this level of analysis.

**Mr. McVey** said that leads into where do we go from here and what are the next steps. In order to make the TDR program work under the State Codes there are a number of studies that still remain to be done. Probably the most important is the design of the sewer treatment plant and a Wastewater Management Plan to accommodate that as well as an infrastructure plan that then assigns the cost to build that to the individual properties that would be developed. That still remains to be done, that should be going out for bid or approval by the Committee fairly soon. There is also a circulation plan to look at the roadway issues in more depth to analyze traffic concerns and making sure we are not causing problems to go from point A to point B. That is currently in process, that was also funded by the State and it is also the Master Plan revisions. In terms of how the process works he does not want anybody to be under the illusion that this thing is going to happen in the next month or two. They have been after it for ten (10) years, under the best scenario if everything would break and everybody is in agreement the exact way there would not be a home built in this Town, in the Columbus Center, for probably at least five to six years. The reason for that time frame is to finish up the number of studies that they have to get the sewer treatment plant designed and approved. If you followed the recent Wastewater Management Plan you can see why he does not have whole lot of sympathy that we are going to get it approved quickly. DEP does not move quickly in that line of reasoning. Nonetheless, what they intend to do and what they have continued to do is to take the input of the public, Committee, Planning Board and some recycle, if they hear some questions or comments or concerns they go back in and look at the materials that they have already done and they have the ability and have made changes as they have gone along. They original had anticipated a higher percentage of multifamily, the Board and the Committee have indicated they would prefer not to go that route so they redesigned it back. There was originally designs for larger parks and recreation areas, again the Township was of the opinion that they have sufficient large areas of parks and the open space should not become a burden to the Township in terms of maintenance and they built that back into it. The by-pass has been talked about, they have talked about how that is going to be, it is not going to be a four lane divided road, it is going to be a boulevard type, primarily a single lane in each direction, turn lanes, he believe parking but he is not sure. That would be a County Road no parking. The end result is we are going to have a consistent and constant refreshment of what we already have. This TDR Program is like a series of building blocks, the REMA (Real Estate Marketing Analysis) was critical because that set the number of homes that they could expect, that led into the Form Base Code to have additional revisions based on the circulation plan, the sewer treatment plant has to be designed to accommodate that as well as the collection lines. Therefore, it is a constant reworking to take into consideration the concerns and desires of the community.

#### **TOWNSHIP COMMITTEE COMMENTS:**

**Committeeman Gable** said you put a lot of time into your design and the type of housing you want to see there but is there still the opportunity for us to express other concerns or maybe new ideas that we may have, not initially being involved in the plan that you put together. **Mr. McVey** said he does not want to give the impression that anything that they have given is cast in concrete. He thinks there is always room to change with understanding that they have to maintain the land that they have, we

are not going to expand the center boundaries, they have to accommodate all the units but within it that, yes, there is the ability to do that. **Committeeman Gable** asked then every time we do have a farm come up for Farmland Preservation and if we do participate in that, that would then reduce that number of homes that would be available to be built. **Mr. McVey** said that is correct, the County share, which is approximately 80% of the credits on that particular farm, would be retired and all we would have to deal with would be the Township share and were approximately 20%.

#### PLANNING BOARD COMMENTS:

**LaVerne Cholewa** said she sat on those meetings as Mr. Remsa knows and they have had their argument and she hopes they can get underway with this soon, it has been much too long.

**Doug Borgstrom** asked if the Form Base Code was used in Chesterfield's receiving area when they developed their multifamily, single family homes. **Mr. Melvin** said he thinks' it was. He was actually Planning Director of Washington Township, Mercer County during the period of Robbinsville being developed and that is a Form Code and he administered that at that time. Chesterfield the Planner was Clark, Kate and Hanson, he is not exactly sure but they came to visit him in Robbinsville. **Mr. Remsa** said it was a hybrid, there was a Form Based Code element to what they had. **Mr. Melvin** said they have been used in other places and that is one and Robbinsville is another.

**Gary Lippincott** asked suppose there is not enough sending credits sold to build out the receiving, then what happens. **Mr. McVey** said there is nothing in the program that is going to require anybody to participate other than the fact that when the program, if the program is implemented they will assign credits to each of the remaining farms based on the available developable land. If they choose not to develop or choose not to sell the credits rather, there is nothing to require that, that is where the market enters into the picture. If a developer feels he can offer more money to encourage somebody to sell those credits then that is what it will do. **Mr. Remsa** said one thing he neglected to tell them about the transfer of the credits was land has what is known as a bundle of rights. If you put your hand around a bunch of sticks, a bundle of rights and you pull one stick out, that is the right to use air rights, another one is to use the water, another one is to develop, which is the fattest one and then there is another one a right to farm. Therefore you have this bundle of rights, so what happens is when land is preserved whether it is preserved through the Farmland Preservation Program or TDR that big fat stick comes out and taken away and never used. Now what happens is the property owner/farmer he retains all these others because they are all related to farming, so the farmers incentive is he sell these credits, he gets paid for the development right but he gets to keep his farm and could sell the farm again and make more money on it and actually in the County they have seen over the years some of the very beautiful farms in Town, when they auctioned them off those got top dollar at one point in time and over course every farm has different quality of soils and things like that, so the farmer retains that, he can resell that land to another farmer and in many cases there is homesteading rights if a farmer wants to sell it off a little piece to his children or somebody wants to farm it, there are certain rights that get built into that but for the most part he gets the development rights paid for and he gets to keep the land. Therefore, there are some very nice incentives for the farmer or the land owner to participate. **Mr. McVey** said at the end of the day the answer is if the farmer refuses to sell the credits they do not get used and there may be certain areas in the Town Center that just are not developed. **Mr. Lippincott** said most of the core farms in this town have been preserved, it looks like we are jumping all over the Township grabbing little pieces and if a person owns a credit or two is he going to sell one credit and was it a buildable lot to begin with. **Mr. McVey** said we will be ensuring that through the assignment of credits but the bottom line is if there is an interest in development in the Town Center and with the sewer plant and the water and the public infrastructure they believe there will be. They have talked to the property owners. It is going to be up to them. We are not going to tell anybody they have to do it



this way but the economics of the situation will that certain large tracks will develop before others and if all the credits that available go to those then that is what will develop and the rest will remain as open space. **Mr. Lippincott** said suppose the Calton/Carty farm does not sell does that hold us up here, that is a lot of money going towards the sewer plant. **Mr. McVey** said that is something the Township Committee is currently dealing with, there are triggers that have been met by the Township receiving its wastewater management plan, they are suppose to turn over the Reed Farm title as well as some money. Where that is at in the process is currently being discussed at the Committee level. **Mr. Lippincott** asked if it does go with this sewer plant are we going to own it and is it self paying or is all of Mansfield Township paying for it. **Mr. McVey** said it will pay as you go by the new and existing development that will be serviced by the plant, that is the type of information that we really do not have right now in terms of what the cost will be as the plant is designed, the collection system is designed, those costs will be developed and assigned to the development potential of those lots but the goal is not to have the Township on the foot for any of the costs noting it is a user based system.

**Bob Higgins** thanked everybody who made a presentation tonight and told Mr. McVey he has known him for a number of years and this is the best presentation he has ever seen him do and it helped him a lot. He then asked **Secretary Gable** for a date when the minutes are prepared at least for the Board as he knows they cannot be released until they are approved but he feels at this point in time that he would like to read them to come up with questions he has for the professionals. **Secretary Gable** said it would be about a week and a half. **Mr. Higgins** said he will hold all his other questions until he reads the minutes, he appreciates everyone coming tonight, the one thing he expressed is he has lived in this town for about 15 years now and he knows this has been going on for 15 years and he feels sometimes that people move into the Community and did not know what was going on and he understands the concept of buyer beware but buyer beware is only like next door neighbor what is going on here or here and sometimes these people move in and they found out what has been going on for 15 years and all of a sudden it has come to fruition and they get upset. It is really not our fault, it is has been happening for a long period of time and we are not trying to do anything to do it behind you we are trying to be as honest and open as possible. He said Mr. Remsa said we played with legos six years ago and he looks at Kelly Shea and he played with legos twelve years ago so this has been ongoing. This is not just something that has happened in the last year it has been evolving, there has been changes to Master Plans, he does not think he would be upset if somebody is trying to tell me that this is something we try to do behind closed and they have a long way to go between now and it gets put into place.

**Mayor Puglia** asked what affect will TDR have on commercial development in the Township and do they have to participate. **Mr. McVey** said no, it actually does two things. As the plan demonstrates there is a red area that is a designated commercial area in the growth area of the Town Center. That is basically 150,000 square feet that is permissible under the existing zoning. TDR is not going to impact that. All they are doing is taking all the frontage on Route 206 and concentrating it in that one area for a better lay out and better usability. In terms of participating they are not participating in terms of buying and selling credits however he thinks what it does do is provide the number of households. It has more likelihood to provide the convenience, the retail convenience, office, those type of uses that are currently not in the Township. He thinks there is a better likelihood that they will be here based on those households. **Mayor Puglia** said we have properties on Route 206 that have potential. If they wanted to do commercial there would they have to. **Mr. McVey** said they are already zoned commercial, they would be allowed to build. **Mayor Puglia** said the properties were Gilardi and Bradley and the ultimate goal is to have commercial help pay our tax bills that is why we are looking for the warehouses down by the 295 interchange. **Mr. McVey** said this will not impact that. **Mayor Puglia** said that is his concern and that is more important to him to get ratables in here to help.

**Vice Chairman Semptimphelter** would like to echo Mr. Higgins comments, thank you very much, it was a great presentation. He then asked Mr. Remsa that he mentioned that there are 50,000 acres out in Burlington County in terms of Farmland Preservation and we represent approximately 5% of that. **Mr. Remsa** said yes. **Vice Chairman Semptimphelter** then asked what is the goal for Mansfield Township. **Mr. Remsa** said according to your Master Plan the goal is to preserve the remaining green that is not being preserved. **Vice Chairman Semptimphelter** asked that will not change? **Mr. Remsa** said that is it. **Mr. McVey** said I think you bring out a statement that he is not sure you meant to bring out, it is not only the farmland preservation, what this TDR program is, is basically the build out of the Township forever in terms in any residential use. There will be some commercial properties that can be built, there will be some industrial properties that can be built but in terms of homes this is it, this is the full build out of the Township.

#### **PUBLIC COMMENTS:**

**Vice Chairman Semptimphelter** opened the meeting to the public comment noting we will take their comments, not engage in a back and forth type of scenario, and will get back to them regarding their comments if they could not be answered this evening. It was noted there is a sign-in sheet for public comment. It was noted the next Joint Special Meeting to further discuss TDR will be held on Monday, March 18, 2013 at 7:00 p.m. **Mr. McVey** said any questions tonight that relate specifically to something that they presented that you do not understand or that they did not clarify for them they will answer them tonight. In terms of impacts or what other scenarios or what if's those are the type of questions that they will come back and answer that and give them full information on that if you choose.

**Colleen Herbert, 2 Millenium Drive** – She remembers this because she has been here for 23 years, so she remembers the whole by pass thing, she use to live in town and now she lives behind Northern. Her question is she was having a conversation with one of the Principals at the Elementary School mentioning this and she found it a little shocking to hear that they had no clue. Now to her, her concern is 900 homes, a lot more kids, a lot more services and then asked how is this going to affect use of course tax dollars wise and our schools. Our schools are full now. She understands there is going to be some change over and the peaks and all that stuff but her concern is with the budgets, with the numbers of kids per class and the high school is bulging. Therefore, that is her concern, has that been discussed with any of the superintendents in the area because when she spoke to the Elementary School they were like huh. So she thinks that should be something people that need to be brought into your. **Secretary Gable** advised that every month they get agenda's e-mailed to them, so they are aware of what is going on at the Planning Board meetings. **Mrs. Herbert** said getting it and actually receiving a phone call, as we all know we get a million e-mails, she thinks that should be one of the priorities. You know your emergency services, she looks at all these things because she knows it is tough for them now, our people are stretched to the limits and they do a good job. So, her concern is when you bring all these homes in how is that going to affect all this and that would be her concern as a resident living and who has seen, it started before Mapleton moved in she thinks when all this started and then we hit Mapleton and it changed the make up of our community, she is not saying for the good or the bad she just does not know if we were ready for that. She does not know if we were ready for the influx and we are still dealing with some of it so her concern is she knows they want to get it done and has to be done and all that but she would ask that the Committee proceed with all these things and lets learn from our mistakes. **Mayor Puglia** said one of the reasons they kept John Hydock open was for potential growth because his position is they should close John Hydock and move all the children to the new school, that is his position and that is one of the reasons they kept it open because we were looking at a big development in Crystal Lake, about 900 house. If they had closed down that school and then had to reopen it they have to bring it 100% up to code. **Mrs. Herbert** said again, she appreciates his position and the Committee's

position, what she would like to see is active talks and feedback and things like that starting now so that we are not ready to break ground and oh gosh now what. If you could start planning for that and what you want to do that is entirely up to the people who know their job, her point is not to tell you how to do your job her point is to bring a lot of things that came up when they had this boom this year. **Mayor Puglia** said he is not going to get into a debate but he thinks Mr. McVey said six years, he thinks it will be ten years before we see anything happen. **Mrs. Herbert** said you asked for comments, what the public is thinking, that is just her thought.

**Tony Quinto, 27 Waverly Drive** – Sort of piggy backing on what Mrs. Herbert was saying. At about quarter to seven he got a phone call from a friend of his who is on the Board of Education for MTES and wanted to know if he know anything about the meeting at 8:00 tonight to talk about water. His question would be if the Township could make sure that all public meetings are on the website, which triggers an e-mail that goes out. He thought the meeting tonight was at 7:30 and he heard that from someone that is participating in this session here. He is just making sure that good information comes across. That would be his request. **Deputy Mayor Higgins** said you did reach out to me last week and I expressed concern to the Township and it was reconfirmed by Secretary Gable that the information did not get on the website on time. You did call me, I followed up and he apologizes but he did follow up. **Mr. Quinto** said he appreciates that and he thinks the impact to the school is something he would be interested in learning about because even though there maybe notifications presented and he thinks Mrs. Herbert made the point before him the Board of Education should participate in the conversations but he would like to know what the impact and he is sure that would be something that is part of this study that was talked about earlier and then how do they plan on gathering feedback from the communities. It was great to hear about the things that happened in 2009 and this is the result of a community study. He was here in 2009 and he does not remember hearing anything about it but that doesn't mean he didn't receive something. But going forward what sort of proactive efforts will be made to involve the community in this community development if any. He said he does not need any answer right now but that is something he is curious about. He would like to know what the real driver is behind this, he hasn't heard that. He knows Farmland Preservation is something that is stated in the Master Plan but he is not sure he understands why that is important.

**Carl Schwartz, 40 Fitzgerald Lane** – Just to add to Mrs. Herbert's comment whether it is the schools getting involved he thinks the point that he agrees with is that what he heard tonight was the number it was costing \$300,000. I think that is just for your study. I think what we are talking about is what is the cost after we build all these homes. How many more police officers? How many more schools? How many more sanitation? Whatever it is for the infrastructure. You talked about ratables to make money for the community. We are interested in not only maintaining the look of the community but also managing the taxes and the growth.

**Boris Vilic, 30 Waverly Drive** – He thinks when we heard about the plans and trying to make the community look authentic and with the mind of preserving the architectural details, he thinks that all sounds impressive. He reviewed Chesterfield's plans and their plan was really to create a community that looks like the Village of Crosswicks because Crosswicks is beautiful. What ended up happening as many of us go to the new community in Chesterfield because our kids play sports games there, Chesterfield ended up getting their own Mapleton, that is the end result. The architecture may look similar but in the end the community is not the same. He asked if they could follow up with Chesterfield, both people who live there and officials to see how that worked for them because Chesterfield is a very similar community to ours. He echoed he thinks the establishment of the legal nexus will be the key to demonstrate to the community that this is an implementable plan that it will not cost us more in terms of police, in terms of fire, in terms of the sewage. It is sort of disheartening to hear the plan right now is for the sewage to be self sustaining. He thinks that should be one of the base

plans. We should look how it will cost and impact the community moving forward rather than saying this is what we think it should be and the thinks they will get push back. All the studies out there on TDR development it only works if the communities support it. It does not work if the community does not support it.

**Vice Chairman Semptimphelter** said there has been some great comments here tonight and again he thought it was a great presentation. He was hoping for a full house tonight because we need to get involved, we need to get our comments out there, that is what this is all about. We are not ramming anything down anybodies throats. Certainly not this Planning Board, not this Council. There is a lot more to be heard, a lot more to be said and he thinks they did a real nice job in the presentation tonight and he thank them.

**Mr. McVey** advised he has some small scale copies of the map if the public would like a copy to review. Noting it does not have number counts but they can see the layout of the roads.

**NEXT MEETING DATE:**

It was noted the next meeting dates are as follows:

**Special Joint Meeting, March 18, 2013**

**Regular meeting, March 25, 2013**

**MOTION TO ADJOURN PLANNING BOARD MEETING:**

A motion was offered by **Douglas Borgstrom** and duly second by **Douglas Walker** to adjourn the Planning Board meeting 8:07 p.m. Motion carried.

**MOTION FOR ADJOURN JOINT SPECIAL MEETING:**

There being no further business, a motion was offered by **Mayor Puglia** and duly second by **Committeeman Clark** to adjourn the meeting at 8:07 P.M. Motion carried.

Respectfully submitted,

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Michelle L. Gable, Secretary

Township Committee Approval

Planning Board Approval