

**MANSFIELD TOWNSHIP PLANNING BOARD
SPECIAL MEETING
April 10, 2019**

The Special Meeting of the Mansfield Township Planning Board was held on the above shown date with the following in attendance: Randy Allen, Douglas Borgstrom, Frederick Cain, Shane Fleming, Rudy Ocello, Dalpat Patel, Scott Preidel, and Secretary Ashley Jolly. Gary Lippincott and Robert Higgins were absent.

The meeting was called to order by Secretary Ashley Jolly, followed by the flag salute and the following opening statement: Adequate Notice has been provided for this Special Meeting and has been posted on the Official Bulletin Board of the Township of Mansfield, and filed with the Municipal Clerk of the Township of Mansfield, notice of which contained the date, time, place, and purpose of this meeting stating that formal action may be taken.

REVIEW ORDINANCE 2019-8 FOR MASTER PLAN CONSISTENCY:

Attorney Coleman explained that back in 2017 there were discussions with regards to bringing sewer to a number of blocks and lots in the Township; however, currently those blocks and lots do not have the benefit of sewer. The ordinance that has been introduced by the Township Committee as Ordinance 2019-8 is simply an effort to rezone those properties back to the original LI use that they were originally zoned. When this board considered this previously, despite the fact that it was inconsistent with the Master Plan the board viewed it as consistent and approved the Ordinance at that time. This ordinance (2019-8) is consistent with the Master Plan.

Mr. Cain commented that there were discussions with regards to sewer service being provided which would come down Florence-Columbus Road, however, now things have changed and this option is no longer available. There were further discussions regarding reasons why sewer is no longer an option for this area. It was also explained that the property owner preferred that their property be rezoned back to its original LI zoning designation.

PUBLIC COMMENT REGARDING ORDINANCE 2019-8:

There were no comments from the public regarding the above.

RESOLUTION 2019-4-8:

**PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2019-4-8
RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON
FINDING TOWNSHIP ORDINANCE NO. 2019-8, AN ORDINANCE TO REPEAL ORDINANCE 2017-16
WHICH AMENDED CHAPTER 65, ENTITLED "ZONING", IN AND FOR THE TOWNSHIP OF
MANSFIELD,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
CONSISTENT WITH THE MASTER PLAN
OF THE TOWNSHIP OF MANSFIELD**

WHEREAS, pursuant to the Municipal Land Use Law of the State of New Jersey (*N.J.S.A.* 40:55D-26, 32 and 64), the Planning Board of the Township of Mansfield is obligated to review any and all proposed land use control ordinances, including amendments to the Official Map, and make a report of any inconsistencies with the Master Plan prior to adoption by the Township Committee of the Township of Mansfield;

WHEREAS, at its April 4, 2019 meeting, the Township Committee introduced Ordinance No. 2019-8, entitled "AN ORDINANCE TO REPEAL ORDINANCE 2017-16 WHICH AMENDED CHAPTER 65, ENTITLED ZONING,

IN AND FOR THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY” and has referred Ordinance 2019-8 to the Planning Board for the Planning Board’s Master Plan consistency review and recommendation;

WHEREAS, Ordinance 2017-16 re-zoned the following properties (the “Property”) from the LI, Light Industrial District, and made them part of the R-1 District:

- Block 59, Lots 7.01 and 7.02
- Block 60, Lot 6
- Block 800.07, part of Lot 1
- Block 800.08, Lot 1; and

WHEREAS, the Planning Board, as part of its Master Plan Consistency Review of Ordinance 2017-16, recommended that the Property be re-zoned to R-1, notwithstanding the inconsistency of said re-zoning with the Township’s Master Plan; and

WHEREAS, the Township Committee did not adopt a separate Resolution when Ordinance 2017-16 was adopted, setting forth its reasons as to why Ordinance 2017-16 was adopted despite the Planning Board’s determination that the re-zoning was not consistent with the Master Plan, as required by N.J.S.A. 40:55D-62; and

WHEREAS, the re-zoning of the Property was predicated on sewer capacity being made available along the Route 130 corridor from a neighboring municipality in the event that the zoning was changed from Light Industrial to Residential but since the adoption of Ordinance 2017-16, sewer has not been made available and the Township’s efforts to have sewer capacity extended to the Property has been rejected and the ability to develop housing on the Property has been hampered; and

WHEREAS, through this resolution, the Planning Board wishes to memorialize its findings concerning the review and analysis of Township Ordinance 2019-8, repealing Ordinance 2017-16 and re-zoning the Property back to LI, Light Industrial from R-1, Residential.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT:

1. The repeal of Ordinance 2017-16, as set forth in Ordinance 2019-8, introduced by the Township Committee on April 4, 2019, having been previously reviewed by the Consulting Engineer, Planner and Solicitor to the Planning Board and no objection having been identified, are hereby found by this Board to be consistent with the Master Plan of the Township of Mansfield.
2. This Resolution shall constitute the report of the Planning Board required pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-26) for the Planning Board’s review of Township Ordinance 2019-8.
3. The Planning Board’s Solicitor, Consulting Engineer, Planner and Board Secretary are hereby further authorized to undertake any and all action to forward this Resolution to the Township Committee for their consideration prior to adoption of Township Ordinance 2019-8.
4. This Resolution shall take effect immediately.

A motion to approve the above resolution was offered by **Vice-Chairman Borgstrom** and was seconded by **Mr. Allen**. Motion carried on a roll call vote recorded as follows:

AYE: Borgstrom, Allen, Cain, Fleming, Ocello, Patel, Preidel
NAY: None ABSENT: Higgins, Lippincott

COMMENTS FROM THE BOARD:

There were no further comments from the board.

PUBLIC COMMENT:

There were no comments from the public

MOTION FOR ADJOURNMENT:

A motion to adjourn was offered by **Mr. Cain** and seconded by **Chairman Preidel**. All ayes. Motion carried.

Respectfully Submitted by:

Date Approved:

Ashley Jolly, Land Use Coordinator
