

**TOWNSHIP OF MANSFIELD
PLANNING BOARD
REGULAR MEETING
Monday, June 25, 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 Chuck Petrone, Engineer Mark Malinowski, Planner Barbara Fegley, Traffic Engineer Alexander Litwornia, 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.

Request for Extension of Approval: Pulte/Centex Homes, Renaissance at Mansfield

Attorney for the applicant James Mullen, stated they have owned the property for many years and have tried in numerous ways to make the development economically feasible, but it does not seem to be working. Under the settlement agreement with the Municipality, all obligations have been met. Payments have been made and they've conveyed the land that is going to part of the sewer treatment plant. Costs are very high and they've not been successful in coming up with a plan to sell the homes for enough. He is hoping there will be a change soon so they can make this work. They have hired a real estate company to market the site to see if there is another builder to maybe build this. There is an interest to make this happen, it just has not been economically feasible. He is asking for another year extension of approvals (General Development Plan, Preliminary Major Subdivision, & Final Major Subdivision).

Mayor Higgins stated that part of the arrangement when they purchased the property is that they were going to do improvements to help the Township develop the sewer system downtown. Consequently, the cost of the sewer system is going to cost more than the approved development. This means that it will never happen and the applicant is thereby hurting the residents of the Township. He questioned how many more years will the Township be dealing with this. He feels at this point that the project has been abandoned.

Attorney Mullen stated they have not abandoned, they are maintaining it and it is being farmed presently. **Mayor Higgins** questioned when they say enough is enough. **Attorney Mullen** stated that they are marketing the project now to other builders. They have also been negotiating with Homestead to try to reduce the cost of that fee of the water and sewer agreement. It has been very difficult to make this work. **Mayor Higgins** stated that he understands they are trying to make this work, however at some point he needs to stand up for the town of Columbus. It's hurt the village of Columbus and he wanted to make that known.

Attorney Petrone stated that the approval conveys to the applicant a period of protection against zoning changes; which would now make the approved project not permitted in that particular zoning district. The applicant is seeking a one year period of protection against zoning changes. There would still be subject to compliance with the general development plan approval that was granted, the preliminary major subdivision approval that was granted, for sections 7 & 8 of the project, subject to the current

design standards. **Chairman Preidel** questioned after a year what happen and how it all works. **Attorney Petrone** stated that it can go on, it the municipality never changes the zoning of that particular land the approval continues to run with the land. It is a period of protection that they're seeking.

A motion to grant a one year extensions with the conditions as stated by Attorney Petrone was offered by **Vice Chairman Borgstrom** and was seconded by **Mr. Allen**. 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

COMPLETENES REVIEW:

Chairman Preidel introduced the application PB 2018-4, Leechong, Prestige Academy, for Preliminary and Final Site Plan Approval for a proposed 12,500 square foot daycare center. **Mayor Higgins** asked to speak with the Attorney as he believes he may need to recuse himself from this application. **Chairman Preidel** asked for a two minute recess.

Chairman Preidel reopened the meeting. **Mayor Higgins** stated that he would need to recuse himself because of conflict of interest.

Attorney Frank introduced himself as the attorney for the applicant Suzanne Leechong. He requested the courtesy to be able to comment on the professionals comments should he see fit. Chairman Preidel agreed.

Planner Fegley stated she issued a letter dated June 19th in regards to completeness. Checklist A had a number of items that needed to be submitted. The tax certification, application to the Environmental Commission, Fire Official, and some that may be deferred until final approval. Checklist B was very similar. She strongly requests an Environmental Impact Statement and or combination of EIS/EAR be submitted. This is because of the large amount of tree removal. **Attorney Frank** stated that they do have a wetlands LOI, which addresses the wetlands buffers, threatening endangered species because the DEP presence would indicate what their required buffer width would be. **Planner Fegley** stated there are other areas in the uplands and outside of the transition of the wetlands that DEP would not be looking at. **Attorney Frank** stated that they would need to do the water sampling and critical impact areas will be assessed.

Engineer Stout stated that all the trees in that area do not need to be counted. However, a site evaluation; any large specimen tress should be identified. Also, some sort of Environmental Impact Report should be provided. **Attorney Frank** stated that he will work with the professionals and will provide something that is satisfactory.

Traffic Engineer Litwornia stated that he believes the application could be deemed conditionally complete. A traffic study should be submitted and drive needs to be addressed that is shown on two properties; one of which is not owned by the applicant. **Attorney Frank** stated that the Planning Board had approved a subdivision of this property some time ago. The DOT considered the frontage of the two lots insufficient; therefore they required there be a common entrance. They can provide those easements to the board and professionals. This is required as part of the DOT's permitting process for access to those lots. **Traffic Engineer Litwornia** stated the adjacent lot would then need to be added to the application. **Chairman Preidel** stated that the other lot was approved for a carwash. He remembers the combined driveways as well. **Attorney Frank** stated he would coordinate with the original engineer from the MLC application the access points and coordinate that with Al's office as well.

Traffic Engineer Litwornia stated the DOT usually does not go with lighting, but in this instance where there is a sensitive use, typically streetlights are provided at the entrance way. He questioned the status of the DOT approval. **Attorney Frank** stated they are making the application to get the previously granted approval brought back up to date as it's expired. **Traffic Engineer Litwornia** stated that the parking requirements cannot be assessed currently without additional information. **Attorney Frank** stated that additional information can be provided.

Traffic Engineer Litwornia stated that this board needs to be sure there is a safe access and as far as the off tract contributions, the only off tract contributions that are being requested is a percentage of the pm peak hour traffic of new traffic in front of the municipal building for a traffic signal. This has been asked of other applicants as well so the Township may collect monies for the state improvement of the traffic signal. **Attorney Frank** asked if that was discernable. **Traffic Engineer Litwornia** stated that it has been before and the applicants have put up money for it along Route 206. It is not an exorbitant amount; it is a percentage of the pm peak hour traffic which is minuscule. **Attorney Frank** questions whether it's discernable given the nature of the use. **Traffic Engineer Litwornia** stated that it can be discussed. **Attorney Frank** stated they will provide a traffic study, but it will be what DOT needs with regards to Route 206.

Engineer Stout referenced his letter of June 20th which outlines the items of completeness. Most of this stuff can be done as a condition and will be provided as part of the final submission. He agrees with the Planner on the Environmental Impact Statement. Otherwise he is okay with everything else.

Vice Chairman Borgstrom made a motion to deem the application conditionally complete and was seconded by **Chairman Preidel**. Motion carried on a roll call vote recorded as follows:

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

NAY: None NOT VOTING: Higgins, Patel ABSENT: Lippincott

APPROVAL OF MINUTES:

A motion to approve the following minutes was offered by **Mr. Allen**: April 23, 2018, May 8, 2018, and June 13, 2018. The motion was seconded by **Vice Chairman Borgstrom**.

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

NAY: None NOT VOTING: Higgins, Patel ABSENT: Lippincott

PUBLIC COMMENT:

Mark Clark, 3193 Route 206 – He is there for informational purposes for the board members. 3191 Route 206 came to him to inform him that they will be opening up a soup kitchen. There has been nothing submitted to the Township and nothing in front of the Planning Board. They will have tables on the front lawn and start serving food. He is aware that he is probably not at the right meeting, however he just found out about it today and he wanted to bring it to the board's attention. **Chairman Preidel** asked Mr. Clark to bring this to the Township Committee's attention. **Mr. Clark** stated he is bringing this to everyone's attention because they are in there all night long and there has not been anyone from the Township there. He wants to be sure everyone is aware.

MOTION FOR ADJOURNMENT:

A motion to adjourn the meeting was offered by **Mr. Cain** and was seconded by **Mr. Kampo**. All ayes motion carried.

Respectfully Submitted by:

Date of Approval:

Ashley Jolly, Land Use Coordinator