

MANSFIELD TOWNSHIP
LAND USE BOARD

Meeting Minutes

Virtual Meeting

May 26, 2020

The regular meeting of the Mansfield Township Planning Board was held on the above shown date with the following in attendance: Chairman, Scott Preidel, William Tahirak, Ralph Wainwright, Shane Fleming, Colleen Herbert, Judith Oiler, Paul Tsiknakis, Frederick Cain, Barbara Crammer, Attorney Tom Coleman, Engineer Mark Malinowski, Planner Edward Fox, Traffic Engineer, Alexander Litwornia, Deputy Clerk Ashley Jolly, and Clerk Linda Semus.

The meeting was called to order by Chairman Preidel followed by the following Opening Statement:

Please note that this meeting is being conducted during the current National Emergency with remote participation in accordance with guidance provided by the New Jersey Division of Local Services, Department of Community Affairs, as set forth in the Public Notice of this meeting.

"Adequate Notice" has been provided for in this Joint Land Use Board Meeting and has been published in both the Burlington County Times and the Trenton Times on May 14, 2020, placed on the official website for the Township and filed with the Municipal Clerk of the Township of Mansfield, the notice of which contained the date, time, URL, audio conference call number and pin/participant code for telephonic access to said meeting. Said notice further contained the purpose of this meeting which is limited to matters necessary for the continuing operation of government and to meet statutorily required deadlines for action by the Joint Land Use Board. Said notice also stated that formal action will be taken on all subjects listed within the notice for the Joint Land Use Board as so noted in N.J.S.A.10:4-8(D), Amended 1981, by including Section 10:4-18 which addressed Regular Meetings Of a Public Body, which is addressed under "Annual Notice".

All members of the public are asked to remain on "mute" and not interrupt or comment except during the Public Comment portion of each application and the Public Hearing portion of the Redevelopment Study as well as the Public Comment for Non-agenda items portion of this meeting. Public Comments will be limited to two minutes and the Board will not entertain repetitive comments. Additionally, please state your name and address prior to making your comment. Since we are conducting this meeting remotely, we will not verbally salute the flag but I request that everyone mentally acknowledge the flag salute.

Application PB2020-2: Final Major Subdivision Approval: Diocese of Trenton, Block 25, Lot 6

Representing the applicant was Michael Butler, Esq. who explained the application for final subdivision. Preliminary subdivision was received in 2017. The property is on the corner of Island Road and Mansfield Road East. The applicant is requesting approval to build 8 single family dwelling. No variances are associated with the application although design waivers will be requested as the meeting moves forward. Mr. Butler referred to the letters received from the planning board professionals. He then introduced Engineer Julia Algeo who was sworn in by Attorney Coleman. She further explained her qualifications which were accepted by the board.

Two exhibits were presented and marked as A-1 and A-2. Mr. Butler explained A-1 as a subdivision plan, dated January 3, 2020, prepared by Maser Consulting. Two other exhibits dated January 31, 2020 and May 26, 2020 were also prepared by Maser Consulting.

Engineer for the applicant, Julia Algeo, referred to exhibit one and explained the 29.9 acre parcel at the intersection of two township roads. Surrounding the property is undeveloped agricultural land or residential dwellings except for the opposite corner where the Mansfield

Elementary School is located. Currently, the land is being farmed. No streams or flood planes are near the property. However, there are some wetlands near the site. An LOI has been received from the DEP which approved the delineation and classified the wetlands as intermediate. Overall, the site contains about 6 acres of wetlands and 24 acres of uplands. There have been no changes since the original preliminary approval was granted in 2017.

Ms. Algeo referred to exhibit two, a layout of the 8 single family residential lots designed under the residential cluster option of the R-1 Residential district requirements. The lots range from 1.2 acres to 16.8 acres. The open space will be privately owned and subject to a conservation easement depicted on the plans, instead of being dedicated to the township. Two lots have access to Mansfield Road East. As part of this project, there will be roadway dedication along both roads but no changes to roadway width. There will be sidewalks along Island Road and a sidewalk contribution will be made in lieu of sidewalks on Mansfield Road East. No lighting will be provided as it would change the character of the area as discussed during preliminary. The only changes from preliminary stemming from discussions at the preliminary meeting related to the conservation easement, adjustment of grading around some septic fields and run off from some lots. Landscaping was supplemented with new planting materials, addition of street trees along Island Road, driveway culverts under driveways and mutual agreement made with adjacent property owner about a stoned driveway. A contribution will be made to Recreation. The applicant has agreed for a deed restriction from future subdivision of the largest lot.

Burlington County Soil Conservation District approval was obtained as well as Burlington County Preliminary and Final Subdivision approval were obtained.

Ms. Algeo commented that all comments of the Litwornia Associates have been satisfied. Mr. Litwornia added that the first 10 feet of the driveways have to be paved. Ms Algero said 10 feet were added to driveways on Island Road and 15 feet on Mansfield Road East.

Comments from the March 10, 2020 letter from Mr. Ed Fox would be addressed by the applicant.

An e-mail had been received from the fire department asking for confirmation that the driveways can accommodate the height and width of a fire truck being 120 inches wide and 144 inches high. The applicant agreed to these measurements.

The March 16, 2020 letter from Mark Malinowski was addressed by Attorney Algeo. No fencing would be constructed along the property line. Trees were addressed. There will be no future disturbance or encroachment in the area of the drainage easement. A five foot taper will be added to the driveway in the plans. Location of the wells will be added. The only lighting proposed are light posts at the end of the driveway. A note will be added to the plan indicting that all debris on the site shall be removed. Detail for the typical Island Road cross section will be added. The applicant agreed to add lot 6.01 as a drainage easement with deed restriction that that area should not be filled in the future. Driveway culverts have been added to driveways of lots 6.07 and 6.08 where they are crossing over the wetlands. A design waiver is being requested from Section 50-7G1 which requires installation of standard headwalls for all piping. Ms. Algeo explained their design proposal which they felt was appropriate for this property. Another design waiver which requires a minimum cover of the storm sewer was requested. She then explained that their resubmission will include revision of slope of a particular pipe so no design waiver will be necessary. In addition the lowest elevation of the proposed driveway on Lot 6.08 will be indicated on the plan.

Engineer Algeo stated that sidewalk contribution and performance bond will be posted. Contribution in lieu of on site active recreation will be posted. All outside agency approvals will be provided. The site will be provided with water from New Jersey American Water. On-site septic systems will be provided.

Planner Ed Fox noted that the applicant, as final conditions of approval, is subject to an inclusionary housing fee for each house built.

Mr. Malinowski referred to design waivers the applicant is requesting. Based on the testimony of the applicant's engineer, he has no issues granting the waivers. An environmental assessment has been re-issued. This has addressed most of the comments. In speaking of the possibility of underground storage tanks, he felt there should be stipulation that the presence of any underground storage tanks around the remnants of the structures should be identified prior to either the building permit or agreement of sale. Mr. Malinowski referred to possible ground contamination as a result of activity at the high school site. Mr. Butler, Attorney for the applicant, said contact would be made with the Burlington County Health Department, to determine whether any further restriction should be put on these properties as a result of this contamination. He felt this should be a condition of approval.

Board member comments were as follows: Frederick Cain referred to natural pooling of water in the southeast corner. He questioned how this drainage problem would be addressed. Engineer Algeo explained their proposal for a drainage trench to help direct and capture some of the run off and direct it toward the open space areas. Mr. Cain said he hopes this works as, every time it rains, it pools there. Engineer Algeo referred to stoned driveways as well as piping in the driveways. Mr. Cain questioned whether the proposed piping would be sufficient. Mr. Malinowski said the applicant provided drainage calculations indicating the pipe will handle the capacity of water runoff. Ponding may continue since it is wetlands.

Colleen Herbert said she had concerns about the lighting. She felt their lighting was not ample. This should be addressed.

William Tahirak spoke about the conservation areas. Engineer Algeo spoke of the vegetation in the area of the southern side as well as the area on the northwest which will be protected with a conservation easement as well as area between two driveways which is wooded and will be retained and part of the conservation easement. On the north side of Lot 6.06, the existing vegetation will be cleaned up but the select trees will remain and new vegetation installed. This will also be protected by the conservation easement. Attorney Butler explained that anything in the conservation easement remains in the original state. The future resident will have to comply with the easement.

Mr. Tsiknakis referred the driveway with the exit on Mansfield Road East through the wet section, he asked if there could be one driveway in this area instead of two. Attorney Butler said this is a possibility although there is an existing driveway going through the wetland area. There will be the required DEP permitting to be able to accomplish the driveway. Engineer Algeo further explained how they are improving the conditions at this area and protecting the wetlands.

Mr. Malinowski noted that their application before the DEP will address this issue. He explained some other options but felt stipulations from the DEP will provide answers.

Mr. Tsiknakis referred to the ponding issue and how the water has, in a heavy rain, even gone across the roadway. He was concerned over the situation. Engineer Algeo referred to their site calculations, they demonstrated they meet the stormwater regulations. She further explained the flow of the proposal and that it should be a decrease in run off. The corner will still be a low lying area and water will pond there.

Mr. Tsiknakis referred to the possibility of an underground storage tank. He was told it was undetermined whether there was or wasn't one.

Chairman Preidel opened the public hearing.

From the audience, Robert Tallon, 2454 Axe Factory Road, commented on the driveway through the wetland area. He said this is frog habitat. He was concerned over running through this area as it gets special protection. He also questioned whether the application should do any construction before the LOI is finalized. Mr. Butler said the LOI has been submitted and approved by the DEP. They are not doing any construction presently until they receive approval. They currently have applications at the state for the design presented currently. Mr. Tallon was

told there is an existing driveway providing access to the back of the property. The proposed driveway is in the transition area.

Dottie Wirth, Route 206. Columbus, referred to water service which will be provided by New Jersey American Water. She questioned the prior limitation by the water company that no new development could be served by the water line. She questioned whether that had been changed. Mr. Butler said he knew of no restriction. Mrs. Wirth asked the applicant to check on this.

Kate Tallon, 53 Oak Lane, New Egypt, NJ, she said she knew of other residents with flooding issues on Mansfield Road, some on Wayne Drive. She asked if the board was taking into consideration the cumulative potential flood effects of all impervious surfaces in the area. Attorney Coleman said they look at this application on its own merit and, currently, the testimony from the applicant is that the drainage plan and the stormwater plan meets the current regulation. Ms. Tallon said she did not want to see the township encounter another legal battle down the road because they didn't take this into effect.

Hearing no more comments, a motion was offered by Scott Preidel and second to close this portion of the meeting.

Attorney Coleman asked to clarify the lighting issue. William Tahirak felt this was a dark street at night and lighting in this area would be beneficial. In taking a poll, there was a sufficient amount of board members who would like the lighting.

A motion was offered by Scott Preidel to approve this application and asked for Attorney Coleman to address the conditions for the final major subdivision for 8 lots as follows:

Plans will be reflected that individual residential ornamental lot lighting at the end of the driveway will be included, deed restriction for future subdivision, there will be gravel paving, contribution for sidewalks and recreation fund, conservation easement, nature of property to remain in vegetative state, design waivers for size and scope of piping and culvert sizing, a survey for possible location of underground storage tank and if it is determined, soil samples will be taken to determine if any contamination, the applicant will notify the County or DEP to determine whether the existing High School clean-up has any impact on any of these lots and, if so, there will be a deed notice of restriction whether the lots future use in terms of a well is restricted. The applicant has agreed to work with the Board's Engineer to determine whether the driveway and septic on lot 6.01 can be flipped to alleviate any future issues.

The motion was second by William Tahirak and carried on a Roll Call Vote, recorded as follows:

AYE: Cain, Fleming, Herbert, Tahirak, Wainwright, Tsiknakis, Crammer, Preidel
NAY: Oiler
ABSENT: Borgstrum, Higgins, Sgro

**APPLICATION: PB2020-3: Minor Subdivision Application Extension, Rockwell,
Block 33.04, Lots 9.01 and 9.23, 14 Sheffield Drive**

Chairman Preidel explained this application for a previous approved minor subdivision.

Attorney Jonas Singer, representing the applicant introduced Engineer Kornick who was sworn in by Attorney Coleman.

Upon giving his educational background and experience, Mr. Kornick was accepted as representing this applicant.

Mr. Singer explained this application for a minor subdivision and variance relief. The minor subdivision is a lot line change by transferring 615 square feet from lot 9.23 and adding it to 9.01. The variance request for re-approval is for lot frontage. The request for re-approval is necessary because it was not perfected within the mandatory 190 day period. Mr. Kornick

explained the reason for this was because there were some difficulties with files and were not able to codify the approval. Therefore the survey was re-created and re-submit. As part of that, they have taken ownership of the survey since it was done by a prior engineering firm. The comments of the board's professionals have been addressed. Mr. Kornick then explained the plans submitted at this time was the same plan as before with revisions to address the board's engineers review letter. The plans were marked as Exhibit One. It includes a modification of the lot line adjustment to accomplish the construction of a septic system.

The letter from Stout and Caldwell dated March 11, 2020 was reviewed. Mr. Kornick said he will work with Mr. Malinowski's office in regard to the freshwater wetlands as it relates to this minor subdivision. A wetland permit had been issued but it had expired. An updated LOI or an extension of the previously issued LOI should be submitted. Mr. Kornick said that, if this extension is approved, they will incorporate the changes addressed in the review letters to this minor subdivision plan into the site plan which is to be submitted.

Ed Fox referred to his review letter dated March 12, 2020. In terms of planning, there are no significant planning issues of substance. However he questioned the application and whether it is a new subdivision or an extension of the original. Attorney Coleman said this is a new application for a new subdivision although somewhat consistent with what was previously approved.

Attorney Singer said his application will comply with the comments of the Board's professionals.

Chairman Preidel opened up the Public Hearing. With no comments or questions, the public portion was closed.

Chairman Preidel opened the meeting up to the board members. Mr. Tahirak asked if the improvement was to accommodate the septic system. He was told yes. Chairman Preidel asked if the lot line change affects the ingress and egress. Mr. Kornick said everything stays the same.

A motion was offered by Fred Cain to approve this application for a minor subdivision for a lot line adjustment. The approval would re-affirm the variances previous granted subdivision allowing a 383 lot frontage for lot 9.01 and 583 frontage for lot 9.23, lot coverage of 32.5% for 9.1 and a side yard setback of 15 feet adjacent to lot 9.23. The variance would allow a 6 foot tall vinyl fence and one free standing sign. The motion was second by Bill Tahirak and carried on a Roll Call Vote, recorded as follows:

AYE: Cain, Tahirak, Fleming, Herbert, Wainwright, Oiler, Tsiknakis, Crammer, Preidel
NAY: None ABSENT: Higgins, Sgro, and Grouser ABSTAIN: NONE

APPLICATION PB2020-4: Minor Subdivision Application, Block 29, Lot 12, 399 New York Ave.

Chairman Preidel explained this subdivision in the R-4 Zone, to subdivide the lot into two conforming lots.

William Parkhill from MidAtlantic Engineering was in attendance. Also in attendance was Attorney William Slover from Lanciano & Associates representing the applicant. Joe Lippincott, one of the principals of the applicant.

William Parkhill was sworn in and presented his credentials as engineer after which he was qualified as a witness in this matter. Mr. Parkhill described the character of the neighborhood and the surrounding properties as being densely populated area. The proposed plan creates a minor subdivision to create a lot from one that is existing. If the lots were served by public water and sewer, both lots would be conforming with the exception of the existing dwelling on proposed lot 12.02 which encroaches into the right-of-way as is typical of all lots on the street. With the exception of the encroachment, the lots as proposed would comply with the R-4 zoning.

Mr. Parkhill agreed to the Project description and the bulk variance section of the Stout and Caldwell letter. In addressing the review comments of the Stout and Caldwell letter, Mr. Parkhill agreed to the review comments of the letter and elaborated on the overall drainage which flows from the south to the north. Any minor variations will be handled on the lots. There is an existing septic system on lot 12.02 where there is an existing house with an old cesspool. However, the county has witnessed soil borings for a septic approval for that existing dwelling. There will be the need for septic approval for the new lot. He said he did not anticipate any problem with this.

Mr. Parkhill further explained the minor subdivision plan to divide the lot into Lot 12.01 into 18,805 square feet and 12.02 into 16,912 square feet. On lot 12.02, the applicant will maintain the existing dwelling and garage in the rear with new septic system. Lot 12.01 is proposed for a single family dwelling to be constructed.

Mr. Parkhill referred to Ed Fox's review letter dated May 20, 2020. Since the lots are located in the R-4 district, they are required to follow the requirements of the R-1 district. Variances are requested for both lots including minimum lot area, lot frontage, front yard setback, side yard setbacks. He noted that the lots sizes are typical of the neighborhood and will fit into the area. He noted that city water is available at this location.

Mr. Parkhill's aerial photo was to be marked as Exhibit A-1. The proposed subdivision plan submitted with the application was to be marked as Exhibit A-2.

Mr. Fox addressed his letter dated May 20, 2020. Although already addressed by the applicant, he did said the application came through without the benefit of a check list which he felt should be included. He advised the applicant to include a signature block on the plan to include the other owner, Deborah Lippincott. He referred to prior ownership and use of the property which included two houses at one time. This might make the property consistent with the Municipal Master Plan which encourages historic preservation and revitalization of the Village of Columbus.

Engineer Malinowski said a stormwater narrative should be provided for review to ensure no excessive runoff or drainage issues to either of the newly created lots. This was testified to and addresses how this is not a major development as far as stormwater regulations are concerned. The applicant agreed to this. He had no further issued.

Alexander Litwornia advised site triangles to be dedicated and there should be turn arounds so traffic does not have to back out onto the street.

Chairman Preidel opened the public hearing. Robert Tallon, 2454 Axe Factory Road, referred to existing problems with septic systems in Columbus. As long as the health department approves the septic, he said he wasn't concerned. If 3 acre lots be subject to subdivision now? Chairman Preidel explained the zoning is R-4 in this area if there is sewer. Engineer Slover said this would be conforming is there was access to sewer. The only variance that would be required would be set back. They are asking to develop this property in the manner consistent with the other properties developed in the village. He felt this is clearly different than allowing divisions of 3 acre lots.

Attorney Coleman said each application is considered on its own merits and further explained this particular application.

Fred Cain questioned whether access to the new subdivision septic system will be through an adjacent property. Mr. Parkhill said the need from cross-accnt easements will not be required.

Bill Tahirak asked if there will be a driveway on the new property where the owner can park a car. Mr. Parkhill said the proposed dwelling will provide off-street parking.

A motion was offered by Fred Cain to approve this application for minor subdivision for the creation of two new lots with variances as per Ed Fox's May 20, 2020 letter for lot size, front yard setback, side yard setback, and lot size. Mr. Tahirak questioned off-street parking in concern for lack of availability on New York Ave. The applicant agreed to provide off street parking for both lots. The motion was second by Scott Preidel and carried on a Roll Call Vote, recorded as follows:

AYE: CAIN, FLEMING, TAHIRAK, TSIKNAKIS, PREIDEL

ABSTAIN: HERBERT, CRAMMER

ABSENT: HIGGINS, SGRO, GROUSER

Redevelopment Study: Non-Condemnation – Planner Edward Fox
Block 59, Lot 7.01 (5206 Route 130)
Block 59, Lot 7.02 (4214 Route 130)

Mr. Edward Fox reported that the Township Committee passed Resolution 2010-12-5 requesting the Planning Board for confirmation that the two above mentioned properties, known as the Jones Farm, meet the statutory criteria for an area in re-development. The Planning Board's obligation is to make a recommendation on the preliminary investigation as to whether the Township Committee should determine that the two properties meet the criteria. Once this is determined, the Township Clerk sends the document to the Department of Community Affairs who will review it to see if it meets the state criteria. In order for any financial benefits or any redevelopment benefits to occur on the property, the township Committee has to develop a re-development plan which has to be introduced as an ordinance which, if necessary, will amend the zoning for these two properties so that the redevelopment can happen. The Planning Board is to decide whether the redevelopment is consistent with the Township Master Plan.

Mr. Fox then went through the preliminary investigation. He recommended that the Board accept the recommendation that the two properties meet the re-development criteria.

Chairman Preidel opened the public portion. Robert Tallon, 2454 Axe Factory Road, disagreed making this a redevelopment area due to the Kinkora Trail goes through the area. This is part of the Delaware Heritage Trail network. The County spent millions putting the trail through there and, if it gets developed, it will put the development right against the beautiful trail that many people use. In addition, Mr. Tallon felt we have enough pilot programs which he felt did not offset the school taxes and our county taxes. There are already two big warehouses on the Florence-Columbus Road that are part of the pilot program. He felt we shouldn't go around our township and redevelop every plot of open farm area as redevelopment area. In addition, across the street it is environmentally sensitive. He felt this is not a good use for the area and he is totally against it.

Mr. Fox responded said he made the recommendation that it does meet the statutory criteria. The redevelopment plan does take into consideration property sound buffering and visibility buffering of this potential development in regard to the recreational trail. This would be a site plan issue.

Maryann Jones, one of the owners of the property, 200 Juniper Street, Burlington, NJ said it has been zoned Light Industrial. She said they are under contract for a warehouse and asked if they will be able to move forward.

Mr. Fox responded and explained that, in order to be developed, it needs to be declared an area of redevelopment because it can't be developed unless there is sewer service provided by another township or a special wastewater treatment plan would have to be approved by the DEP because of the soils on the property would make it difficult.

Mrs. Jones question whether the sewer could be on lot 7.02 to which Mr. Fox responded that it is not big enough.

Attorney Coleman explained that this is just to determine whether or not the property qualifies for a redevelopment. Her questions deal with site plan issues and that is not the function of the board this evening.

Mr. Fox further explained the actions Mrs. Jones should take.

With no further comments, Chairman Preidel closed the public portion of the meeting.

Chairman Preidel opened to comments from the board. William Tahirak asked if approval is requested tonight. Mr. Fox responded noted that this is a non-condemnation area which means there is no ability for the Township Committee to seize the properties.

Attorney Coleman said that it is the desire and intent of the Township Committee that the Board act on this at this meeting.

Chairman Preidel questioned Mr. Fox on the landscape buffer along the Rails and Trails. He also asked if there is a landscape buffer along the Wainwright farm to the east and should this be included in the resolution that the board requests it. Mr. Fox then explained this can be discussed at the next meeting.

A motion was offered by Shane Fleming. There was no second.

William Tahirak made a motion to table this resolution to give everyone an opportunity to walk the trail next to the property and to review the environmental issues. Attorney Coleman felt the clear direction from the Township Attorney is that they would like this acted on this evening.

Chairman Preidel made a second to Shane Fleming motion to approve the request as per the following Resolution. Motion carried on a Roll Call Vote, recorded as follows:

AYE: FLEMING, CAIN, HERBERT, TSIKNAKIS, CRAMMER, PREIDEL
NAY: TAHIRAK
ABSTAIN: WAINWRIGHT, OILER
ABSENT: HIGGINS, GROUSER, OILER

**RESOLUTION 2020-5-9
RESOLUTION 2020-5-9**

REVIEWING INVESTIGATION OF JONES FARM STUDY AREA, BLOCK 59, LOTS 7.01 AND 7.02, DETERMINING THAT SAID AREA QUALIFIES AS A NON-CONDEMNATION REDEVELOPMENT AREA AND RECOMMENDING TO MANSFIELD TOWNSHIP COMMITTEE THAT SAID AREA BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA

WHEREAS, on December 9, 2019, by adoption of Resolution 2019-12-5, the Township Committee of the Township of Mansfield, Burlington County, New Jersey authorized the Township of Mansfield Planning Board (now Land Use Board) to undertake a preliminary investigation to determine whether the following area of the Township qualifies as a “Non-Condensation Redevelopment Area” according to the criteria set forth in N.J.S.A. 40A:12A-3 et seq. of the Local Redevelopment and Housing Law (“LRHL”).

A. Jones Farm Area, Block 59, Lots 7.01 and 7.02

WHEREAS, as requested by the Township Committee, the Land Use Board Planner, Edward Fox, AICP, PP, Environmental Resolutions, Inc. prepared a written report on the Investigation for Determination of the Jones Farm Study Area as a Non-Condensation Redevelopment Area (the “Investigation Report”) which contained maps showing the boundaries of the potential Non-Condensation Redevelopment Area and the location of the property included therein and provided findings and recommendations setting forth the basis for and results of the investigation; and

WHEREAS, as required by the LRHL, N.J.S.40A:12A-6, after the required public notice, the Land Use Board has conducted a public hearing on May 26, 2020, to review and consider the Findings and Recommendations as set forth in the Investigation Report, and has heard any public comments from persons who were interested in or would be affected by a determination that the Jones Farm Study Area qualifies as a Non-Condensation Redevelopment Area; and

WHEREAS, the Land Use Board agrees with the Recommendations of the Investigation Report and finds that the Jones Farm Study Area qualifies as a Non-Condensation Redevelopment Area; and,

WHEREAS, the Land Use Board adopts the Recommendations in Part IV of the Investigation Report that the Jones Farm Study Area meets the statutory criteria for a Non-Condensation Redevelopment Area, as set forth in N.J.S. 40A:12A-5, specifically that (i) Block 59, Lot 7.01 meets statutory criteria "c" as unimproved vacant land that has remained so for a period of 10 years and that by reason of its location, remoteness, lack of means of access to development, topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital; (ii) that Block 59, Lot 7.02 meets the statutory definition for a "redevelopment area", which may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary for the effective redevelopment of the area of which they are part and finally, (iii) that both Block 59, Lots 7.01 and 7.02 meet statutory criteria "h" for the designation of a designated area as a redevelopment area consistent with smart growth planning principles adopted pursuant to law or regulation.

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Township of Mansfield, County of Burlington, State of New Jersey, that, pursuant to the authority of the LRHL, N.J.S 40A:12A-7e, having reviewed the Investigation of the Jones Farm Study Area, Block 59, Lots 7.01 and 7.02, and having determined that the Study Area meets the statutory criteria for a Non-Condensation Redevelopment Area, does hereby recommend that the Township Committee of Mansfield Township designate the Jones Farm Study Area, Block 59, Lots 7.01 and 7.02 as a Non-Condensation Redevelopment Area.

RESOLUTION 2020-5-10: Reviewing Jones Farm Redevelopment Plan for Block 59, Lots 7.01 and 7.02 and referring same to Mansfield Township Committee for Consideration and Adoption

Chairman Preidel asked if his comments about the landscape buffer could be written in the resolution. Mr. Fox confirmed. Mr. Preidel further asked if the landscape buffer could be 50 foot with a fence to prevent noise. Mr. Fox said the ordinance is 20 feet. Mr. Preidel then asked for 30 feet and asked about buffering on the Wainwright farm. Mr. Fox explained further changes.

Chairman Preidel opened the public hearing.

Robert Tallon 2454 Axe Factory Road, said it sounds as though this project is already built and the Planning Board has no input at all.

John O'Callaghan, New Egypt, NJ asked how this plan stays consistent with the Master Plan. Mr. Fox explained.

Resident from 2949 Kinkora Road spoke of revitalizing the neighborhood and who they are revitalizing it for, not the current residents but for people coming here. She felt the township is dictating to the Planning Board. Mr. Fox responded.

Hearing of no more public comment, this portion was closed by Chairman Preidel.

A motion was offered by Chairman Preidel to approve the following resolution with the recommendation of a 30 foot buffer along the Rails to Trails with a berm and sound proof

appropriate fence. Motion second by Shane Fleming and carried on a Roll Call Vote, recorded as follows:

AYE: Preidel, Cain, Fleming, Herbert (with comment that the Township Committee consider the Planning Board suggestions), Tsiknakis (with the buffer) Crammer, Preidel

NAY: None

ABSTAIN: Wainwright, Oiler

ABSENT: Higgins, Grouser, Sgro

RESOLUTION 2020-5-10

REVIEWING JONES FARM REDEVELOPMENT PLAN FOR BLOCK 59, LOTS 7.01 & 7.02 AND REFERRING SAME TO MANSFIELD TOWNSHIP COMMITTEE FOR CONSIDERATION AND ADOPTION

WHEREAS, on December 9, 2019, by adoption of Resolution 2019-12-5, the Township Committee of the Township of Mansfield, Burlington County, New Jersey authorized the Township of Mansfield Planning Board (now Land Use Board) to undertake a preliminary investigation to determine whether the following area of the Township, qualified as a “Non-Condensation Redevelopment Area” according to the criteria set forth in N.J.S.A. 40A:12A-3 et seq. of the Local Redevelopment and Housing Law (“LRHL”).

A. Jones Farm Area, Block 59, Lots 7.01 and 7.02

WHEREAS, as requested by the Township Committee, the Land Use Board Planner, Edward Fox, AICP, PP, Environmental Resolutions, Inc. prepared a written report on the Investigation for Determination of the Jones Farm Study Area as a Non-Condensation Redevelopment Area (the “Investigation Report”) which contained maps showing the boundaries of the potential Non-Condensation Redevelopment Area and the location of the property included therein and provided findings and recommendations setting forth the basis for and results of the investigation; and

WHEREAS, as required by the LRHL, N.J.S.40A:12A-6, after the required public notice, the Land Use Board conducted a public hearing on May 26, 2020; to review and consider the Findings and Recommendations as set forth in the Investigation Report, and heard any public comments from persons who were interested in or would be affected by a determination that the Jones Farm Study Area was a Non-Condensation Redevelopment Area; and

WHEREAS, the Land Use Board agreed with the Recommendations of the Investigation Report and found that the Jones Farm Study Area qualified as a Non-Condensation Redevelopment Area, and, pursuant to N.J.S. 40A:12A-6(b)(5)(a) recommended that the Township Committee declare the Jones Farm Study Area to be a Non-Condensation Redevelopment Area; and

WHEREAS, the Land Use Board memorialized said findings by adoption of Resolution 2020-5-9; and

WHEREAS, in the event that the Land Use Board agreed with the Investigation that the Jones Farm Study Area qualified as a Non-Condensation Redevelopment Area, the Land Use Board Planner, Edward Fox, AICP, PP, Environmental Resolutions, Inc. further prepared a Redevelopment Plan for the Jones Farm Non-Condensation Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, at the May 26, 2020 Land Use Board hearing, the Land Use Board further reviewed and considered the Redevelopment Plan for the Jones Farm Non-Condensation Redevelopment Area, including the Plan’s relationship to pertinent municipal development regulations in the Mansfield Township Master Plan and its relationship to definite local objectives., including redevelopment of qualified areas of the Township. The Board specifically found that, while the Jones Farm Non-Condensation Redevelopment Area had previously been designated in the Master Plan as a potential affordable housing site, the adoption of the current Housing Element and Fair Share Plan as approved by the Superior Court of New Jersey, Burlington County, and

adopted by Mansfield Township, eliminated the need for an affordable housing designation and that the Area should be redeveloped in a manner consistent with and utilizing its current Light Industrial zoning permitting warehouses and distribution facilities.

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of the Township of Mansfield, County of Burlington, State of New Jersey, that, pursuant to the authority of the LRHL, N.J.S 40A:12A-7e, having reviewed the Jones Farm Redevelopment Plan and determined that the provisions of same are substantially consistent with the Land Use Element of the Mansfield Master Plan, or are designed to effectuate the Master Plan, does hereby refer the Jones Farm Redevelopment Plan for the Jones Farm Non-Condensation Redevelopment Area, Block 59, Lots 7.01 and 7.02, to the Mansfield Township Council for further consideration and possible adoption.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Land Use Board of the Township of Mansfield, County of Burlington, State of New Jersey, that the Land Use Board recommends the following revision to the Redevelopment Plan:

1. The width of the required landscape buffer along the Kinkora Trail area of the adjacent County Park be expanded from 20 feet to 30 feet.

COMMENTS:

Mr. Cain asked everyone to stay well.

PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Bob Tallon, 2454 Axe Factory Road, said he doesn't think the Township Committee respects the board members and the time and effort as members of the board. He said he is very upset with them.

MOTION TO ADJOURN

A motion was made and second to adjourn.

Respectfully submitted,

Barbara A. Crammer, Deputy Clerk