

**TOWNSHIP OF MANSFIELD  
PLANNING BOARD  
REGULAR MEETING  
Monday, June 27, 2016**

The Regular Meeting of the Mansfield Township, Planning Board was held on the above shown date with the following in attendance: Chairman Scott Preidel, Vice-Chair Douglas Borgstrom, Arthur Puglia, Robert Semptimphelter, John Kampo, and Gary Lippincott. Attorney Charles Petrone, Planner Barbara Fegley, Engineer Robert Stout, Traffic Engineer Al Litwornia, and Secretary Ashley Jolly. Randy Allen, Barry Winn and Alan Abramowitz were absent.

The meeting was called to order by Chairman Preidel 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 25, 2016. Said Resolution was published in the Burlington County Times, e-mailed to the Burlington County Times, and Trenton Times, 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, 2016.

**Extension of Final Major Subdivision Approval:**

**Chairman Preidel**, said that this was for Calton Homes, Blocks 41 & 42, Lots 1 & 2.01, 4.01 and they were requesting two one year extensions on their prior Major Subdivision approval which is set to expire June 30, 2016. He asked if the board members had any questions. There were none.

A motion was offered by **Vice-Chairman Borgstrom**, seconded by **Committeeman Semptimphelter** to approve the extension. Motion carried on a roll call vote recorded as follows:

**AYE: Preidel, Borgstrom, Puglia, Semptimphelter, Kampo, Lippincott**

**NAY: None    ABSTAIN: None    ABSENT: Winn, Abramowitz**

**Resolution 2016-6-8:**

**RESOLUTION NO. 2016-6-8**

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD AFFIRMING ITS PRIOR ACTION RECOMMENDING  
THE REDEVELOPMENT AREA OF PROPERTY  
KNOWN AS BLOCK 44, LOTS 1, 2, 4 AND 5.01;  
BLOCK 45.01, LOTS 2.01, 2.02, 3.01, 3.04, 4, 5, 6, 7 AND 8;  
BLOCK 45.03, LOT 1; AND  
BLOCK 47.01, LOTS 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 AND 12,  
SITUATED ON FLORENCE-COLUMBUS ROAD NEAR ITS INTERSECTION WITH ROUTE 295 WITHIN THE TOWNSHIP OF MANSFIELD  
AS "AN AREA IN NEED OF REDEVELOPMENT"**

**WHEREAS**, the Township of Mansfield is authorized by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq, (the "Act"), to determine whether certain parcels of land in the Township constitute areas in need of redevelopment; and

**WHEREAS**, the Planning Board of the Township of Mansfield previously conducted an investigation, held a public hearing and made a recommendation to the Township Committee on October 23, 2004 designating Block 45.01, Lots 2.01, 2.02, 3.01 and 3.02; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12 located along Florence-Columbus Road, near Route 295, as an area in need of redevelopment; and

**WHEREAS**, the Planning Board of the Township of Mansfield previously conducted an investigation, held a public hearing and made a recommendation to the Township Committee on March 16, 2005 to amend the redevelopment area identified above to include Block 44, Lots 1, 2, 4 and 5.01; Block 45.01, Lots 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7 and 8; Block 45.03, Lot 1; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12; and

**WHEREAS**, the Township Committee has deemed it appropriate to determine whether the aforementioned properties still constitute "an area in need of redevelopment" within the meaning and intent of the Act; and

**WHEREAS**, in accordance with the Act, jurisdiction for undertaking such an investigation lies with the Planning Board; and

**WHEREAS**, the Township Committee has directed and authorized the Planning Board of the Township of Mansfield to affirm that the redevelopment area as determined on October 23, 2004 and amended on March 16, 2005 and the accompanying maps, which were prepared pursuant to the Act, constitute "an area in need of redevelopment" within said Act; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Mansfield as follows:

1. **AFFIRMATION.** The Planning Board of the Township of Mansfield hereby affirms its recommendations of October 23, 2004 and March 16, 2005 identifying Block 44, Lots 1, 2, 4 and 5.01; Block 45.01, Lots 2.01, 2.02, 3.01, 3.02, 4, 5, 6, 7 and 8; Block 45.03, Lot 1; and Block 47.01, Lots 3.02, 9.01, 9.02, 9.03, 10.01, 10.02, 11 and 12 as "an area in need of redevelopment" and further affirms:

- a. that the Planning Board was authorized and directed by the Township Committee to undertake the redevelopment preliminary investigation, hearing and recommendation process enabled by N.J.S.A.40A:12A-4b(1), at the time, for these 22 properties in the vicinity of I-295 Interchange 52 with Florence-Columbus Road;
- b. that the Planning Board's consulting planner completed preliminary investigation reports which found that these 22 properties met the statutory criteria, at the time, for designation as "an area in need of redevelopment" and recommended that the 22 properties be so designated;
- c. that the Planning Board advertised and held public hearings, in accordance with the Act, at that time;
- d. that the Planning Board adopted resolutions finding that the 22 properties met the statutory criteria, at the time, for designation as "an area in need of redevelopment" and recommended to the Township Committee that the 22 properties be so designated;
- e. the physical character and nature of the 22 properties, which caused them to be designated as "an area in need of redevelopment" have not appreciably changed from March 16, 2005 and continue to meet the statutory of that time to be designated as "an area in need of redevelopment"; and
- f. The Planning Board acted in good faith and in accordance with the Act when it made its recommendations to the Township Committee in 2004 and 2005.

2. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

3. **AVAILABILITY OF THIS RESOLUTION.** A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Mansfield.

4. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

**Attorney Petrone** stated that some records from 2004 and 2005 were misplaced during the move from the old municipal building. The board would be affirming their prior action from 2004 and 2005 which would be consistent with how the law was during that time. The minutes from 2004 are clear that procedural requirements were satisfied by the Township Committee declaring that area in need of redevelopment. There was a notice and public hearing and the held by the Planning Board which affirmed the same. What the board is determining today is that the statutory criteria of the 22 lots has not changed dramatically since 2005.

A motion was offered by **Vice-Chairman Borgstrom**, seconded by **Mr. Semptimphelter**, to approve resolution 2016-6-8 affirming the area of redevelopment. Motion carried on a roll call vote recorded as follows:

**AYE: Preidel, Borgstrom, Puglia, Semptimphelter, Kampo, Lippincott NAY: None**  
**ABSTAIN: None ABSENT: Winn, Abramowitz**

### **Memorialize Resolution 2016-3-7:**

**RESOLUTION NO. 2016-3-7**  
**RESOLUTION OF THE TOWNSHIP OF MANSFIELD PLANNING BOARD,**  
**BRIGHT VIEW GROUP, INC.**  
**EXTENSION OF PRELIMINARY MAJOR SUBDIVISION APPROVAL**

**WHEREAS**, Bright View Group, Inc., has applied to the Planning Board of the Township of Mansfield for an Extension of Preliminary Major Subdivision Approval for property located on Georgetown Road, known as Block 13, Lots 3.03 and 3.04; and

**WHEREAS**, the Planning Board granted Preliminary Major Subdivision Approval with variances to the Applicant on March 26, 2012, memorialized by Resolution No. 2012-03-08, adopted on April 23, 2012, to subdivide the Property into seven (7) residential lots and three (3) open space lots; and

**WHEREAS**, *N.J.S.A. 40:55D-49* provides a three year period of protection for preliminary major subdivisions, commencing on the date the Resolution approving the subdivision is adopted; and

**WHEREAS**, *N.J.S.A. 40:55D-49(c)* gives a Planning Board the discretion to grant two (2) one year extensions to the period of protection for preliminary major subdivisions upon application made by an applicant and subject to current design standards; and

**WHEREAS**, the Permit Extension Act of the State of New Jersey, *N.J.S.A. 40:55D-130 et seq.*, has tolled the running of the period of protection for certain approvals until December 31, 2015; and

**WHEREAS**, the Permit Extension Act is applicable to the Preliminary Major Subdivision Approval granted to the Applicant and extends the period of protection until June 30, 2016; and

**WHEREAS**, the Applicant has requested the two (2) one year extensions in accordance with *N.J.S.A. 40:55D-49(c)* to commence on June 30, 2016; and

**WHEREAS**, the Board after carefully considering the Applicant's request for an extension to the period of protection for the Preliminary Major Subdivision Approval granted by the Board in March, 2012, has made the following findings of fact:

1. The Applicant is the owner of Block 13, Lots 3.03 and 3.04, located on Georgetown Road in the R-1 Zoning District of the Township (the "Property"). The Property is currently utilized as a nursery farm for the growing of nursery stock.
2. The taxes on the Property are current or exempt.
3. The Applicant's escrow account is current.
4. The Applicant received Preliminary Major Subdivision Approval to subdivide the property into seven (7) residential lots and three (3) open space lots, as memorialized by Resolution No. 2012-03-08, on April 23, 2016.
5. The period of protection applicable to the Applicant's Preliminary Major Subdivision Approval in accordance with *N.J.S.A. 40:55D-49* and *N.J.S.A. 40:55D-130* will expire on June 30, 2016 and the Applicant has requested the two (2) one year extensions of the period of protection in accordance with *N.J.S.A. 40:55D-49(c)*.
6. The Property remains zoned R-1 and the Applicant's proposed use remains permitted.
7. The granting of the one year extensions is discretionary on the part of the Planning Board.

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

1. It is within the Board's discretion, in accordance with the Municipal Land Use Law of the State of New Jersey, to grant the two (2) one year extensions requested by the Applicant.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Mansfield, on the 28<sup>th</sup> day of March, 2016, that this Board hereby grants to the Applicant two (2) one year extensions to the period of protection for the Preliminary Major Subdivision Approval granted to the Applicant, subject to the following:

1. Subject to the Applicant complying with Resolution No. 2012-03-08.
2. Subject to the Applicant complying with the current design standards.
3. Subject to the period of protection of the Preliminary Major Subdivision Approval now expiring on June 30, 2018.

A motion was offered by **Mr. Puglia**, seconded by **Mr. Semptimpfelter** to approve the memorialization of the above. Motion carried on a roll call vote recorded as follows:

**AYE: Preidel, Borgstrom, Puglia, Semptimpfelter, Kampo,**

**NAY: None NOT VOTING: Lippincott ABSENT: Winn, Abramowitz**

**Approval of Minutes:**

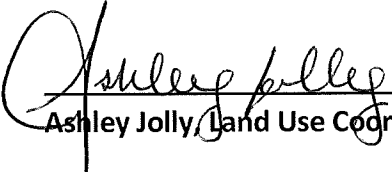
March 28, 2016, approved all ayes.

**Adjournment:**

A motion was offered by **Mr. Puglia**, seconded by **Mr. Semptimpfelter** to adjourn the meeting. All ayes. Motion carried.

**Respectfully Submitted:**

**Date Approved:**

  
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Ashley Jolly, Land Use Coordinator

7-25-16