

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
JOINT LAND USE BOARD**

February 26, 2024

6:30PM

SPECIAL MEETING

A special meeting of the Joint Land Use Board was held on the above shown date. Chairman Preidel called the meeting to order followed by the following Opening Statement and flag salute:

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was published on January 26, 2024. Said Notice was published in the Burlington County Times and Trenton Times, filed with the Clerk of the Township of Mansfield and posted on the official website of the Township of Mansfield. Notice of which contained the date, time, and purpose of this meeting stating that formal action will be taken.

Chairman Preidel called the meeting to order followed by the salute to the flag and the following Roll Call:

Members Present:	Chairman Preidel, Mr. Borgstrom, Mrs. Herbert, Mr. Schwartz, Deputy Mayor Sisz, Mr. Schwartz, Mr. Broski and Mr. Ocello
Members Absent:	Mr. Grouser, Mr. Pinto, Mr. Wainwright, Mayor Mojena, Mrs. Villegas Mrs. Semus
Also Present:	Patrick Varga, Esq., JLUB Solicitor, Ed Fox, P.P., JLUB Planner and Elizabeth A. MacLennan, JLUB Secretary

MEMORIALIZATION OF RESOLUTION

RESOLUTION 2024-2-5: A RESOLUTION OF THE TOWNSHIP OF MANSFIELD JOINT LAND USE BOARD GRANTING PRELIMINARY AND FINAL MAJOR SITE PLAN WITH MINOR SUBDIVISION APPROVAL FOR PROPERTY KNOWN AND DESIGNATED AS BLOCK 70, LOTS 6.01 & 6.04

Mr. Fox noted that the developer would need to get NJDOT approval prior to any work being done.

Attorney Varga noted a change to be made about the frontage wherein sidewalks are to be constructed along Kinkora Road and Route 130, along the frontage of the property.

Mr. Fox explained that this application, as approved, would require significant improvement for a new jug handle near the development on Route 130 and Kinkora Road. This will require NJDOT approval, which may take some time. In order for them to begin construction on the site, they will still need NJDOT approval for an off-site issue. Attorney Varga noted that, if the applicant fails to get NJDOT approval, the above resolution is invalid. Nothing can be done on the property until NJDOT approval is granted. Attorney Varga further explained that there would also be a Developer's Agreement executed between the Township and the Developer.

A motion was offered by Chairman Preidel and second by Deputy Mayor Sisz to adopt the foregoing Resolution with the change. Motion approved on a Roll Call Vote, recorded as follows:

Aye: Schwartz, Sisz, Preidel, Ocello

Nay: None Absent: Semus, Grouser, Pinto, Wainwright, Mojena, Villegas

Abstain: Borgstrom, Broski

All Ayes. Motion Carried

COMPLETENESS REVIEW:

Applicant: Exit 52 SE Urban Renewal, LLC (NFI Real Estate)

Block 45.01, Lot 2, Florence-Columbus Road and Burlington-Columbus Road

Application for Amended Preliminary/Final Major Site Plan Approval

Mr. Fox explained that the project is currently under construction but, before they finish, they have asked for a request to amend their approved site plan to remove 14 of the loading docks on the one side and 22 on the other side of the building and replace them with employee parking. On the western side of the building, they want to remove the 60-foot-wide strip and install 85 new parking stalls to substantially increase employee parking with a reduction in the truck loading docks. They did not indicate a change of use for the warehouse approval. Mr. Fox recommended the Board find the application complete but give some issue waivers for their boundary and topographical survey, a proof of lot closure, legal descriptions and profiles of streets. They have provided all the requirements for an amended site plan.

Chairman Preidel asked if this applicant had to adhere to the new storm water regulations if it was previously done under the old regulations. Mr. Varga felt they would not have to comply with the new regulations since they already previously received approvals and this is an amendment. Chairman Preidel felt they were adding more coverage. Mr. Varga will look into this.

A motion was offered by Chairman Preidel and second by Deputy Mayor Siz to deem the application complete. A Roll Call Vote was taken as follows:

AYE: Borgstrom, Herbert, Schwartz, Siz, Preidel, Broski, Ocello

NAY: None ABSTAIN: None

ABSENT: Grouser, Mojena, Pinto, Wainwright, Villegas, Semus

Applicant: Cox Automotive c/o Environmental Services (Manheim)

**Block 1, Lot 5.03; Block 2, Lot 1.01; Block 3, Lots 1 and 2, 155 Aaronson Road
And 735, 741, and 770 Route 68.**

Application for amended preliminary and final major site plan with use variance

Mr. Fox explained this application for Cox/NADE/Manheim to put on their existing impervious coverage in their driveways, drive through open-ended huts or barns where cameras can photograph the entire vehicle as part of their inspection. Humans are doing this at this time. The complexity of these is minimal considering the entire development of the Cox/NADE/Manheim development. This was similar to the prior approvals wherein the developer put solar panels along Aaronson Road and significant submission waivers were granted by the Board. Mr. Fox felt all the waivers requested should be approved and the application should be found complete at this time. Mr. Fox further explained that request has also been made for a use variance because automobile dealerships are not permitted in this zone. The Master Plan discussions indicate that this zone may be changed to permit auto dealerships as a conditional use to alleviate the necessity to appear before the board when they make a minor adjustment to the facility.

A motion was offered by Deputy Mayor Siz to deem the application complete. The motion was second by Doug Borgstrom and carried on a Roll Call Vote, recorded as follows:

AYE: Borgstrom, Herbert, Schwartz, Siz, Preidel, Broski, Ocello

NAY: None ABSTAIN: None

ABSENT: Grouser, Mojena, Pinto, Wainwright, Villegas, Semus

All Ayes. Motion Carried.

Applicant: Nicholas Militch, Block 42.03, Lot 21, 135 Petticoat Bridge Road
Application for Use and Bulk Variances

Mr. Fox noted that this application is to recognize something that may already have happened previously. There is a single-family home on the property that dates to the 1950's. The previous owner had improved their freestanding garage into another dwelling unit with a kitchen, bathroom, etc. The application has requested to finish the work to include two single family detached houses. The detached garage would be converted into a new principal use. However, it does not meet the setback requirements for a house. Mr. Fox recommended the application to be complete.

A motion was offered by Doug Borgstrom and second by Deputy Mayor Siz to deem the application complete. Motion was carried on a Roll Call Vote, recorded as follows:

AYE: Borgstrom, Herbert, Schwartz, Siz, Preidel, Broski, Ocello
NAY: None ABSTAIN: None
ABSENT: Grouser, Mojena, Pinto, Wainwright, Villegas, Semus

Applicant: Tri-State Petro, Block 1, Lots 1,2, and 3, 3372 Route 206 & 800 Route 68
Application for Preliminary & Final Major Site Plan and Bulk Variance
To construct a fueling station and Dunkin Donuts Restaurant with
Drive-through Service Lane

Chairman Preidel introduced this application and noted it is continued to March 25, 2024 at 6:30PM. No further notice will be given for this hearing.

COMMENTS FROM THE BOARD:

Doug Borgstrom apologized for not attending the prior meeting wherein he had a conflict.

PUBLIC COMMENT

There were no comments.

COMMENTS FROM THE BOARD

Attorney Varga said he and Mr. Fox had been communicating about ways to streamline an application so applicants do not have to return to the board multiple times for issues that can be corrected prior to their appearance before the board.

The first issue is completeness. Under the MLUL, completeness does not require the board to have an actual hearing and vote. It is a matter of timing. Upon a submission of an application, the initial clock starts and, once that happens, the application to be deemed complete or incomplete. The Professionals can make that decision rather than having the board meet for this. This would streamline the application. Mr. Fox recommended this for only major subdivisions and site plans at this time.

Mr. Varga suggested the possibility of a Technical Review Committee (TRC) that would consist of the Board's professionals and a few members of the Board. This group would discuss any discrepancies before the application was heard by the Board. This would help streamline larger application so that they didn't have to come before the Board three to four times for the same application. The TRC could also approve minor site plans that didn't require any variances.

Mr. Varga further explained that he would issue a letter to Ms. Jolly, Township Clerk, as well as Attorney Prime informing them that the Board is requesting that the Township adopt an ordinance authorizing the use of a TRC Committee, which would come back to the board.

Chairman Preidel spoke of the proposal to allow the Planner and Engineer to deem an application complete or incomplete. Then the Board would see the application in its entirety after receiving letters from the Planner and Engineer. The application would not have to be at a meeting for completeness. Board members would be able to contact a professional if they had a question. A Roll Call was taken approving this procedure, as follows:

AYE: Borgstrom, Herbert, Schwartz, Sisz, Preidel, Broski, Ocello

NAYE: None

Mr. Fox explained that the MLUL also allows a technical review committee to act as a minor site plan review committee to approve minor site plans that do not require variances. Then a public hearing would not be necessary. Chairman Preidel felt all site plans should come before the Board because neighbors would not have an input in this case.

The other proposal would be the formation of a TRC Committee to determine completeness. It was decided not to make a decision until the full membership is present. The Board determined that they were interested in the TRC for major site plans, but didn't want to make any decisions until the rest of the members were present.

MOTION TO ADJOURN

A motion was offered by Joseph Broski and second by Deputy Mayor Sisz to adjourn. Motion carried.

Prepared by:

Respectfully submitted:

Barbara A. Crammer
Deputy Clerk

Elizabeth A. MacLennan
Joint Land Use Board Secretary