

**MILLSTONE TOWNSHIP
BOARD OF ADJUSTMENT
MEETING MINUTES
MARCH 25, 2015**

Meeting called to Order by Chairman Novellino at 7:30 p.m.

Reading of Adequate Notice by Mr. Frost. Salute to the Flag and observance of a moment of silence for the troops.

Attorney Vella swore in Anthony Conoscenti.

Roll Call: Present - Novellino, Conoscenti, Frost, Lambros, Bailey and Mostyn. Absent: Barthelmes, Morelli and Ferro

MEETING MINUTES: Approval of Minutes: February 25, 2015.

The eligible members having reviewed the minutes, and requested changes having been made, Mr. Frost made a Motion to approve and Mr. Bailey offered a Second. Roll Call Vote: Frost, Bailey, Lambros and Novellino voted yes to approve the February 24th Meeting Minutes.

RESOLUTION:

Z14-08 WAWA - Block 58, Lot 4. Located at 548 Monmouth Road consisting of 5.42 acres in the Highway Commercial 1(HC-1) Zoning District. Applicant seeks Use Variance and Minor Site Plan approval to construct a 360 s.f. addition to expand the restroom facilities. Approval granted: 2-15-15.

The Board having reviewed the Resolution, Mr. Lambros made a Motion to memorialize the Resolution and Mr. Frost offered a Second. Roll Call Vote: Lambros, Frost, Bailey and Novellino voted yes to the memorialization.

Z15-02 – 352 MONMOUTH ROAD LLC – Block 62, Lot 20.05 located at 352 Monmouth Road consisting of 97,750 s.f. (2.24 acres) in the R-130 Rural Residential Zoning District. Pre-existing one-story office building with basement consists of 2,382 first floor and basement for a total building square footage of 4,764 s.f. Applicant sought and received Use Variance and Minor Site Plan Approval required for pre-existing office building in a residential zone. Variance granted for deficient lot size for zone. Variances granted for disturbance of steep slopes. Resolution memorialized on 2-27-13. Applicant returns for a one-year extension of time. Extension granted.

The Board having reviewed the Resolution, Mr. Frost made a Motion to memorialize the Resolution and Mr. Bailey offered a Second. Roll Call Vote: Frost, Bailey, Lambros and Novellino voted yes to the memorialization.

Z15-03 RIVIERE, Paul, Sr. - Block 9, Lot 9.01. Located at 720 Perrineville Road, consisting of one (1) acre in the RU-P zone. Applicant received variance relief to construct a single-family dwelling and pole barn on the property in Resolution Memorialized on 4-23-14. Lot is undersized for the Zone. Applicant returns to the Board seeking an extension of time. No noticing required.

Paul Riviere, Esq. appeared on behalf of the applicant. He explained the circumstances surrounding the need to request an extension of time in order to perfect the project.

Board Attorney Vella explained that only a six-month extension of time is allotted under our Ordinance. He also added that there has been no zone change for this property.

Chairman Novellino asked for a Motion. Mr. Conoscenti made a Motion to grant the six-month extension of time and Mr. Mostyn offered a Second. Roll Call Vote: Conoscenti, Mostyn, Frost, Lambros, Bailey and Novellino votes yes to the extension of time, which runs through October 25, 2015.

Z15-01 RAIO, Charles - Block 35, Lot 3.33 located at 31 Cheryl Lane consisting of 4.75 acres in the R-170 Zoning District. Applicant seeks to construct a detached Morton Pole Barn, 45 ft. x 30 ft. where 900 s.f. is permitted for an accessory structure, the building will be 1,320 s.f. Applicant further seeks a variance for height where 16 feet is permitted, 19 feet is requested. Deemed Complete: 2-11-15 Date of Action: 6-11-15. Noticing Required.

Attorney Vella announced that he had reviewed the jurisdictional packet and found same to be in order to accept jurisdiction over the application.

Attorney Vella read the following exhibits into the record:

- A-1 Jurisdictional Packet
- A-2 Application dated 1-26-15
- A-3 Web Notice
- A-4 Google Aerial of Property
- A-5 Survey of Property prepared by Charles Surmonte, P.E. & P.L.S. dated 9-3-14 with hand-drawn location and dimensions of proposed pole barn
- A-6 Morton Building Architecturals prepared by Allied Design dated 11-26-14
- A-7 Morton Building Specification sheets dated 11-17-14 (10 pages)
- A-8 Morton Building Site Specifications dated 11-17-14 (8 pgs)

- BOA-1 Report of Board Engineer dated 3-4-15

Attorney Vella swore in Mr. Raio

Mr. Raio explained that he wanted to construct a pole barn on his property for storing his antique cars and vehicles in order to keep them out of the elements. This space will allow him to work on his own vehicles. He explained that there is no room in his garage to do this.

Mr. Raio purchased the property in October 2014. He would like to store three antique cars in the proposed 1350 s.f. pole barn.

Chairman Novellino advised that the proposed accessory structure size is larger than permitted. Mr. Raio offered that he had reduced the size of the barn from what he originally wanted. He has tractors and lawn equipment that he would like to store in the barn as well. The building is for his personal use.

Mr. Raio advised that the two garage bays on the main house are shallow and cannot facilitate his needs. There is no room to work on his cars, repair his brakes and the like. He also has a double axel, 6 ft. long trailer that he does not want to tarp and leave outside to ruin.

Mr. Raio would like to extend his driveway to the barn. He explained that the present configuration is not practical. He explained the barn height would be 19 feet. Mr. Raio reported that would like to put

a lift in the garage which would require 12 feet for the size of the lift. He stated that he would be working on only his own vehicles.

The Board advised that their goal is to find a way to help the applicant perfect his plan but maintain the integrity of the neighborhood. Mr. Bailey stated that he did drive by the applicant's home. He asked about the topography. Mr. Raio explained the dip from the proposed building location in the front yard.

Discussing the pole barn, Mr. Raio explained that the two garage doors would face the house. The Board offered their concerns in that they had no topography for them to view. The Board would like to see what the product would look like. Chairman Novellino stated that in order for this Board to grant the variances, one of the criteria of the Municipal Land Use Law is to assess the negative impacts such as visual impacts, what will the neighbors see and what will the building look like.

Chairman Novellino advised that he drove by the property and noted that the neighbors would be able to see the building because the trees are deciduous and do not provide a screen in the winter. He suggested that one way to screen the neighbors would be to plant a row of evergreens to block the neighbors' view.

Chairman Novellino asked about how high Mr. Raio would be raising the building. The natural terrain helps so there would be a down slope and the planting of trees would provide buffering since you are looking down.

Attorney Vella explained the Ordinance that would allow the height of the building to increase to 20 feet if the building matched the existing structure architecturally and aesthetically. Mr. Raio did research a detached garage but it was too expensive.

Mr. Raio explained why he selected this pole barn company. They have a good sound structural guarantee. He stated that the buildings are strong structures and the company stands behind their product. He would have gutters installed on the building and install proper drainage as well. The Board is interested in minimizing the visual impacts. Screening by planting and maintaining a buffer of evergreens was suggested.

Mr. Raio advised what he wanted to store in his pole barn. Mr. Lambros asked if he could accomplish his goals by decreasing the size of his proposed pole barn. Mr. Raio explained the need for a 12 foot high lift as well as the size of the storage area needed. He also explained that he was considering putting a porch onto the barn to give it more of a residential feel.

Attorney Vella entered Exhibit A-9 into evidence, A Morton Pole Barn calendar references 12 of their top of the line buildings.

Chairman Novellino went through the Board Engineer's report.

Regarding electricity, Mr. Raio stated that electrical connection to the garage would be via underground wires. The building color would be beige. He advised the his septic field in located in the front. The Township has a tree clearing permit to clear more than 1,000 s.f. of trees and Mr. Raio advised he would be taking down three large trees and three small trees. The Board would need to know on the plans the location of the trees to be cleared for the Engineer to review. He advised the his septic field in located in the front. That is on the plan already. There will be no water in the garage. The driveway will be on the plan. Engineer Shafai requested a plot plan grading plan and Chairman Novellino explained why. Mr. Raio explained how water travels on his property. The Township also has a soil import and removal Ordinance should Mr. Raio have to bring in soil.

Planner Susan Gruel asked about lighting to the barn. Mr. Raio will have a motion detector mounted on the front of building and this will be shown on the plans. Mr. Frost asked that the lights must be facing downward to eliminate light pollution.

Planner Gruel wants to make sure that there is no trigger of any kind for lot coverage due to the driveway that was not included on the proposed plan. The applicant must include the additional impervious coverage due to the inclusion of the driveway. The applicant will make sure he is under the percentage.

Chairman Novellino opened the Meeting to the Public at 8:45 p.m.

Attorney Vella swore in Rose Oxley and Kevin Oxley 28 Cheryl Lane whose home is located across the street.

Mrs. Oxley voiced her concern about the elevation where the proposed barn is to be located. She is concerned about the building would look taller than the home. She is also concerned about the aesthetics of a metal building and how it would blend in.

Mr. Raio showed the Oxleys a picture of what the proposed barn would look like. An earth tone roof and ivory metal siding.

Mr. Oxley's biggest concern is that the building will end up looking like a commercial building rather than a residential home.

Chairman Novellino advised the applicant that the trees must be replaced if those trees should die.

Seeing no further public comment, Chairman Novellino closed the public session at 8:57 p.m.

The Board discussed buffering and aesthetics. They asked Mr. Raio to provide larger product and color samples for the Board to see. They asked for a color rendering, property elevations, photos of the home from the street and suggested he reach out to the Barn company to prepare a rendering so that the Board could see the present home and the location of the proposed barn. The Board asked about water percolating into the ground rather than water running into the pond. Board Engineer Matt Shafai could assist in this process. The proposed driveway should be located on the plans and include dimensions.

Attorney Vella announced that the application will be carried to the April 22, 2015 meeting without the need for any further notice.

Chairman Novellino asked the Board members to drive by the property before the next meeting. See no further new or old business, Chairman Novellino asked for a Motion to Adjourn. Mr. Frost made a Motion and Mr. Mostyn offered a Second and by unanimous vote the meeting adjourned at

Respectfully submitted,

Pamela D'Andrea