

MANSFIELD TOWNSHIP PLANNING BOARD
REGULAR MEETING
August 24, 2020

The Regular Meeting of the Mansfield Township Planning Board was held virtually on the above shown date with the following in attendance: Scott Preidel, Douglas Borgstrom, Frederick Cain, Colleen Herbert, Robert Higgins, William Tahirak, Ralph Wainwright, Judith Oiler, Paul Tsiknakis, Jeffrey Grouser and Barbara Crammer .Also in attendance was Deputy Clerk Jolly, Clerk Semus and Land Use Secretary Baker-DiCamillo. Joseph Sgro and Shane Fleming were absent.

The meeting was called to order by Chairman Scott Preidel, followed by the flag salute and the following opening statement:

Adequate Notice has been provided for this Joint Land Use Board meeting and has been published in both the Burlington County Times and the Trenton Times on July 19, 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, stating that formal action will be taken as so noted in NJSA 10:4-8(d), Amended 1981, by including Section 10:4-18 which addresses Regular Meetings of a public body, which is addressed under “annual notice”.

Deputy Clerk Jolly further stated that all members of the public are asked to remain on “mute” and not interrupt or comment except during the Public Comment portions of the meeting. Public Comments will be limited to two minutes and the board will not entertain repetitive comments. During the public comment portion of the meeting, participants were asked to please state their name and address for the record.

APPLICATION PB-2020-11: Christopher Pukenas

189 Public Rd. Bulk Variance (continued from last month)

Attorney Coleman swore in Mr. Pukenas. He asked if he was handling the application himself. **Mr. Pukenas** stated he was handling it with **Mr. Murphy** who was also on the dial in. **Attorney Coleman** swore **Mr. Murphy** in. **Attorney Coleman** attested to **Mr. Murphy’s** credibility as a professional. **Mr. Murphy** than presented the application as submitted for relief. **Attorney Coleman** questioned on the surrounding lots and sizes. **Attorney Coleman** verified that the lot is .34 acres.

Planner Fox reviewed his letter submitted on the application. **Planner Fox** stated he had 3 observations for Mr. Murphy. First was on the letter of interpretation dated 2003, regarding the wetlands on the adjacent property, also stating letters of interpretation are good for 5 years. Planner Fox stated the letter was 17 years old and asked Mr. Murphy for an explanation on the wetlands buffer.

Planner Fox than presented observation 2, on the uniqueness of the lots on Public Rd., lots 42.07 and 42.09 have a 5 ft. right away. He attested to the right away on the other lots and questioned if there were any easements ect. on the property. Mr. Murphy stated no, and stated a survey on the title was done.

Planner Fox than proceeded with his last question. **Planner Fox** stated it is a wooded lot and talked on the the ordinance, Chapter 60-D. Questioning on the clearing of the lot and the trees.

Mr. Murphy stated that between 75-80% of the lot would be cleared for the well and the septic and the footprint of the structure. He stated as to the plan provided with the application shows where the woodline remains.

Planner Fox thanked **Mr. Murphy** and **Mr. Pukenas** and stated that was all he had. Attorney Coleman that weighed in on his conversation with the Forester and **Planner Fox**.

Mr. Pukenas than asked to speak and questioned if he was approved tonight under the condition that The Forester had to approve the tree removal, could he then be denied because of The Foresters recommendations. Attorney Coleman than commented on the fact that there was no tree removal plan. Attorney Coleman went on to clarify that the professionals nor the board can comment on what the Forrester would do with no tree plan. He said he would not offer an opinion. Engineer Malinowski than took over on comments. He stated he had received the revised plan, and his review letter that he spoke on.

Traffic Engineer Litwornia than gave his statements on his review letter. He spoke on the items noted on his review letter, specifically, the 5 ft. road widening easement.

Chairman Preidel questioned **Traffic Engineer Litwornia**.The applicant had no comment.

Chairman Preidel opened up public comment .

Bob Tallon 2454 Axe Factory Rd. Open flood hazard application, LOI from 2003, nitrate modeling with 3 acre minimum. He asked the board to consider these items in making a decision.

Roy Gordon attorney for Nestor Monteesio, owner of an adjoining lot at 193 Public Rd. Variance should be denied for environmental reasons. Gave testimony as to why. Alloway Creek which flows into Sharps Run. Stated the LOI being 17 years old is not to standard. It would lower his property value, and impose on his privacy due to the removal of trees.

Frank Pinto 420 Island Rd. 2012 the DEP did a wetlands overlay. Shows the wetlands overlaying the property. The neighbours have an expectation of the 3 acre minimum. He also stated that the notice in the paper did not state a 2 minute limit for the meeting. That it was only for the Township Committee meeting.

Dan Galenda 18 Georgetown Rd., Columbus. Encourage the board of the Environmental Impact Study form 17 years ago. So much has changed. Please consider when making a decision.

Chairman Preidel closed the public portion. **Attorney Coleman** addressed **Mr. Pukenas** or Mr. Murphy asking if they had any closing statements before the board considers. **Mr. Pukenas** stated he had to gather information.

Chairman Preidel opened it up to board members. He wanted to speak for himself. He wants a new letter of interpretation, and he is not in favour. He wants to hear the other boards members thoughts.

Jeff Grouser asked **how** this lot came about, when it has a lot wrapping around it.

Planner Ed Fox is going to find out. **Jeff Grouser** commented on it again, wondering how it happened and wanting a wetlands plan.

Mr. Borgstrom, no comment.

Mr Cain had the same issues, with the lot size and new LOI.

Ms. Herbert, no comment.

Mr. Taharik, same concerns of the others, the wetlands are closer to the property than showing on the map. Darianage and flooding were his issues of comment.

Mr. Wainwright, nothing.

Ms. Oiler had a question for **Mr. Pukenas**, as to how long has he owned it? He stated he did not own it yet, his purchase was based on approval.

Mr. Tsinakis had no other questions, but has reservations based on the comments made.

Ms. Crammar, referred to letter from forester, **Mr. Knezdic**. He observed specimen trees, and spoke on his letter and its intent.

Mr. Higgins commented on lot size. He has serious concerns.

Chairman Preidel, asked if the engineer, had a deed on when it was subdivided. Mr. Murphy does not have it or know the year it was subdivided. Attorney Coleman commented on the issue of the concerns of the board, and his sharing of knowledge on moving forward. He asked if they wanted to proceed, or put it on hold and come back. Attorney Coleman clarified that they wanted to proceed. Members of the Board were asked if they heard sufficient evidence.

Attorney Coleman reviewed the information provided, especially that by the public.

Doug Borgstrom made a motion to deny, **Bob Higgins** second the motion.

AYES: Borgstrom, Cain, Herbert, Taharik, Wainwright, Oiler, Tsiknakis , Grouser, Crammer, Higgins, Preidel NAYES : None ABSTAIN: None

Chairman Preidel thanked the applicant and offered sympathies on the denial.

Mr. Pukenas asked to speak, he stated that he respected the Boards decision. He addressed mistakes made that cost him financial loss. #1 The last meeting, at the very last minute he , the applicant was told that someone was not notified about the meeting so they were rescheduled to this meeting. He had to sit and listen for an hour with his engineer, **Mr. Murphy**, to the first applicant, while he was paying Mr. Murphy, why didn't someone tell him from the onset he wasn't going to be heard that night. It was a great expense he didn't have to incur. #2 If the forestry issue was on the roles for a while but it is not on the check list, when he made the application, he would not have even filed the application due to the trees on the lot.

#3 They were told this was a **C2 variance** and they would have to make a change in use variance. Turns out it is not, he payed an engineer a lot of money to file the initial **C2 variance**, but than they had to redo the plan, redo the application, so all that money , paid an engineering company a lot of money for something that didn't have to be paid. Why should he have to pay all the money, do all the work involved with the variance and the costs. He did everything exactly as he was told, he probably spent \$10,000.00 that he didn't need to spend because someone at the township made a mistake. He wants it on the record, that he was given wrong information, because of mistakes made. He wants all his escrows back. He wants the board to take all this into consideration.

Planner Ed Fox made a comment. He asked if Mr. Murphy testified that he was a licensed engineer and is he qualified to read a zoning map. **Mr. Pukenas** than stated that he believed the zoning map says C2, Planner Fox stated the tax records say C2, the zoning map says R1. Planner Fox was pointing this out, because that's why people hire professionals to do the work. **Mr. Pukenas** asked the board to make a decision on his request, **Chairman Preidel** stated that the board doesn't have that jurisdiction. **Attorney Coleman** stated he understood **Mr. Pukenas** , concerns, that they would appear in the minutes. He informed him this handled at the township level.

Mr. Pukenas, stated that he again, had to pay Mr. Murphy to sit there. **Chairman Preidel**, thanked **Mr. Pukenas** again, and stated he was moving on. **Mr. Pukenas** asked his recourse, **Chairman Preidel** told him to go to the township committee and see where he gets with them.

A motion to approve deny the application was offered by **Mr. Borgstrom** and seconded by **Mr. Higgins** Motion carried on a roll call vote recorded as follows:

AYE: Borgstrom, Cain, Herbert, Tahirak, Wainwright, Oiler, Tsanakis, Grouser, Crammer, Higgins, Preidel

NAY: None ABSTAIN: None ABSENT: Sgro and Flemming

RESOLUTIONS FOR APPROVAL:

2020-8-13: JASON KONEK VARIANCE APPROVAL

RESOLUTION NO. 2020-8-13

CONCERNING THE APPLICATION OF

JASON KONEK

FOR

VARIANCE APPROVAL

WHEREAS, Jason Konek (the "Applicant") has applied to the Consolidated Land Use Board of the Township of Mansfield (the "Board") for Variance Approval for property located at 28459 Schoolhouse Road, known as Block 17, Lot 3 (the "Property"), for the purpose of renovating and rehabilitating an existing single family residential dwelling; and

WHEREAS, a Zoning Permit was issued in error for the proposed development of the Property which did not satisfy all of the requirements of the R-1 Residential Zoning District; and

WHEREAS, a variance pursuant to N.J.S.A. 40:55D-70(c) is required as the development of the Property has resulted in a front yard setback less than the minimum required; and

WHEREAS, the application was deemed complete by the Board on July 27, 2020; and

WHEREAS, a public hearing to consider the application was held by the Board on July 27, 2020¹, after public and personal notice was provided to all property owners within 200 feet of the Property and

¹ The July 27, 2020 Public Hearing was conducted as a virtual hearing in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The virtual meeting progressed with the consent of the Applicant

published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Mansfield and the statutes of the State of New Jersey; and

WHEREAS, the following review letters were submitted to the Board by its Professionals:

- June 15, 2020 Review Letter of the Board Engineer, Stout and Caldwell Engineers and Surveyors, by Mark E. Malinowski, PE;
- June 22, 2020 Review Letter of the Board Planner, Environmental Resolutions, Inc., by Edward Fox, PP, AICP; and
- June 18, 2020 Review Memorandum of the Board Traffic Engineer, Litwornia Associates, Inc., by Alexander J. Litwornia, PE, PP; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of the application for Variance Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the contract purchaser of the Property. The Property is located in the Township's R-1 Zoning District and is approximately 1.2 acres in area. The Property is improved with a single-family residential dwelling and a paved driveway onto Schoolhouse Road.

2. A Zoning Permit was issued to the Applicant for the proposed development of the Property and the Applicant is in the process of renovating and rehabilitating the existing residential dwelling, including the construction of an addition to the west side and rear of the existing dwelling.

3. The Zoning Permit was issued in error as the Applicant's development of the Property does not satisfy the front yard setback requirement in the R-1 Zone.

4. An Application has been submitted to the Board by the Applicant for Variance Approval pursuant to *N.J.S.A. 40:55D-70(c)*, requesting relief from the 30 foot front yard setback requirement of the Zoning Ordinance.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

6. The taxes on the Property are current.

7. Proper notice of the application for Variance Approval has been given, based upon the certified list from the Office of the Mansfield Tax Assessor.

8. The Applicant was represented at the July 27, 2020 Public Hearing by Jonas Singer, Esquire.

9. The Applicant provided the following sworn testimony during the July 27, 2020 Public Hearing:

- a. He is the contract purchaser of the Property.
- b. The dwelling being renovated was one-story.
- c. The Zoning Permit issued was for a two-story single-family residential dwelling with garage.
- d. The dwelling is basically finished with 2-stories, siding, windows, roofing and a rear deck.
- e. Grading has been completed on the right side of the dwelling, for approximately 5 feet from the structure to provide the correct pitch for drainage.
- f. The completed dwelling will have 4 bedrooms.
- g. The new well and septic systems were permitted three years ago.

- h. The Property drains to the rear; this area has not been disturbed during construction activity.
- i. No drainage issues have been encountered on the Property.
- j. The garage portion only of the renovated structure does not satisfy the 30 foot front yard setback requirement.
- k. The front yard setback for the dwelling portion does satisfy the front yard setback requirement.
- l. The as-built survey submitted shows that the front yard setback for the garage is 20.1 feet.
- m. He agrees with the recommendation of the Board's Traffic Engineer that a T-turnaround be provided so that motor vehicles do not have to back out onto Schoolhouse Road.
- n. The sight triangle easement shown on the Plan is not located on the Property.

9. The Board Professionals reviewed their respective review letters with the Board and the Board Traffic Engineer recommended that the Applicant provide a T-turnaround on the Property.

10. The July 27, 2020 Hearing was opened to the public without comment.

11. The Applicant is requesting variance approval to allow development of the Property as proposed and commenced, to provide an aesthetic improvement and greater utilization of the Property.

12. Without variance approval, the Applicant would be unable to renovate and rehabilitate the dwelling as proposed, which otherwise conforms to the Ordinance requirements in the R-1 Zoning District.

AND WHEREAS, based upon the above factual findings, the Board has come to the following conclusions:

1. The Applicant has submitted a Complete set of plans in connection with the application for Variance Approval.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the Zoning Ordinance of the Township of Mansfield would be advanced by the deviation from the Zoning Ordinance requirement specified herein for front yard setback, as requested by the Applicant.

3. The benefits of the deviations from the Zoning Ordinance requirement specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township of Mansfield.

NOW, THEREFORE, BE IT RESOLVED by the Consolidated Land Use Board of the Township of Mansfield, on the 27th day of July 2020, that this Board hereby grants to the Applicant a variance to permit a front yard setback of 20.1 feet for the garage portion of the renovated and rehabilitated dwelling structure, in accordance with the plans and sworn testimony submitted by the Applicant, which approval is subject to the following conditions:

a. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

b. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all the conditions shall the required building permit, certificate of occupancy or zoning permit be issued.

c. Subject to the sworn testimony given by the Applicant during the July 27, 2020 Public Hearing.

d. Subject to the submission of revised plans complying with the comments of the Board's professionals and with this Approval, including a T-turnaround being added to the plans.

e. Subject to the comments of the Board Engineer as contained in the June 15, 2020 Review Letter of Stout and Caldwell Engineers and Surveyors, by Mark E. Malinowski, PE, except as may be modified in this Resolution.

f. Subject to the comments of the Board Planner as contained in the June 22, 2020 Review Letter of Environmental Resolutions, Inc., by Edward Fox, PP, AICP, except as may be modified in this Resolution.

g. Subject to the comments of the Board Traffic Engineer as contained in the June 18, 2020 Review Memorandum of Litwornia Associates, Inc., by Alexander J. Litwornia, PE, PP, except as may be modified in this Resolution.

h. Subject to the variance for the 20.1 foot front yard setback being limited to the garage portion only with the front yard setback for the remainder of the dwelling complying with the 30 foot requirement.

i. Subject to the Applicant's escrow account for the review of the application being current. Failure of the escrow account to be current may result in the non-issuance of permits and/or the certificate of occupancy for the dwelling.

j. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

k. Subject to this Variance Approval not guaranteeing the issuance of any zoning permit, construction permit or certificate of occupancy; the Applicant is subject to the applicable codes, rules, regulations, statutes and ordinances in obtaining said permits or certificates.

l. Subject to submission of a letter from the Burlington County Board of Health that the existing septic system is sufficient for the renovated dwelling.

A motion to memorialize the above resolution was offered by **Chairman Preidel** and seconded by **Mr. Cain**. Motion carried on a roll call vote recorded as follows:

AYES: Borgstrom, Cain, Herbert, Taharik, Wainwright, Oiler, Higgins, Preidel

ABSTAINS: None ABSENT: Sgro and Fleming

RESOLUTION 2020-8-14: Homestead Plaza II Corp. Amended Site Plan

RESOLUTION NO. 2020-8-14 CONCERNING THE APPLICATION OF HOMESTEAD PLAZA II CORP. FOR AMENDED SITE PLAN APPROVAL

WHEREAS, Homestead Plaza II Corp. (the “Applicant”) has applied to the Consolidated Land Use Board of the Township of Mansfield (the “Board”) for Amended Site Plan approval for property located at 23207 Columbus Road, known as Block 42.30, Lot 151 (the “Property”) on the Official Tax Map of the Township of Mansfield, for the purpose of converting the existing storage building at the Homestead Plaza II center into office space; and

WHEREAS, the Homestead Plaza II center includes a free standing bank, retail buildings and the storage building; and

WHEREAS, the application for Amended Site Plan approval was deemed complete by the Board on July 27, 2020; and

WHEREAS, a public hearing to consider the Application was held by the Board on July 27, 2020², after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township of Mansfield, as required by the land development regulations of the Township of Mansfield and the statutes of the State of New Jersey; and

WHEREAS, the following review letters were submitted by the Board’s professionals:

July 20, 2020 Review Letter of the Board Planner, Environmental Resolutions, Inc., by Edward Fox, AICP, PP;

- July 20, 2020 Review Letter of the Board Engineer, Stout and Caldwell Engineers & Surveyors, LLC, by Mark E. Malinowski, PE; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of its application for Amended Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, improved with the Homestead II Plaza center.
2. An Application has been submitted to the Board by the Applicant for Amended Site Plan Approval to convert the Plaza’s existing storage building into office space, with 735 square feet converted currently and 1,515 square feet to be converted in the future.
3. The taxes on the Property are current.
4. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.
5. Proper notice of the application for Amended Site Plan Approval has been given, based upon the certified list from the Office of the Mansfield Tax Assessor.
6. The Applicant was represented at the July 27, 2020 Public Hearing by Brian Muhlbaier, Esquire. Elizabeth Muhlbaier and Rodman Ritchie, PE, testified on behalf of the Applicant.

² The July 27, 2020 Public Hearing was conducted as a virtual hearing in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The virtual meeting progressed with the consent of the Applicant

7. Ms. Muhlbaier provided the following sworn testimony during the July 27, 2020 Public Hearing:

- a. She is the Applicant's representative.
- b. It is the Applicant's intention to convert the entire storage building into office space with 735 square feet to be converted currently and the remaining 1,515 square feet to be converted in the future.
- c. The 735 square feet of office space will be the Plaza's administrative offices, normally staffed by two (2) employees from 9:00 a.m. to 5:00 p.m.
- d. Converting the storage building into office space will not impact traffic.
- e. The existing trash enclosures are sufficient for the current and future needs of the Plaza.
- f. The Plans have been revised to address comments received from the Board's professionals.
- g. The conversion to office space will include the removal of the existing garage doors with the façade being revised to have the same appearance as the rest of the Plaza's buildings.
- h. Any new signage for the office space will be consistent with the Plaza's existing signage.
- i. No directional signs are required as the flow of traffic through the Plaza will not change.
- j. The only lighting that will be added will be lights at the front of the converted building that will mirror the Plaza's existing lighting.
- k. The 1,515 square foot of future office use will continue to store snow removal and other equipment utilized by the Plaza and once this space is converted to office space, the equipment will be moved off-site; the Plaza will then contract out for snow removal.
- l. No additional landscaping is required for the Plaza and one existing tree may have to be relocated.

8. Mr. Ritchie provided the following sworn testimony during the July 27, 2020 Public Hearing:

- a. He is the Applicant's Professional Engineer with Taylor Wiseman & Taylor.
- b. He is licensed as a Professional Engineer in the State of New Jersey and has been qualified to testify as an expert in site engineering.
- c. He performed a parking analysis for the Plaza and there will be more than enough parking spaces at the Plaza when the storage building is fully converted to office space.
- d. There are currently 372 parking spaces at the Plaza with 309 required.
- e. The surplus of 63 parking spaces is more than would be required for the conversion of the entire storage building into office space.
- f. He will work with the Board Engineer to address the comments regarding ADA compliance.
- g. The Applicant will comply with the review comments of the Board's Professionals.

9. The July 27, 2020 Hearing was opened to the public without comment.

10. The Board Professionals advised the Board that variances are not required for the conversion of the Plaza's storage building into office space, as the administrative office use is permitted and the proposed development of the Property complies with the Ordinance requirements for this site.

AND WHEREAS, based upon the above factual findings, the Zoning Board of Adjustment has come to the following conclusions:

1. The Applicant has submitted a Complete set of plans and has provided the Board with the testimony required so that the Board has the necessary information to make a decision on the application for Amended Site Plan Approval.

NOW, THEREFORE, BE IT RESOLVED by the Consolidated Land Use Board of the Township of Mansfield, on the 27th day of July, 2020, that this Board hereby grants to the Applicant Amended Site Plan Approval for the conversion of the existing storage building into office space, with 735 square feet of the storage building being converted currently and 1,515 square feet to be converted in the future, in accordance with the plans and testimony provided by the Applicant, subject to the following conditions:

1. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board approval and Burlington County Soil Conservation District approval. Copies of all other approvals shall be submitted to the Township upon receipt.

2. Subject to the testimony by the Applicant's agents and representatives at the July 27, 2020 Public Hearing.

3. Subject to the submission of revised plans complying with the comments of the Board's professionals and with this Approval, if required.

4. Subject to the comments of the Board Engineer as contained in the July 20, 2020 Review Letter of Stout and Caldwell Engineers and Surveyors, LLC, by Mark Malinowski, PE, except as may be modified in this Resolution.

5. Subject to the comments of the Board Planner as contained in the July 20, 2020 Review Letter by Environmental Resolutions, Inc., by Edward Fox, AICP, PP, except as may be modified in this Resolution.

6. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

7. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

8. Subject to this approval not guaranteeing the issuance of any zoning permit, construction permit or certificate of occupancy; the Applicant is subject to the applicable coded and regulations for the issuance of said permits and certificates.

9. Subject to the Applicant working with the Board Engineer to address compliance with ADA requirements

10. Subject to no exterior storage permitted.

11. Subject to the Applicant's continued compliance with all prior approvals granted for the Plaza, except as modified by this Amended Site Plan Approval.

A motion to memorialize the above resolution was offered by **Chairman Preidel** and seconded by **Mr. Cain**
AYES: Borgstrom, Cain, Herbert, Taharik, Wainwright, Oiler, Preidel
ABSTAINS: None ABSENT: Sgro and Fleming

APPROVAL OF MINUTES:

May 26, 2020

A motion to approve the above minutes was offered by **Chairman Preidel** and was seconded by **Mr. Cain**. Motion carried on a roll call vote recorded as follows:

AYE: Preidel, Cain, Herbert, Tahirak, Wainwright, Oiler, Tsinakis, Crammer

NAY: None ABSTAIN: None

ABSENT: Sgro and Fleming

June 22, 2020

A motion to approve the above minutes was offered by **Chairman Preidel** and was seconded by **Mr. Cain**. Motion carried on a roll call vote recorded as follows:

AYE: Preidel, Cain, Borgstrom, Herbert, Tsinakis, Tahirak, Grouser, Oiler

July 27, 2020

A motion to approve the above minutes was offered by **Chairman Preidel** and was seconded by **Mr. Cain**. Motion carried on a roll call vote recorded as follows:

AYE: Preidel, Cain, Borgstrom, Herbert, Tsinakis, Tahirak, Oiler, Higgins, Wainwright, Crammer

COMMENTS FROM THE BOARD:

Chairman Preidel asked for new storm water regulations that are coming out to be printed out., he asked the professionals to get them for the board and they agreed to have them looked over and put on the Agenda on a quiet meeting night. He also asked **Traffic Engineer Litwornia** on the traffic study on Rte. 130. **Planner Fox** addressed this.

Mr. Cain asked about the denied application and the lot and its future use. **Planner Fox** addressed his concerns and made aware of how the lot may be used in an application by proposing a smaller home on it, or by possibly using it to build on, even though it is undersized due to a grandfather clause that may apply.

COMMENTS FROM THE PUBLIC FOR NON AGENDA ITEMS:

Bob Tallon 2454 Axe Factory Rd.

Mansfield provides the bulk of the water from the aquafer and if we keep using it for development, in the future pay close attention as the township may find itself in trouble.

Chairman Preidel closed the public comment portion

MOTION FOR ADJOURNMENT: A motion for adjournment was offered by **Judy Oiler** and was seconded by **Mr. Taharik**. All ayes. Motion carried.

Respectfully Submitted

Date Approved

Julia A. Baker-DiCamillo