

**MILLSTONE TOWNSHIP
BOARD OF ADJUSTMENT
MEETING MINUTES
NOVEMBER 19, 2015**

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

Reading of Adequate Notice by Vice-Chairman Barthelmes. Salute to the Flag and observance of a moment of silence for the troops.

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

APPROVAL OF MINUTES: October 28, 2015

The Board had reviewed the meeting minutes and suggested changes were incorporated therein. Mr. Frost Made a Motion to approve and Mr. Lambros offered a Second. Roll Call Vote: Frost, Lambros, Bailey, Barthelmes and Novellino voted yes to approve.

RESOLUTION:

Z15-05 VINCIGUERRA, NICHOLAS - Block 50, Lot 22. Property located at 2 Applegate Road consisting of 1.08 acres in the R-80 Zoning District. Applicant is located on a corner lot and proposes to install a 6-foot vinyl fencing along Millstone Road portion of his property. Variance is needed for installation of a fence in a front yard setback. Deemed complete 7-6-15. Application heard in part on 7-22-15; carried without further need of noticing to 8-26-15; applicant could not attend 8-26-15 meeting; application to be heard on 9-30-15 applicant required to re-notice. Date of Action: 11-3-15.

At its October 28, 2015 Meeting, the Board approved the application. The Board having read the Resolution and recommended changes have been made, Mr. Barthelmes made a Motion to memorialize the Resolution and Mr. Lambros offered a Second. Roll Call Vote: Barthelmes, Lambros, Frost, Bailey and Novellino voted yes to memorialize the Resolution.

RESOLUTION

Z15-07 MESHKI, DESIREE AND MICHAEL - Block 14, Lot 15. Located at 840 Perrineville Road consisting of 0.526 acres in the R-130 Zoning District. Applicant sought to install an in-ground swimming pool in the backyard where 15 feet are required for side yard setback and 3 feet can be provided; and the rear yard setback where 20 is required and 5 feet can be provided. Deemed Complete 9-14-15. Date of Action 1-12-16. Noticing required.

At its October 28, 2015 Meeting, the Board approved the application. The Board having read the Resolution and recommended changes have been made, Mr. Mostyn made a Motion to memorialize the Resolution and Mr. Barthelmes offered a Second. Roll Call Vote: Mostyn, Barthelmes, Lambros, Frost, Bailey and Novellino voted yes to memorialize the Resolution.

WAIVER HEARING:

Z15-10 LENZO, JAMES AND JOHN - -Block 17, Lot 8.04, 8.05 located in the HC Zone and part of Lot 10 located in the PCD Zone. Located at State Highway 33 consisting of 12.28+/- acres. Applicant seeks waivers of application submission checklist item(s). Application not deemed complete. No noticing required.

Attorney Vella advised that the applicant is before the Board to request a waiver of A submission of checklist completeness item. He explained that noticing was not required. Attorney Vella stated that the application would consist of a few steps beginning with the request tonight for waiver from submission of a checklist completeness item, a bifurcated application for a use variance then if approved, a minor subdivision and then preliminary and final site plan approval.

Attorney Kenneth Pape representing the applicants. Mr. Pape advised the application is comprised of three separate properties and he explained the properties. Crest Engineering has prepared a plan reflecting that 6-acres of the Hom 85-acre parcel would be part of the application and he further advised that the Hom property has not been surveyed. Mr. Pape explained that the application checklist requires that a full-blown survey be provided in order to have the application be deemed complete by Mr. Shafai. Mr. Pape stated that if the use variance is granted, the applicant will come back for the minor subdivision and the Hom property will be fully surveyed.

Mr. Pape stated that this is a checklist waiver request is limited to the provision of a full survey of the 85-acre Hom parcel for the use variance portion of the application. They are not looking to avoid the delivery of the full-blown survey just postpone the preparation of it until the use variance is approved.

Chairman Novellino asked Board Engineer Shafai if this is the only checklist item missing. Engineer Shafai advised the Board that it is and stated that the Board can make a fully informed decision without the necessity of at survey. He advised that the applicant would be required to submit the survey for site plan presentation. Attorney Vella concurred that the Board does not need the survey at this time in order for the Board to make a fully informed decision on the use variance.

At 7:43 p.m., Chairman Novellino opened the meeting to the public. Seeing no public comment, he closed that portion at 7:43 p.m.

Chairman Novellino asked for a Motion. Mr. Mostyn made a Motion to grant the checklist submission waiver of the survey prior to the applicants' appearing before the Board to present their use variance bifurcated application. Mr. Frost offered a Second. Roll Call Vote: Mostyn, Frost, Barthelmes, Bailey, Lambros, Morelli and Novellino voted yes to grant the waiver.

The application has now been deemed complete and the applicant will be placed on the January 27, 2016 Agenda for hearing of the Use Variance.

The Board wished to visit the applicants' existing site in Lakewood so that they can see the business. The Board would have to visit it individually so as not to violate the Sunshine Law. The hours were provided. The site would be moving from Ocean County where the business has been located for the last 25 years. They would like to move the business here.

Attorney Vella stated that it is beneficial to see how the existing site functions and how it would fit here. He advised that they can take a tour but cannot have direct conversation outside of the purview of the hearing. They are just going to visit the premises and Attorney Vella advised the Board not to interact.

OLD BUSINESS: None

NEW BUSINESS: Annual Report. Chairman Novellino advised the Board members provide any input on an annual report including any suggested changes to the Township Committee.

Seeing no further business, Mr. Barthelmes made a Motion to adjourn, Mr. Morelli offered a Second, and by unanimous vote, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Pamela D'Andrea