

**TOWNSHIP OF MANSFIELD
PLANNING BOARD
REGULAR MEETING
Monday, March 26, 2018**

The Regular Meeting of the Mansfield Township, Planning Board was held on the above shown date with the following in attendance: Randy Allen, Vice Chairman Douglas Borgstrom, Frederick Cain, Shane Fleming, Mayor Robert Higgins, John Kampo, Dalpat Patel, and Chairman Scott Preidel. Attorney Thomas Coleman, Engineer Mark Malinowski, Planner Barbara Fegley, and Secretary Ashley Jolly were also present. Gary Lippincott was 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 22, 2018. 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 25, 2018.

APPLICATION PB2018-3: Manheim Remarketing, INC.

Mr. Patel recused himself from this application. Applicant **Attorney Steven Goin** and **Engineer Anthony Caponigro** were sworn in by **Attorney Coleman**. Applications pertain to Lot 5.03 & Block 1, application for amended site plan approval. Manheim is seeking to expand the existing auction facility with the construction of 2 car lot additions. One 425 space car lot expansion with double stacking along Route 68 and a 502 space car lot expansion that includes double stacking along White Pine Road. These spaces are not public parking spaces. **Attorney Goin** stated that they will comply with the comments in the review letters and most can be conditions of their approval.

Engineer Caponigro stated his credentials which were accepted by the board. The application was then deemed complete by all the professionals as well as the board. **Engineer Malinowski** pointed out that the applicant has asked for a waiver from providing an Environmental Impact Statement; however the Environmental Commission is asking the applicant (as per their letter) to submit one. **Engineer Malinowski** wanted the board to be aware of this. **Planner Fegley** stated that she believes the applicant should at least do a partial Environmental Impact Statement.

Application deemed complete through a motion offered by **Vice Chairman Borgstrom** and seconded by **Mr. Kampo**. Motion carried on a roll call vote recorded as follows:

AYE: Allen, Borgstrom, Cain, Fleming, Higgins, Kampo, Preidel
NAY: None NOT VOTING: Patel ABSENT: Lippincott

Engineer Caponigro stated that the plan submitted shows an aerial view of the auction. They are proposing to do an area in the front and an area in the back both of which has some space for expansion. The applicant has looked at various properties for the purpose of expansion and this has been the only option available at the moment. Some vehicles will be triple stacked for maximum storage. Along the front of the site is a detention pond that treats and manages stormwater and they are proposing an additional stormwater management facility in the front of the site to manage the additional runoff created by the additional 425 spaces in the front. He feels confident that the applicant will be able to address the comments from Stout & Caldwell's review letter as relates to the front portion of the site.

Engineer Caponigro talked about the north east section where they are proposing about 500 spaces with double not triple stacked parking. They have submitted to the NJDEP for updated line

verification from the wetland areas. All the wetlands that exist in the north east corner where the vegetated areas are all consistent with the LOI permitting they received back in 2002. All wetlands have been confirmed and delineated on the plan. They will be improving the buffering and landscaping along Route 68 since some trees will need to be removed.

Attorney Goin asked about the proposed fence that goes along the property and whether it will be topped with barbed wire. **Engineer Caponigro** stated that there will be no barbed wire on the fencing. **Attorney Goin** asked about the proposed lighting. **Engineer Caponigro** stated that there are access points for communication purposes and there be some lighting needed but not for an elongated periods. The access poles are really for communication and to provide any lighting that will be needed; they won't be full time nighttime lighting.

Engineer Caponigro stated that the proposed parking stalls are 8.5 feet wide and drive aisles of 20 feet in the front portion. The existing are about 9.5 feet and the access lanes are about 24 feet in those areas. **Attorney Goin** questioned the signage that was going to be removed and relocated. **Engineer Caponigro** explained that there is no sign to be removed or relocated. **Attorney Goin** stated that the applicant will comply with the Engineer's recommendations, including providing an Environmental Impact Statement.

Vice Chairman Borgstrom questioned how tall the wall would be and the elevation changes on the eastern section towards White Pine Road. **Engineer Caponigro** stated that it would be 6 feet which will be equipped with guardrail and protective barriers.

Planner Fegley questioned the potential impacts of the parking expansion and the means and frequency of deliveries. **Bradd Devereux** was sworn in by **Attorney Coleman**. **Mr. Devereux** explained that he is the director of facilities at Manheim for the last 24 years. **Attorney Goin** mentioned the Planners comment on the operation of the facility and the potential impact of expansion as well as the means and frequency of vehicle deliveries. **Mr. Devereux** stated that the goal of the expansion is to create additional inventory for sale day operations. They do not expect to see any additional truck traffic and no transporters in these areas. **Attorney Coleman** questioned the additional 950 parking spaces and if they would be constantly full or if there would be a rotation. **Mr. Devereux** stated that he believes 100% of the spots will be filled, but he is not sure if all those cars would be for sale on the same Wednesday, but it is a possibility. The number of cars registered for sale each week varies between 4 and 7,000. Most are brought in and taken out on the trailers which fit about 9 cars.

Chairman Preidel questioned how many trailers and how many days a week they have the auction. **Mr. Devereux** stated that they have a Wednesday sale and occasionally they have other sales. He believes there is enough room for the extra trailers. He is not anticipating any change in truck traffic as far as hours of operations. Thursdays being the busiest day as many of the cars are loaded and transported off site.

Engineer Malinowski asked about lights on the access poles. **Mr. Devereux** stated that he did not know the answer to that. The many existing poles have access points on them; for Wi-Fi. **Engineer Malinowski** wants to be sure there will be no impact on the adjacent properties. **Engineer Caponigro** stated that he would confirm what the intent is on lighting. **Attorney Goin** stated that they would ensure there would be no offsite impact.

Traffic Engineer Litwornia asked about a Letter of No Interest, which is normally filed with the NJDOT. **Engineer Caponigro** stated that they would get that worked out with the NJDOT; it has not been submitted yet, but it will be. The impact will be minimal to none. **Traffic Engineer Litwornia** stated that the Township will need a copy of that letter which would state that there will be little to impact from the parking lot expansion. This would be a condition of approval.

Drive aisle lanes were also discussed. **Vice Chairman Borgstrom** stated that 30ft would be most manageable especially with the density of cars on the drive aisle. **Attorney Goin** stated that they would work with Mr. Litwornia to comply on this issue.

Traffic Engineer Litwornia mentioned additional improvements on White Pine Road. **Engineer Malinowski** stated that they survey submitted mentioned dedication along White Pine Road, but it was not clear whether or not that dedication ever occurred. There are some parking spots that are right up

against the 25ft required parking setback and some would be affected by the dedication. If the dedication has not happened yet, now would be the time to do so. **Engineer Caponigro** stated that with the right of way they are showing 41.5ft and they need to provide 25ft from the center line as per the prior plan. That would impact about three parking stalls that will be removed from the plans to comply with the new buffer of 25ft. The only thing they have yet to confirm is whether that right of way was dedicated. He is researching it and if it wasn't they will show it properly on the next submitted plan. **Attorney Coleman** questioned whether the variance would only be needed after Mr. Litwornia makes his determination if they are not willing to revise the spot count downward. **Traffic Engineer Litwornia** stated that he would need to go over that with the engineer. **Attorney Goin** explained that they believe they can complete any additional dedication without a need for variance relief; therefore if the board is inclined to vote on this application as it currently stands, if they cannot work it out and they do need variance relief for the parking space they would come back and ask for that next month.

Mayor Higgins asked if Manheim allows customers to take cars out for test runs. **Mr. Devereux** stated that they do not. **Mayor Higgins** mentioned complaints that he has received about White Pine Road getting beat up by test drive vehicles. 25.02 **Mr. Devereux** explained that test drives are not allowed. Once a dealer purchases a car and puts a dealer tag on it they can do whatever they want. Manheim has a test track in the back of the facility that is used for post sale inspections and arbitration. **Mayor Higgins** wanted to note that the Township was a little disappointed with cars being parked on the grass and hopefully that will be avoided in the future.

Public Comment:

Suzanne Catanese, 837 Nutmeg Street, Browns Mills, NJ – wanted to clarify what the 2002 permit was for. **Engineer Caponigro** stated that it was a wetlands permit. **Ms. Catanese** questioned the procedure on the letter of no interest. She asked if the applicant would be using the original permit they received for their site versus the proposed. **Engineer Caponigro** replied yes. **Ms. Catanese** explained that she understood that things have expanded from the original permit that was received from NJDOT. **Engineer Caponigro** explained he misunderstood as he thought they were talking about the 2002 Wetlands permit from NJDEP, however she is asking about a new NJDOT permit. **Attorney Goin** stated that they will submit a letter of no interest in accordance with the existing conditions of the site and what the proposed expansion is introduced into the site. **Ms. Catanese** stated that if they have not submitted beyond the original permit for the site, you would need to submit the difference between the original permit, what is onsite now, and what is proposed. **Engineer Caponigro** stated that he would look into that. **Ms. Catanese** pointed out the detention pond. **Engineer Caponigro** stated that it is existing. **Ms. Catanese** questioned if it has been decided that this will not affect the detention of the flow out. **Engineer Caponigro** stated that they proposing an additional facility; it will not be changed or added to it will still be discharging as it does. He explained that it's all piping that enters the space, so the only area that flows into that pond is beyond the parking. **Ms. Catanese** questioned the lighting and **Mr. Caponigro** stated that they are not proposing new light pole fixture, they are proposing new access points for communication. **Ms. Catanese** then asked if they ever got a permit for the driveway from NJDEP. **Mr. Devereux** explained that when the property was developed the road that goes through there; the 11 acres was all approved by the NJDEP that is why the piece jets out there to meet the transitional buffer areas. He further stated that the road was approved by the NJDEP back in 1998.

A motion to approve the above application for Preliminary and Final Major Site Plan approval was offered by **Vice Chairman Borgstrom**. The following conditions of the approval were then specified by **Attorney Coleman**:

This is approval for 730 Route 68, Block 1, and Lot 5.03. Motion for approval of preliminary and final amended site plan approval to expand in the two areas discussed. By Mr. Goin and Mr. Caponigro, this approval would be subject to the applicants compliance with both the March 22, 2018 Stout & Caldwell letter and Ms. Fegley' March 20th letter to the extent that there are still open items that need to be addressed. The approval would grant the design waivers as discussed in both of the letters. The

approval would be conditioned upon the applicant production of an Environmental Impact Statement. Would be conditioned upon the Townships receipt of a Letter of Intent from NJDEP. It would be conditioned upon the applicant's receipt of a Letter of No Interest from the NJDOT. It would be conditioned upon the applicants production of a dedicated site triangle easements; which the applicant has consented to, and most importantly there would be a condition added to this approval that the applicant will confirm that there has been a sufficient dedication to the right of way to provide for a 50ft right of way; if the potential dedication expansion impacts the approved plans then the applicant will return to the board for either a further modification to the plan or a variance if the applicant has not agreed to revise the plan or stall count downward. Also the 30ft circulation aisle will remain.

Mr. Allen seconded the motion with the above referenced conditions. Motion carried on a roll call vote recorded as follows:

AYE: Allen, Borgstrom, Cain, Fleming, Higgins, Kampo, Preidel

NAY: None NOT VOTING: Patel ABSENT: Lippincott

RESOLUTION 2018-2-5 Stokley Minor Subdivision, Island Road:

**PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2018-2-5
RESOLUTION OF THE TOWNSHIP OF MANSFIELD PLANNING BOARD,
CONCERNING THE APPLICATION OF
CHERYL STOKLEY, EXECUTRIX
THE ESTATE OF JOSEPH D. GOODENOUGH, JR.
MINOR SUBDIVISION APPROVAL**

WHEREAS, Cheryl Stokley, Executrix of the Estate of Joseph D. Goodenough, Jr., has applied to the Planning Board of the Township of Mansfield for Minor Subdivision Approval for property located on Island Road, known as Block 23, Lots 1.01, 2 and 4 (the "Property"), for the purpose of subdividing the Property into two (2) lots, proposed Lot 1.01 and proposed Lot 2; and

WHEREAS, the Applicant submitted a Plan of Minor Subdivision, prepared by Donald C. Pennell, PLS, Pennell Land Surveying, Inc., dated 09/21/17; and

WHEREAS, the Application for Minor Subdivision Approval was deemed complete by the Board on February 26, 2018; and

WHEREAS, a public hearing to consider the Application was held by the Planning Board on February 26, 2018; and

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

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicant in support of the application for minor subdivision 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 Estate of Joseph D. Goodenough, Jr. is the owner of the Property located on Island Road in the R-1 Farm Land Preservation District. The Property is approximately 248.404 acres measured to the current right-of-way or 247.015 acres measured to the future right-of-way.

2. The Property was conveyed to Burlington County as a development easement in accordance with the Farmland Preservation Program.

3. The Applicant has submitted an application for minor subdivision approval to subdivide the Property into two (2) lots, proposed Lot 1.01, approximately 136.9 acres, and proposed Lot 2, approximately 111.5 acres.

4. Proposed Lot 1.01 includes a 6.634 acre exception area that is currently improved with a 2.5 story dwelling, 3 barns, 2 block buildings and other farm related structures. Proposed Lot 1.01 will front on Island Road and will retain 604.03 feet of frontage along Mansfield Road East. No improvements are proposed for Lot 1.01. Proposed Lot 2 includes a 4.0 acre exception area that is restricted to non-residential use. Proposed Lot 2 will front entirely on Island Road and consists of farm fields and wooded area. No improvements are currently proposed for Lot 2.

5. The Burlington County Agricultural Development Board and the New Jersey State Agricultural Development Committee have approved the proposed division of the Property. The State approval would permit the existing dwelling on Lot 1.01 to be replaced with a new dwelling on Lot 2.

6. The taxes on the subject property are current.

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

8. A non-conforming front yard setback of 34.2 feet exists on the Property for a structure located on proposed Lot 1.01. The proposed subdivision will not increase the non-conforming front yard setback.

9. Cheryl Stokley provided the following sworn testimony during the February 26, 2018 Planning Board Hearing:

- a. She is the Executrix of the Estate of Joseph D. Goodenough, Jr., owner of the Property;
- b. The subdivision is for Estate Planning purposes;
- c. Her brother will farm one of the lots and her sister the second lot; each has a different way of farming;
- d. A cow path from Mansfield Road East provides access to the upper parcel;
- e. There are separate means of ingress/egress to the two separate lots;
- f. The family will not be permitted to construct a new dwelling on Lot 2 until the existing tenant farmhouse on Lot 1.01 is demolished;
- g. The County Agricultural Development Board does not require the exact location for the dwelling to be constructed on Lot 2 until such time that the family intends to proceed with construction;
- h. The family will comply with the review letters of the Board Engineer and Board Planner and will submit revised plans addressing their respective comments.

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

1. The Applicant has complied with all of the requirements of the Municipal Land Use Law of the State of New Jersey and the Land Use Code of the Township of Mansfield for minor subdivision approval of the Property, as proposed by the Applicant.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Mansfield, on the 26th day of February, 2018, that this Board hereby grants to the Applicant Minor Subdivision Approval to subdivide the Property into Lot 1.01, measuring 136.9 acres with a 6.6 acre exception area, and Lot 2, measuring 111.5 acres with a 4.0 acre exception area, as shown on the Plan of Minor Subdivision, in accordance with the Application, Plans and Testimony provided by the Applicant, subject to the following conditions:

- a. Proof that the Applicant has applied for the necessary approval(s) from all other agencies, including the Burlington County Planning Board, 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 other 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 of the conditions shall the minor subdivision plan or deed be signed or any required building permit, certificate of occupancy or zoning permit be issued.
- c. 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.
- d. Subject to Minor Subdivision Approval expiring 190 days from the date on which this Resolution of Approval is adopted by the Planning Board, unless within such period a plat in conformity with such approval and the provisions of the Map Filing Law (N.J.S.A. 46:23-9.9 et seq.), or a deed clearly describing the approved minor subdivision is filed with the Burlington County Recording Office, the Township Engineer and the Township Tax Assessor. The Minor Subdivision Deed or Plat shall be submitted for the review and approval of the Board Solicitor and Board Engineer prior to the Planning Board Chairperson and Secretary signing same, as required, prior to recording. The Lot Numbering of Lot 1.01 and Lot 2 shall be confirmed with and approved by the Township Tax Assessor.
- e. Subject to the comments of the Board Engineer as contained in the February 21, 2018 Review Letter of Stout and Caldwell Engineers, LLC by Mark E. Malinowski, PE, except as may be modified herein.
- f. Subject to the comments of the Board Planner as contained in the February 20, 2018 Review Letter of Environmental Resolutions, Inc., by Barbara Fegley, AICP, PP, except as may be modified herein.
- g. Subject to the sworn testimony of the Applicant presented during the February 26, 2018 Hearing for this Application.
- h. Subject to the submission of revised plans complying with this Resolution and the review letters of the Board Engineer and Board Planner. The revised plans are to also show the bridge at the culvert, identify all easements on the Property and to remove the right-of-way dedication if neither the County nor the State require the right-of-way dedication at the current time.
- i. 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 Board not executing the required Minor Subdivision Deed/Plat.
- j. Subject to compliance with the approvals from the Burlington County Agricultural Development Board and the New Jersey State Agricultural Development Committee approving the division of the Property.
- k. Subject to the Applicant obtaining all permits required prior to the commencement of any construction activity on the Property, including the demolition of the existing farmhouse located on Lot 1.01 and the ultimate construction of the new dwelling on Lot 2. Minor subdivision approval does not guarantee the issuance of construction permits, as the Applicant is required to comply with all applicable rules, regulations, codes and statutes governing the issuance of such permits.
- l. Subject to the existing farmhouse on Lot 1.01 being demolished prior to the construction of a new dwelling on Lot 2.

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

AYE: Cain, Fleming, Kampo, Preidel

NAY: None

ABSTAIN: Higgins ABSENT: Lippincott

RESOLUTION 2018-2-6 TR Stables Minor Subdivision Gaunts Bridge Road:

**PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2018-2-6
RESOLUTION OF THE TOWNSHIP OF MANSFIELD PLANNING BOARD,
CONCERNING THE APPLICATION OF
TR STABLES AND SVEN TEMMING
MINOR SUBDIVISION APPROVAL**

WHEREAS, TR Stables, LLC and Sven Temming have applied to the Planning Board of the Township of Mansfield for Minor Subdivision Approval for property located at 28247 Gaunts Bridge Road, known as Block 23, Lot 7.01 (the "Property"), for the purpose of subdividing the Property into two (2) lots, proposed Lot A and proposed Lot B; and

WHEREAS, the Applicants submitted a Minor Subdivision Plan prepared by Steven C. Woodrow, PLS, of Dante Guzzi Engineering Associates, dated 2/07/18; and

WHEREAS, the Application for Minor Subdivision Approval was deemed complete by the Board on February 26, 2018; and

WHEREAS, a public hearing to consider the Application was held by the Planning Board on February 26, 2018; and

WHEREAS, the Applicants presented evidence to the Planning Board through testimony, plans and other evidence, introducing the following Exhibit during the February 26, 2018 Public Hearing;

A-1 Aerial photograph of the Property; and

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicants in support of their application for minor subdivision approval, has made the following findings of fact:

1. Applicant Temming is the owner of the Property located at 28247 Gaunts Bridge Road in the R-1 Residential Zoning District and Applicant TR Stables is the operator of the existing horse ranch located on the Property. The Property is approximately 88.90 acres in area and is improved with a three-story single-family dwelling with a bituminous driveway providing access to the dwelling from Gaunts Bridge Road; a majority of the Property consists of farmland that includes horse tracks, barns and shelters. A driveway from Gaunts Bridge Road provides access to the barns and horse tracks.

2. The Applicants have submitted an application for minor subdivision approval to subdivide the Property into two (2) lots, proposed Lot A measuring 3 acres and proposed Lot B measuring 85.9 acres. The existing dwelling, utilities and paved driveway accessing Gaunts Bridge Road will be located on proposed Lot A and the horse ranch with 2 large stables, 12 accessory buildings, horse tracks and driveway access to Gaunts Bridge Road will be located on proposed Lot B.

3. The taxes on the subject property are current.

4. The Applicants have paid and/or posted all required fees and have agreed to keep their review escrow current.

5. As identified in the Board Engineer's review Letter dated February 21, 2018, the Applicants have also requested waivers of certain checklist submission items.

6. The Applicants were represented at the February 26, 2018 Board Hearing by David Frank, Esquire. Scott Brown and Chris Temming testified on behalf of the Applicants during the Board Hearing.

7. Mr. Brown provided the following sworn testimony during the February 26, 2018 Hearing:

a. He is a Professional Engineer licensed in the State of New Jersey and is the Applicant's engineer, employed by Dante Guzzi Engineering Associated, LLC,

b. He describes the features of the Property and the location of the subdivision line;

c. No improvements are proposed, just the subdivision of the Property into a 3.0 acre lot and an 85.90 acre lot;

d. The submission waivers are requested because no improvements are proposed;

e. The Applicant will comply with the review letters of the Board Professionals.

8. Mr. Temming provided the following sworn testimony during the February 26, 2018 hearing:

a. He is the son of Sven Temming, owner of the Property and majority owner of TR Stables, LLC;

b. They are in the process of refinancing the current mortgage on the Property and the lender is requiring the Property to be subdivided so that certain collateral improvements are located on one of the lots;

c. No change is proposed to the current uses of the Property; the horse ranch operation will remain the same.

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

1. The Applicants have complied with all of the requirements of the Municipal Land Use Law of the State of New Jersey and the Land Use Code of the Township of Mansfield for minor subdivision approval, as proposed by the Applicants.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Mansfield, on the 26th day of February, 2018, that this Board hereby grants to the Applicants (i) waiver of the required submission items as identified in the February 21, 2018 review letter of the Board Engineer and (ii) Minor Subdivision Approval to subdivide the Property into Lot A (3.0 acres) and Lot B (85.90 acres) as shown on the Plan of Minor Subdivision, in accordance with the Application, Plans and Testimony provided by the Applicants, subject to the following conditions:

- a. Proof that the Applicants have applied for the necessary approval(s) from all other agencies, including the Burlington County Planning Board, having jurisdiction over the Applicants' use of the Property shall be filed with the Township's Land Use Coordinator.
- b. The fulfillment of all other 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 of the conditions shall the minor subdivision plan or deed be signed or any required building permit, certificate of occupancy or zoning permit be issued.
- c. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicants 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 Applicants obtaining those approvals.
- d. Subject to Minor Subdivision Approval expiring 190 days from the date on which this Resolution of Approval is adopted by the Planning Board, unless within such period a plat in conformity with such approval and the provisions of the Map Filing Law (N.J.S.A. 46:23-9.9 et seq.), or a deed clearly describing the approved minor subdivision is filed with the Burlington County Recording Office, the Township Engineer and the Township Tax Assessor. The Minor Subdivision Deed or Plat shall be submitted for the review and approval of the Board Solicitor and Board Engineer prior to the Planning Board Chairperson and Secretary signing same, as required, prior to recording. The Lot Numbering for Lot A and Lot B shall be confirmed with and approved by the Township Tax Assessor.
- e. Subject to the comments of the Board Engineer as contained in the February 21, 2018 Review Letter of Stout and Caldwell Engineers, LLC by Mark E. Malinowski, PE, except as may be modified herein.
- f. Subject to the comments of the Board Planner as contained in the February 20, 2018 Review Letter of Environmental Resolutions, Inc., by Barbara Fegley, AICP, PP, except as may be modified herein.
- g. Subject to the sworn testimony of the Applicants' witnesses and representatives presented during the February 26, 2018 Board Hearing for this Application.
- h. Subject to the submission of revised plans complying with this Resolution and the review letters of the Board Engineer and Board Planner, if required.
- i. 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 Board not executing the required Minor Subdivision Deed/Plat.
- j. Subject to this minor approval not authorizing any improvements to the Property. The Applicants and property Owner shall be required to comply with all applicable rules, regulations, codes and statutes governing the future development of the Property.

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

AYE: Cain, Fleming, Kampo, Preidel

NAY: None ABSTAIN: Higgins ABSENT: Lippincott

APPROVAL OF MINUTES from 2-26-2018:

A motion to approve the minutes from February 26, 2018 was offered by **Mr. Cain** and was seconded by **Mr. Kampo**. Motion carried on a roll call vote recorded as follows:

AYE: Cain, Fleming, Kampo, Preidel

NAY: None ABSTAIN: Higgins ABSENT: Lippincott

BOARD COMMENTS:

Chairman Preidel questioned the professionals regarding wetlands buffering and DEP requirements. **Engineer Malinowski** stated that if something is existing without permits because it was constructed prior to permit requirements that's one thing; however if any improvements or changes are made then the appropriate permit applications must be filed. **Planner Fegley** stated that a stream may be on a property with no wetlands or buffering if it's small.

PUBLIC COMMENTS:

There were no public comments.

MOTION FOR ADJOURNMENT:

A motion to adjourn the meeting was offered by **Vice Chairman Borgstrom** and was seconded by **Mr. Allen**. All ayes. Motion carried.

Respectfully Submitted by:

Date of Approval:

Ashley Jolly, Land Use Coordinator
