

**Mannington Township Planning Board  
Regular Meeting  
September 14, 2023**

**Present:**

Donald Asay, William DeCinque, Richard Eber, Nicholas Culver, John Sakewicz, Dory Emel, Robert Schmid, Corey Gaskill and Michael Aimino

**Absent:**

Donald Richman, Michael Colletti, Jessica Lynne Winkers, David Cadwallader, Kenneth Dunham, Gaynel Schneeman, Carl Gaskill, and Michael Sullivan

The meeting was called to order at 7:01 PM by Rebecca Gower Ferguson, Secretary.

The Sunshine Law Statement was read.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Roll Call was taken to justify that there was a quorum in attendance.

The secretary of the planning board has given adequate notice of the meeting.

Correction to the August minutes: Nicholas Culver was not present.

Richard Eber made a motion to approve the August 2023 minutes with the correction noted above. Donald Asay seconded the motion.

All in Favor.

Block 51, Lot 15

Newell Road and Route 45

Resolution Variance Application/Site Plan

There is a change in the orientation of the driveway. It will now face Route 45. This is in response to the easement request.

Donald Richman made a motion to approve the resolution. Michael Colletti seconded the motion.

Roll call vote.

YES: D.R., J.S., M.C., G.S. & R.S.

NO: (none)

Abstain: (none)

Resolution below:

**RESOLUTION 10-2023**  
**RESOLUTION OF THE PLANNING/ZONING BOARD OF THE TOWNSHIP OF MANNINGTON REGARDING AN APPLICATION FROM HABITAT FOR HUMANITY OF SALEM COUNTY, NEW JERSEY GRANTING SITE PLAN APPROVAL AND BULK VARIANCE APPROVALS FOR PROPERTY LOCATED AT THE INTERSECTION OF NEWELL ROAD AND SALEM-WOODSTOWN ROAD (ROUTE 45), DESIGNATED AS BLOCK 51, LOT 15**

**WHEREAS**, an application has been submitted by Habitat for Humanity of Salem County, New Jersey, (the "Applicant" or Habitat"), 416 South Pennsville-Auburn Road, Carneys Point, New Jersey 08069, for Site Plan Approval and Bulk Variance Approvals to construct a single family home on property known as Block 51, Lot 15, on the Tax Map of the Township of Mannington, commonly known as Newell Road and Salem-Woodstown Road (Route 45), Mannington, New Jersey 08079, which property the Applicant is under contract to purchase from Mannington Township; and

**WHEREAS**, the application was deemed complete by the Mannington Township Planning/Zoning Board, sitting as a Zoning Board of Adjustment, by a vote of eight (8) in favor, zero (0) opposed and zero (0) abstentions, at its meeting on July 13, 2023. The following waivers and/or agreements were reached and/or granted as to Checklist B:

5. The Applicant agreed to provide the secretary with a copy of the 200 foot property list for statutory notice purposes; and
7. The Applicant agreed to show building dimensions on the plan; and
15. Applicant agreed to provide a grading plan which will be submitted in conjunction with the septic and soil permit filing; and
17. Waiver was granted from providing cross sections and centerline profiles; and
21. Waiver was granted regarding floor plans and front elevations; and
24. Applicant's engineer will provide a signed letter meeting the requirements of Item 24 a through d; and
26. Applicant was granted a waiver for the submission of a Soil Erosion and Sediment Control Plan for completeness purposes only; and
27. A waiver was granted from the requirement of providing an Environmental Impact Statement.

**WHEREAS**, the Applicant has given legal Notice as required by and in accordance with N.J.S.A. 40:55D-12, by serving proper Notice to property owners within 200 feet of the site, serving Notice on all required governmental agencies and public utilities and by publishing a proper Notice in the newspaper, all at least ten (10) days prior to the hearing; and

**WHEREAS**, in support of the presentation, the Applicant provided the following:

1. Application for Development Review & Application for Bulk Variance with Site Plan, dated June 21, 2023; and
2. Checklists A and B with waiver requests noted; and
3. Request for Certified List of Property Owners within 200 feet;
4. Cover letter dated June 22, 2023 from Sue Ann Leighty, Executive Director; and

5. W9; and
6. Three (3) photos of a sample home; and
7. Architectural Plans, eleven (11) sheets; prepared by JW Pedersen Architect, PC, Vineland, New Jersey; and
8. Variance Plan, Sheet 1 of 1, prepared by Joseph R. Odenheimer, PE of Colliers Engineering & Design, 2000 Midlantic Drive, Suite 100, Mt. Laurel, New Jersey 08054, dated June 12, 2023.

**WHEREAS**, the Mannington Township Planning/Zoning Board has made its determination in this matter based on the following:

1. The documents set forth above; and
2. The representations made by the Applicant in its application and by the Applicant's representative, Sue Ann Leighty, Executive Director, the Applicant's Engineer, James. Biegen, PE and the Applicant's Attorney, Kenneth Miller, Esq., at the time of the hearing before the Board on August 10, 2023; and
3. A letter from the Board's Engineer, Corey Ronald Gaskill, PE, CME, CFM, dated July 11, 2023, which is incorporated and made a part of this resolution by way of reference; and
4. Comments made by Corey Ronald Gaskill, PE, CME, CFM, the Board Engineer, and by Michael A. Aimino, Esq., the Board Solicitor, at the time of the hearing on August 10, 2023; and
5. At the time of the hearing the following members of the public spoke:
  - A. Linda Harwood, 11 Newell Road. Ms. Harwood owns the property next to the site in question. She indicated that most of the questions she had were answered during the Applicant's presentation. She inquired about how she could obtain a copy of the easement document that will protect her water line. The Applicant indicated they would provide her with a copy after it has been filed. She was also informed that she could obtain a copy from the County Clerk's office once it was filed.

**WHEREAS**, based upon the information provided at the time of the hearing and in the application, the Mannington Township Planning/Zoning Board makes the following findings of fact and conclusions of law:

1. The Applicant has filed an application for Site Plan Approval and Bulk Variance Approvals to construct a single family home on the property in question. The project proposes to build a single family residential dwelling to be served by a septic system and existing water infrastructure in the MR Medium Density Residential Zoning District. Single family homes are a permitted use in the MR zone.
2. The Applicant's representative, Sue Ann Leighty gave the Board an overview of the project. The Applicant was given the land in question by the township in order to build a single family home for a family that meets their ownership criteria. A family has been chosen and deemed most qualified to participate in their program.

They are a husband and wife, with three (3) children. The project calls for the construction of a three (3) bedroom.

3. The Applicant's Engineer, Mr. James Biegen, PE, testified regarding the project and the required variances. The Applicant requires and is requesting two (2) bulk variances:

A. Township ordinance requires the lot area in the MR Zone to be a minimum of 25,000 square feet. The lot in question is 20,894 square feet, which represents an existing condition. A bulk variance is required and requested; and

B. Township ordinance requires a minimum lot depth in the MR Zone of 175 feet. The lot in question is a mean horizontal distance between the front and rear lot lines of 125.04 feet, which represents an existing condition. A bulk variance is required and requested.

4. Mr. Biegen testified regarding the variances outlined above. He noted that it would be impossible to correct the two conditions by obtaining property from the adjacent lots as that would either cause a non-conformity or a greater non-conformity in the adjacent lot. He again noted that both of the variance requests involved existing conditions. In all other respects the Applicant will be able to meet the bulk requirements of the zone.

5. Mr. Biegen further testified that the home will be a one story home, approximately 26 foot by 52 foot, serviced by a septic system and an existing water line which they will tie into across the street. There are no wetlands on the property and they will submit a letter to the Board confirming same. A grading plan will be submitted as well as a design plan for approval of the septic system. The will need a permit for the water connection and for the roadway cut out to tie into the water line across the street. No landscaping is planned, however, typically Habitat has volunteers who provide plantings for the newly constructed homes. There are trees on the site. They will make every effort to save as many trees as possible. Some of the trees will require trimming.

6. There is an easement on the property for a water line that services an adjacent property. The Applicant will provide a half-pipe cover over the existing water line area to protect it from damage. The easement concerning the water line will be filed in conjunction with the property being transferred from the township to the Applicant.

7. The Board weighed the positive and negative criteria and determined that the positive aspects of the project outweighed any potential negative impact, of which the Board found none and granted the two (2) Bulk Variances as requested. The two (2) variances involve existing conditions that the Applicant cannot correct by obtaining land from adjacent landowners. There will be no negative impact to the surrounding community as the lot in question is in keeping with the size and configuration of the other lots in the area. There is no substantial impact to the zoning code or master plan as the propose use is permitted in the zoning district.

8. The Board determined that the Applicant had met all the requirements for the granting of the Site Plan Approval that the development was in keeping with sound

planning, was in accordance with the Municipal Land Use Law and the Mannington Township Zoning Ordinance, when considering the agreements, waivers, modifications and improvements to be made in connection with this development.

**WHEREAS**, upon motion duly made and seconded to Grant the "Application for Land Development" to GRANT the Site Plan Approval and Bulk Variance Approvals, the Board, by a vote of 9 in favor, 0 opposed and 0 abstentions, (Voting for: Richman, Sakewicz, Colletti, Schneeman, Asay, DeCinque, Eber, Van Winkers and Schmid), voted to **GRANT** the application; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning/Zoning Board of the Township of Mannington, the application of Habitat for Humanity of Salem County, New Jersey, 416 South Pennsville Auburn Road, Carneys Point, New Jersey 08069, for Site Plan Approval and Bulk Variance Approvals to construct a single family home on property known as Block 51, Lot 15, on the Tax Map of the Township of Mannington, commonly known as Newell Road and Salem-Woodstown Road (Route 45), Mannington, New Jersey 08079 is **HEREBY APPROVED**, subject, however, to the testimony, representations and stipulations of the Applicant and their representatives, professionals and witnesses at the time of the hearing and in their submissions, and further specifically, subject to the following terms and conditions:

1. Subject to the Applicant complying with and obtaining any and all necessary approvals from any other local, county, state and/or federal government or administrative body, having jurisdiction over all or part of this land use development approval; and
2. In accordance with the code provisions of the Township of Mannington, no permits, approval or certificate shall be issued until all contingencies provided for herein are satisfied and no Certificate of Occupancy shall be issued, until all other contingencies provided for herein are satisfied and all bills and escrows relating to this property have been paid in full; and
3. The Applicant will comply with all provisions of the Township Engineer's letter of July 11, 2023, unless specifically modified herein or on the record at the time of the hearing; and
4. The Board Engineer shall review all plans and amended plans and inspect the site of the development (inspections by the Twp. Engineer as appropriate) in order to determine compliance with the terms and conditions of the Board approval. Any shortcomings noted by either shall be addressed to the satisfaction of the professionals before the issuance of a Certificate of Occupancy. The Applicant shall submit appropriate escrow amounts, as determined by the Board Engineer or Township Engineer and applicable law, for inspections; and
5. The Applicants will comply with all of the representations, findings and agreements set forth in the Board's findings of facts set forth above, as well as, all agreements and representations made by the Applicant on the record at the time of the hearing; and

6. The Applicant shall pay all escrows, costs and professional fees associated with the application pursuant to the Mannington Township ordinances and the MLUL within thirty (30) days of notice of said fees and costs, absent any challenge by the Applicant as to the correctness or amounts of such fees and costs; and

7. Applicant shall provide a grading plan for review by the Board Engineer, which will be submitted in conjunction with the septic and soil permit filing; and

8. Applicant's engineer will provide a signed letter confirming the absence of wetlands on the property which meets the requirements of Checklist B, Item 24, a through d.

THE PLANNING/ZONING BOARD OF THE  
TOWNSHIP OF MANNINGTON

  
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JOHN SAKIEWICZ, Chairman

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Planning/Zoning Board of the Township of Mannington held on the 10<sup>th</sup> day of August 2023; and such resolution was adopted by the Planning/Zoning Board of the Township of Mannington at a regular meeting held on September 14, 2023, by a vote 5 to approve, 0 to oppose and 0 to abstain.

  
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REBECCA FERGUSON, Secretary

In favor of the resolution: D.A., W.D., R.E., J.S. and R.S.

Opposed to the resolution: 0

Abstained: 0

Donald Asay stepped down from the board at this time.

Block 60, Lot 4  
75 Mannington Mills Road  
Completeness Hearing and Application for a Site Plan Waiver

Adam Telsey is the solicitor presenting this Use Variance and Site Plan Waiver Application. David Kitts was sworn in.

William DeCinque made a motion to deem the application complete pending receipt of the certification that the taxes have been paid. Richard Eber seconded the motion.

All in favor.

Adam Telsey provided an overview of the application which is for a use variance and site plan waiver. This is almost identical to the previous application.

Adam Telsey provided an overview of the plan. This is an existing building with a third party tenant. This will be used for storage for dry goods. The applicant had been unaware that they needed to come before the board. There is no change to the facility itself. The building was an empty building. The Use Variance is needed because it is in an industrial zone and this use is not permitted. Additionally, the zoning does not allow multiple principal uses on one lot. The application is not specific to the current tenant.

Adam Telsey outlined the positive criteria in the application. It keeps the property utilized and there is no impact to the property neighbors and the community at large. David Kitts, retired contractor for Mannington Mills, is working on this project. He described the history of the building. This only impacts the interior of the building. The anticipated truck traffic is much less than that which had been previously used by Mannington Mills.

This application includes two buildings, for a total of three buildings for use by SMS Rail lines.

Kevin Elders from SMS Rail lines was present at the meeting.

Cory Gaskill reviewed his letter.

The meeting was opened to the public.

Donald Asay asked about the materials on site  
If the material change there will be a notification to the township.

The meeting was closed to the public.

Richard Eber made a motion to approve the application for a Use Variance and Site Plan Waiver. William DeCinque seconded the motion.

Roll call vote.

YES: W.D., R.E., J.S., N.C., D.E. & R.S.

NO: (none)

Abstain: (none)

Donald Asay returned to the board at this time.

Richard Eber made a motion to accept the Master Plan 2023 ReExamination Report.

William DeCinque seconded the motion.

Roll call vote.

YES: D.A., W.D., R.E., J.S., N.C., D.E. & R.S.

NO: (none)

Abstain: (none)

Richard Eber made a motion to approve t the Master Plan 2023 ReExamination Resolution ADOPTING THE “2023 MASTER PLAN REEXAMINATION REPORT MANNINGTON TOWNSHIP” PURSUANT TO THE MUNICIPAL LAND USE LAW N.J.S.A. 40:55D-89. William DeCinque seconded the motion.

Roll call vote.

YES: D.A., W.D., R.E., J.S., N.C., D.E. & R.S.

NO: (none)

Abstain: (none)

Resolution below:



RESOLUTION 11-2023

RESOLUTION OF THE MANNINGTON TOWNSHIP PLANNING/ZONING BOARD ADOPTING THE "2023 MASTER PLAN REEXAMINATION REPORT MANNINGTON TOWNSHIP" PURSUANT TO THE MUNICIPAL LAND USE LAW N.J.S.A. 40:55D-89

**WHEREAS**, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. ("MLUL") the planning board of a municipality is given the authority to prepare and conduct a reexamination of a master plan to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and

**WHEREAS**, N.J.S.A. 40:55D-89 of the MLUL requires the planning board of each municipality to provide for a general reexamination of the municipal master plan and development regulations at least every ten (10) years and prepare and adopt by resolution a report on the findings of such reexamination; and

**WHEREAS**, the Township of Mannington (the "Township") last adopted a comprehensive reexamination of the municipal master plan pursuant to the 2007 Master Plan Reexamination Report and subsequent Land Use Plan Amendment, (the "Master Plan"); and

**WHEREAS**, in accordance with the MLUL, the Planning/Zoning Board of the Township of Mannington (the "Board") commissioned Michael F. Sullivan, ASLA, AICP and Donna Miller, AICP, PP, CFM of Clarke Caton Hintz, 100 Barrack Street, Trenton, New Jersey 08608, to prepare a reexamination report of the municipal master plan entitled "2023 Master Plan Reexamination Report Mannington Township", (the "Master Plan Reexamination"); and

**WHEREAS**, the Board reviewed and considered the Master Plan Reexamination at its public meetings on June 8, 2023, July 13, 2023, August 10, 2023 and September 14, 2023 and at these hearings the Board heard testimony from its professionals regarding the Master Plan Reexamination; and

**WHEREAS**, the Mannington Township Planning/Zoning Board, after considering the Master Plan Reexamination and based upon the information provided to the Board prior to and at the time of the hearings, including a memorandum dated July 6, 2023 prepared by Clarke Caton Hintz summarizing the reexamination report, and as set forth above and throughout this Resolution, as well as, the advice, testimony and reports of the Board's professionals, the Board makes the following findings of fact and conclusions of law:

1. The last master plan reexamination for the Township was adopted in 2007.

2. The MLUL, specifically, N.J.S.A. 40:55D-89 requires a municipality to provide for a general reexamination of its municipal master plan and development regulations at least every ten (10) years.
3. The Master Plan Reexamination and all supporting reports, memorandums, elements, and all other documents submitted and on file with the Township are incorporated and made a part of this resolution by way of reference.
4. The Joint Land Use Board determines that the Master Plan Reexamination, and all supporting reports, elements, and other documents, comply with all requirements of the MLUL, specifically N.J.S.A. 40:55D-89, including but not limited to, the Board's obligation to conduct a general reexamination of the municipal master plan and development regulations.
5. The Joint Land Use Board determines that all procedural requirements and regulations were fully satisfied with the regard to the preparation of the various reports and plans submitted for consideration and passage by the Board regarding the public meeting held on September 14, 2023, at which time the Board adopted the Master Plan Reexamination.
6. The Board determines that the adoption and implementation of the Master Plan Reexamination is in the public interest and will protect the public health and safety and promote the general welfare of the Township.

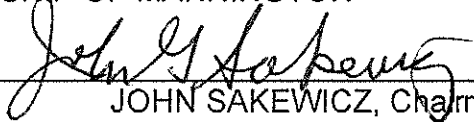
**NOW, THEREFORE, BE IT RESOLVED**, by the Mannington Township Planning/Zoning Board, that:

1. The above-mentioned recitals are incorporated as though set forth herein.
2. The master plan reexamination report entitled "2023 Master Plan Reexamination Report Mannington Township", and all supporting reports, memorandums, elements, and other documents, including all of the recommendations set forth herein and in said documents are hereby adopted in accordance with the requirements of N.J.S.A. 40:55D-89.
3. The Planning/Zoning Board of the Township of Mannington determines that the Master Plan Reexamination satisfies the requirements of the MLUL, and this Resolution, as well as the testimony of the members and the experts of the Board, shall constitute the report on the findings of the Master Plan Reexamination.
4. A copy of the Master Plan Reexamination, and all supporting reports, elements, and other documents, if any, and this Resolution shall be sent to the Office of

Planning Advocacy and the Salem County Planning Board in accordance with N.J.S.A. 40:55D-89.

5. A notice advising that the Master Plan Reexamination and this Resolution have been prepared shall be sent to any military commander who has registered with the municipality and the municipal clerk of each municipality adjoining the Township in accordance with N.J.S.A. 40:55D-89, any of whom may request a copy of the Master Plan Reexamination and this Resolution.
6. A copy of the final Master Plan Reexamination, and all supporting reports, elements, and other documents, if any, shall be provided to the Planning/Zoning Board Secretary and the Township Clerk.
7. The Board recommends to the Township Committee that it take all necessary and appropriate action to enact the proposed updates and changes set forth in the Master Plan Reexamination, and all supporting reports, elements, and other documents, if any, which were adopted by the Board.
8. This Resolution shall take effect immediately.

THE PLANNING/ZONING BOARD OF THE  
TOWNSHIP OF MANNINGTON

  
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JOHN SAKEWICZ, Chairman

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Planning/Zoning Board of the Township of Mannington held on the 14<sup>th</sup> day of September 2023; and such resolution was adopted by the Planning/Zoning Board of the Township of Mannington at a regular meeting held on September 14, 2023, by a vote 7 to approve, 0 to oppose and 0 to abstain.

  
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REBECCA FERGUSON, Secretary

In favor of the resolution: D.A., W.D., R.E., J.S., N.C., R.S. + D.E

Opposed to the resolution: 0

Abstained: 0

Informal Presentation – Robert Williams

Mr. Williams purchased two homes on Halltown Road. These homes are on one lot. He purchased additional land. He would like to subdivide the property so each house is on its own property. This concept would need a number of variances. There will also need to be approvals for septic systems and wells. It was brought to the applicant's attention that these are substandard lots. The applicant can combine the lots but was advised to speak to a land use attorney.

Miscellaneous Business

The planning board meeting was open to the public.

The planning board meeting was closed to the public.

The meeting was adjourned at 7:59 PM.

Respectfully Submitted,

Rebecca Gower Ferguson  
Planning Board Secretary