

**Mantua Township Planning Board
December 16, 2008**

Call to Order

Mr. Kenneth Green, chair, called the regular meeting of the Mantua Township Planning Board to order on Tuesday, December 16, 2008 in the Main Meeting Room, Mantua Township Municipal Building, Main Street, Mantua, New Jersey. Mr. Green made statement that the notice of the meeting was published in accordance with the Open Public Meetings Act.

Roll Call

Present: Mr. Joseph Giumarello, Mr. Robert Harris, Mr. Graham Land, Mrs. Sharon Lawrence, Mr. John Legge, Ms. Stephanie Salvatore, Mr. Kevin Howarth, Mr. Robert Zimmerman, Mr. Dave Mastrogiacomo and Mr. Kenneth Green. **Also present:** Mr. Jon Bryson, engineer; Sam Ragonese, Esquire, Mrs. Shirley Veacock, coordinator, and Ms. Peggy Veacock, corresponding/recording secretary. **Absent:** Mr. Lou Coppollino.

Swearing of Professionals

Board Professional Mr. Bryson was sworn for testimony.

Approval of Minutes

On motion by Mrs. Lawrence, seconded by Mr. Legge, the Board approved the November meeting minutes. All members were in favor of the motion. Mr. Land, Ms. Salvatore, Mr. Howarth, and Mr. Zimmerman abstained from the motion.

New Business

08-08, Minor Subdivision, Royal Oaks Homeowner's Association, Ph IV, Block 146.12, Lot 28

Jennifer Fowler, Esquire, was present representing the applicant. The applicant is seeking to convey two lots to the Township. The action would need approval of two variances that Ms. Fowler feels should be considered under the C1 definition and if necessary the C2 criteria. The area is an odd shaped lot with an existing condition. The Homeowner's Association would like to transfer the basins to the Township. There have been some problems with maintenance of the basin and the Township has agreed to take over the property and correct the basin problems. Mr. Robert Scott Smith, engineer for the applicant, was sworn in for testimony. The basins are located on 1.14 acres off Candlewood Drive and 1.6 acres to Township off Birchwood Drive. There are some encroachments, i.e., sheds, swing sets, that need to be discussed.

Board Discussion: Mr. Giumarello asked if there were any sprinkler systems on the property to be dedicated. He was informed that the applicant was not sure. However, if there were any, they would have to be removed. Mr. Land questioned why the applicant was proposing the dedication of the property. He was informed that the Township was petitioned to take over the maintenance of the basins. Mr. Land noted the cost involved to the Township for maintenance of the basins.

Mr. Jeff Mueller, Royal Oaks Homeowner's Association, 8 Maplewood Lane, was sworn for testimony. He noted that four years ago when the problems with the drainage started he spoke with the mayor about the Homeowner's concerns. The mayor thought the Homeowner's Association should not own the basins and suggested that the Township take over the maintenance. The Board members discussed the encroachments and who would be responsible for enforcement of the removal of the items. Mr. Mueller noted that when he contacted the members of the Association, there were no objects to the proposal. Mrs. Lawrence stated that she was aware of the Township's offer to take over the maintenance of the basins. She did not know about the encroachments and the additional land that the applicant proposes to include in the dedication. Mr. Zimmerman asked if the Homeowner's Association would be contributing to the maintenance costs, if the Township were to accept the dedication of the property. Mr. Mueller replied that he was not sure as the Association was looking to lower their costs for maintenance. A discussion ensued concerning whether the Township Committee or the Planning Board would have the responsibility of negotiating the terms of the dedication.

Mr. Charles Ward, 99 Candlewood Drive, indicated that two years ago residents started to get sink holes in their yards and driveways. The Township got involved because of the sewer issues. The Mayor agreed to take over the maintenance of the basins to avoid possible lawsuits by the residents and to eliminate larger problems down the road. The Homeowner's Association does not want the responsibility of the basins because of the costs. Mrs. Lawrence noted her concern for the additional land the applicant has included with their application. Mr. Harris questioned the role of the Board. He did not feel the Board should be accepting land, only approving the plan. Mr. Ragonese noted the expense to the applicant. He noted that the Board could act to postpone the application until these new details are finalized. Ms. Flowers noted that the applicant will go back to the original plan and asked if the application could be tabled until the next regular meeting. Since the application has been advertised, the Board opened the application for public comment.

Public Comments: All individuals were sworn for public comment.

Mr. James Moore, 20 Birchwood Lane, reiterated the events that Mr. Ward mentioned earlier, noting the problems with streets, sidewalks and the sewer system. There being no further comments, the public hearing was closed.

Board Action: On motion by Mrs. Lawrence, seconded by Mr. Legge, the Board moved to continue the application until the next regular meeting. All members were in favor of the motion. Mr. Ragonese noted that the application would not have to renotice the application.

Resolutions

The resolution for application 08-07, Minor Subdivision, William Gallagher, Block 158.07, Lot 19 was presented to the Board. **On motion by Mr. Legge, seconded by Mrs. Lawrence, the Board approved the Resolution. Roll Call Vote: Yes: Mr. Giumarello, Mr. Harris, Mrs. Lawrence, Mr. Legge, Mr. Mastrogioacomo and Mr. Green.**

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted,



Peggy Veacock
Corresponding/Recording Secretary