

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
JANUARY 11, 2017**

At 7:31p.m., Chris Pepe called the meeting to Order.

The Secretary read the Adequate Notice and the additional Noticing required by the Township.

Salute to the Flag.

Attorney Steib swore in appointed Members as follows: Mayor Dorfman, Class I, Deputy Mayor Grbelja, Class II, Stacie M. Curtis, Alt I.

**Approval of December 7, 2017 Meeting Minutes:**

The Board having reviewed the meeting minutes, Deputy Mayor Grbelja made a Motion to approve the December 7, 2017 meeting minutes and Mr. Pado offered a Second. Roll Call Vote: Grbelja, Pado, Curtis and Ferro voted yes to approve the minutes.

**Election of Offices:**

**Chairman** - Nominations for the Chairman were open. Mr. Pepe made a Motion to nominate Mr. Newman as Chairman and Mr. Pado offered a Second. Seeing no other nominations for Chairman, by unanimous vote, the nominations for Chairman are closed. Roll Call Vote: Pepe, Pado, Dorfman, Grbelja, Pinney, Beck, Curtis and Ferro voted yes to elect Mr. Newman.

**Vice-Chairman** - Nominations for Vice-Chairman were open. Deputy Mayor Grbelja made a Motion to nominate Mr. Pepe as Vice-Chairman and Mr. Ferro offered a Second. Seeing no other nominations for Vice-Chairman, by unanimous vote, the nominations for Chairman are closed. Roll Call Vote: Grbelja, Ferro, Beck, Dorfman, Pado, Pinney and Curtis and voted yes to elect Mr. Pepe.

Mr. Pepe thanked the Board.

**Board Secretary** - Nominations for Secretary were open. Mr. Ferro made a Motion to nominate Pam D'Andrea as Secretary and Ms. Curtis offered a Second. Seeing no other nominations for Secretary, by unanimous vote, the nominations for Secretary are closed. Roll Call Vote: Ferro, Curtis, Beck, Dorfman, Grbelja, Pinney, Pado and Pepe voted yes to appoint Mrs. D'Andrea as Secretary.

Mrs. D'Andrea thanked the Board.

## **Professionals:**

The Board next considered nominations for its professionals. Vice-Chairman Pepe advised that the Board has a fair and open bidding process.

**Board Attorney:** Nominations for the position of Board Attorney were open. Mr. Pepe made a Motion to re-appoint Michael B. Steib, Esq. of Michael B. Steib, PA and Mr. Pado offered a Second. Roll Call Vote: Pepe, Pado, Dorfman, Grbelja, Pinney, Beck, Curtis and Ferro voted yes to reappoint Attorney Steib.

Mr. Steib thanked the Board.

**Board Engineer** - Deputy Mayor Grbelja made a Motion to re-appoint the Engineering firm of Leon S. Avakian, Inc. with Matt Shafai as the principal engineer for the position of Board Engineer and Mr. Pado offered a Second. Roll Call Vote: Grbelja, Pado, Beck, Curtis, Dorfman, Pinney, Ferro and Pepe yes to appoint Engineer Shafai of Leon S. Avakian, Inc.

Mr. Shafai thanked the Board.

**Board Planner** - Deputy Mayor Grbelja made a Motion to re-appoint the firm of Heyer, Gruel and Associates with Fred Heyer as the principal planner for the position of Board Planner and Vice-Chairman Pepe offered a Second. Roll Call Vote: Grbelja, Pepe, Beck, Curtis, Dorfman, Ferro, Pinney and Pado voted yes to appoint Planner Fred Heyer of Heyer, Gruel and Associates.

Mr. Heyer thanked the Board.

**Court Reporter** – Vice-Chairman Pepe made a Motion to nominate Angela Buonantuono of AB Court Reporting, LLC as Board Court Reporter and Deputy Mayor Grbelja offered a Second. Roll Call Vote: Pepe, Grbelja, Beck, Curtis, Dorfman, Ferro, Pinney and Pado voted yes to appoint Angela Buonantuono as Board Court Reporter.

Ms. Buonantuono thanked the Board.

## **Designation of the Official Newspapers**

Ms. Curtis made a Motion to nominate the Asbury Park Press and The Times of Trenton as the official Board Newspapers and Mr. Pado offered a Second. Roll Call Vote: Curtis, Pado, Beck, Dorfman, Ferro, Grbelja, Pinney and Pepe voted yes to the designations.

## **Regular Monthly Meeting Schedule**

The Board having reviewed the proposed monthly meeting schedule, Ms. Curtis made a Motion to adopt the regular monthly meeting schedule and Ms. Pinney offered a Second. Vice-Chairman Pepe read the dates into the record. Roll Call Vote: Curtis,

Pinney, Pado, Beck, Dorfman, Grbelja, Ferro and Pepe voted yes to adopt that Regular Monthly Meeting Schedule to be held on the following dates in 2018 and the first meeting date in 2019 beginning at 7:30 p.m. in the Municipal Meeting Room located at 215 Millstone Road, Millstone Township, New Jersey as follows:

January 10, 2018	August 8, 2018
February 14, 2018	September 12, 2018
March 14, 2018	October 10, 2018
April 11, 2018	November 14, 2018
May 9, 2018	December 12, 2018
June 13, 2018	January 9, 2019
July 11, 2018	

### **Resolutions:**

**P17-13 33 Associates (Riverside Center)** – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant received Preliminary and Final Subdivision Approval in Resolution Memorialized 12-10-14 to create nine (9) lots. Applicant returned to the Board on 12-10-16 seeking and receiving a one (1) year extension of time through 12-10-17; Applicant returns to the Board for a second (1) year extension of time through 12-10-18. No Zone Change. The Board granted the one-year extension.

Ms. Curtis made a Motion to Memorialize the Resolution and Mr. Pado offered a Second. Roll Call Vote: Curtis, Pado, Grbelja and Ferro voted yes to Memorialize.

**P17-14 33 Associates (Riverside Center)-** Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. 14.93 Acres located in the PCD Zone. Applicant received Preliminary and Final Site Plan approval to construct a 94,500 s.f. warehouse/storage area, a 4,000 s.f. showroom and 4,000 s.f. administrative offices in Resolution memorialized 12-10-14. Applicant returned to the Board on 12-10-16 seeking and receiving a one (1) year extension of time through 12-10-17; Applicant returns to the Board for a second (1) year extension of time through 12-10-18. No Zone Change. The Board granted the one-year extension.

Deputy Mayor Grbelja made a Motion to Memorialize the Resolution and Mr. Ferro offered a Second. Roll Call Vote: Grbelja, Ferro, Curtis and Pado voted yes to Memorialize.

**P16-04 512 Route 33, LLC** - Block 22, Lots 7 & 8 - Located at 512 Route 33. Property consists of 9.940 Acres in the Highway Commercial Zoning District. On 12-10-14, Applicant received Minor Subdivision approval to reconfigure two existing lots.

Applicant received Preliminary and Final Site Plan approval to construct a 12,740 s.f. retail building and a 3,200 s.f. bank. Variances requested were granted. Applicant sought and received a one-year extension of time for both approvals in Resolution Memorialized 12-14-16. Applicant returns to the Board requesting for a second one-year Extension of Time. The Board granted the one-year extension.

Deputy Mayor Grbelja made a Motion to Memorialize the Resolution and Ms. Curtis offered a Second. Roll Call Vote: Grbelja, Curtis, Pado and Ferro voted yes to Memorialize.

**P17-10 106 Trenton-Lakewood Road, LLC-** Block 53, Lots 4.04, 4.05, Located in the Business Park (BP) Zone Located at Wren Drive. The applicant sought and received checklist completeness submission waivers. The Preliminary and Final Major Site Plan application is deemed complete.

Deputy Mayor Grbelja made a Motion to Memorialize the Resolution and Ms. Curtis offered a Second. Roll Call Vote: Grbelja, Curtis, Pado and Ferro voted yes to Memorialize.

**P17-10 106 Trenton-Lakewood Road, LLC--** Block 53, Lots 4.06, 4.07 Located in the Business Park (BP) Zone Located at Wren Drive. The applicant sought and received checklist completeness submission waivers. The Preliminary and Final Major Site Plan application is deemed complete.

Deputy Mayor Grbelja made a Motion to Memorialize the Resolution and Mr. Pado offered a Second. Roll Call Vote: Grbelja, Pado, Curtis and Ferro voted yes to Memorialize.

**P17-10 106 Trenton-Lakewood Road, LLC--** Block 53, Lots 4.01, 4.03 Located in the Business Park (BP) Zone Located at Wren Drive. The applicant sought and received checklist completeness submission waivers. The Preliminary and Final Major Site Plan application is deemed complete.

Deputy Mayor Grbelja made a Motion to Memorialize the Resolution and Mr. Pado offered a Second. Roll Call Vote: Grbelja, Pado, Curtis and Ferro voted yes to Memorialize.

**P17-10 106 Trenton-Lakewood Road, LLC-** Block 53, Lots 4.01, 4.03, Located in the Business Park (BP) Zone Located at Wren Drive. Applicant sought and received Minor Subdivision approval to adjust a lot line. No variances requested.

Deputy Mayor Grbelja made a Motion to Memorialize the Resolution and Mr. Ferro offered a Second. Roll Call Vote: Grbelja, Ferro, Pado and Curtis voted yes to Memorialize.

**New Applications:**

**P17-15 33 Realty Commerical Associates** - Block 22, Lot 2.03 Located in the Highway Commercial (HC) Zoning District. Located at 514 State Highway 33. Site area consists of 10.05 acres. Applicant seeks Minor Site plan approval to replace existing shopping center sign and add a directional sign to the shopping center. Variances needed for size of directional sign where 8 s.f. is permitted, 15 s.f. is requested; sign location where 15 ft. frontage is permitted, 3 feet is provided. Noticing Required. Deemed Complete 12-14-17. Date of Action 4-12-18.

Mr. Pape appearing on behalf of the of the applicant.

He explained that the applicant is requesting modification of an existing sign for a shopping center that received approval in 2000. He advised the Board that he is a minority owner in the shopping center.

Mr. Pape stated that there is one sign located on Route 33 identifying shopping center . The present sign is internally illuminated and the applicant wishes to change that to gooseneck lighting. Mr. Pape explained that the sign is located in a low spot on the property. The sign for each tenant is 7 inches wide and the sign is located at the driveway entrance. Mr. Pape explained that they would like to move the sign further east in the middle of the shopping center. The sign is currently 18' x 13' and the applicant is proposing a 16' x 13'.

Attorney Steib swore in Peter Strong of Crest Engineering is sworn in. Vice-Chairman Pepe stated that Mr. Strong has appeared before the Board in the past, his credentials are known to the Board and he is accepted as an expert witness.

Mr. Strong stated that there are no changes to the site except for the signage.

Referring to Exhibit A-5, Mr. Strong explained the location of the site

Entered into Evidence is Exhibit A-8, Color Rendering of the submitted Site Plan. Mr. Strong explained that the proposed signs would be located at the entrance drive of the complex and one located in the center of the shopping center.

Mr. Strong advised that the clearance from the ground is five feet but that is also level with the highway and that this condition makes it difficult to the see the sign until you are right up on it.

The present sign is 54 square feet. The new sign will be 96 s.f. The bottom of the sign will be raised so that it is two feet above grade. Making it easier to read the sign.

Mr. Strong explained that one variance is needed for the new main identification sign where 15 feet is required by ordinance and only 3 feet can be provided feet instead of 15 feet as required by the ordinance.

He explained that JCP&L has 72 -foot tall poles across the frontage in the state highway right of way and the easement that the applicants gave was to help the utility stage maintenance along the roadway.

Board Engineer Shafai asked the applicant if they are seeking to place the sign to the east. Mr. Strong offered that the optimal scenario would be to have the sign centrally located.

Mr. Pape addressed the hollow area that exists. Mr. Strong stated that people may pass the entrance by the time they see the present sign.

Board Planner Fred Heyer asked the applicant if the sign would interfere with the view of the building, asking if it is located too far east. Mr. Pape advised that they have worked with the sign company to find the best location for the sign. He stated that the tenants asked for help.

Board Engineer Shafai asked if the building to the left would use the same driveway and he further asked if this sign would advertise Mr. Pape's Law Office. Mr. Pape answered no to both questions.

The applicant is seeking to install gooseneck lighting and face the sign perpendicular to traffic.

Attorney Steib swore in Steve Radosti, AIA. Vice-Chairman Pepe stated that Mr. Strong has appeared before the Board in the past, his credentials are known to the Board and he is accepted as an expert witness.

Mr. Radosti explained that the applicant has proposed two signs, one sign would be larger and contain the names of the stores in the shopping center. The second sign is located at the driveway entrance. The sign will be brick and stucco with decorative cornice to match the color and finishes of the building.

Mr. Radosti advised that each tenant has their own color of their sign. The tenants must secure their own sign permit. The tenant sign will be a flat panel and externally lit. He advised that there will be signs on both sides. The second sign is 3ft x 5 ft.

The entrance sign has an arrow on the sign in the same matching colors and materials as building.

The gooseneck lights are LED lights that are turned down not outward.

Mr. Ferro asked about the hours when the lights are turned off. The applicant advised that the last business in the center closes at 10:00 p.m. so the lights would go off at 11:00 p.m.

Board Planner Heyer asked if any other information would be located on the directional sign and the applicant advised that no other information would be on the directional sign.

Planner Heyer stated that the sign is pretty large but not unattractive.

The sign is 15 s.f. Planner Heyer stated that 9 ft. would be better for an entrance and arrow but felt that both are not necessary.

The applicant agreed to reduce the sign from 15 s.f. to 9 s.f.

At 8:15p.m., Vice-Chairman Pepe opened the application to the public. Seeing no public comment, he closed the application to the public at the same time.

Attorney Steib stated that the applicant is now seeking a variance for a 5-foot setback, changed from the original request of 3 ft.. and the sign to enter the site to 9 s.f., originally requesting 15 s.f., where 8 ft. is permitted.

JCP&L's approval required that few mistakes to be cleaned up on the site.

Vice-Chairman Pepe asked for a Motion and a Second to either approve or deny. Deputy Mayor Grbelja made a Motion to approve the application as conditioned and Ms. Curtis offered a Second. Roll Call Vote: Grbelja, Curtis, Beck, Dorfman, Ferro, Pado, Pinney and Pepe voted yes to approve the application.

**Z17-16 TS Group, LLC.-** Block 16, Lot 9.06 Located in the Business Park (BP) Zoning District. Located at 900 Rike Drive. Site area consists of 2.98 acres. Applicant seeks Amended Preliminary and Final Major Site Plan approval to construct a 2,250 s.f. addition to the existing building and construction of a proposed warehouse consisting of 9,600 s.f. Bulk Variance is needed for combined side yard setback where 125 ft. is

Mr. Pado steps down for the application and leaves the building.

Martin Pflieger, Esq. representing the applicant.

He advised that in 2000, 900 Rike Drive was approved to construct a 3000 office/warehouse. The applicant owns a water tank painting outfit that utilizes a lot of equipment to operate that business. The equipment is being stored outside presently. The applicant seeks to house everything under one roof.

The applicant seeks to construct a small addition to the right side of the existing building and then construct a 9,600 s.f. building behind that.

Attorney Steib swore in Peter Strong of Crest Engineering. Vice-Chairman Pepe stated that Mr. Strong has appeared before the Board in the past, his credentials are known to the Board and he is accepted as an expert witness.

Mr. Strong explains the site utilizing the Aerial, Exhibit A-5.

He explained the property has improvement. A solar farm is located to the rear and right of the property. A vacant parcel is next door to the left of the property and the Valcourt site is to the left(west) of that site.

Entered into Evidence is Exhibit A-16,Color Rendering of the Landscape Plan.

The property is located in the BP, Business Park Zone of the industrial park and he explained the proposed addition to the existing building and the new building to the rear behind the parking lot.

Mr. Strong stated that there would not be an increase of number of employees or sewage flow. The buildings are strictly for storage and maintenance.

The building would not be touching the wetland area in the rear. Mr. Strong advised that they are applying for discharge into the storm drain. He stated that the drainage meets criteria established by the Township.

Mr. Strong stated that the side yard variance in the BP Zone requires a minimum of 50 ft. and the accumulative side yard setback of 105 ft. He advised that the applicant can only provide 103 feet. Mr. Strong stated that this is the only variance that they need.

Attorney Michael Steib swore in Tom Sulkowski of 900 Rike Drive. Mr. Sulkowski is the owner of both the TS Group and US Painting.

Mr. Sulkowski explained the current business operation. They provide the service of industrial painting. He explained the items that need to be stored inside are rigs, dust collectors to mitigate dust and paint spraying equipment. He explained that paint is not stored onsite, it is sent directly to the jobsite. He wants to have the vehicles placed inside where the concrete flooring would be 6 inches thick.

Mr. Sulkowski has 4 office employees and 20 employees who are out in the field. The deliveries to this site are via UPS or Federal Express. There will be no change in deliveries and the sign will remain the same. They perform only light maintenance on their vehicles.

Mr. Ferro asked about oil changes. Mr. Sulkowski advised that the storage facility stores oil above-ground and has an oil company come out to remove the oil. Minor oil changes and replacement of trailer lights are the extent of their work. Mr. Sulkowski stated that the vehicles cannot transport hazardous waste. The NJDEP regulates this.

Mr. Sulkowski was asked about a potential for oil spillage. He advised that they would use Quick Dry to absorb the oil. They have the ability to do this at their present building.

Regarding the proposed building, it would be 30 feet in height. The existing building and proposed new addition are 26 feet in height.

Board Engineer Shafai asked about the gravel that is located next to the building. Mr. Sulkowski stated that he would like to replace that with concrete but does not have the ability to do that presently.

Mr. Sulkowski advised oil changes would only take place in the first three of the six bays. A partition divides the maintenance side and the storage side.

Planner Fred Heyer reviewed the information regarding the truss and feels the truss is in compliance. Mr. Strong confirmed that it is 30 feet in height.

Mr. Sulkowski advised that he chose the present design, which is a prefabricated building with 6 bays that maximizes room to accommodate his equipment.

Ms. Pinney asked if this would increase the impervious lot surface. Board Engineer Shafai stated that the building has gutters and drainage to handle the run off.

Ms. Curtis asked if the driveway areas will remain gravel or will that be replaced with concrete. Mr. Sulkowski wants to leave that surface gravel.

Board Engineer Shafai comments that no more trailers or trucks should be parked on the grass.

Mr. Sulkowski stated that OSHA demands that the safety equipment be in place and due to the massive amount of equipment needed and this proposed building will allow for the proper housing of that equipment.

Mr. Sulkowski agreed that there would not be any third party repairs on site.

Mr. Strong presented that he had reviewed the Fire Department Report and they had four requirements in their report. He advised that the applicant will be able to comply with three (3) of those items except the access road installed to the left side of the building, they will not be able to accommodate that request. It is extremely difficult to make that happen stated Mr. Strong, since there are wetlands located there. He explained that he tried to turn the proposed building to the other direction, which would encroach on the 50-foot wetland buffer in the back in order to access the bays. He stated that this plan is the most environmentally sensitive arrangement on the site.

The Board discussed that the proposed metal building does not meet the architectural standard. The applicant offered that it matches the present building on the site.

Attorney Steib marked into Evidence, Exhibit A-17, 8 1/2" x 11" Photo of Existing Building.

Vice-Chairman Pepe asked what is required in our architectural standard.

The Board discussed painting the front building to match the back.

Attorney Steib swore in Jonathan Blank, EIT of Crest Engineering, 100 Rike Drive. Mr. Blank has read the architectural ordinance as to potential materials.

Board Planner Heyer felt that it makes better sense a better color pallet in the back and any serious upgrades in the front where the general public will see it and would upgrade the building. One of the reasons to get away from aluminum building is that they are not sturdy and they deteriorate over time, giving a shabby look. The present building looks good. The Board felt that placing a building in the back to match the front was a better plan. Dressing up the front building with landscaping was discussed.

Board Attorney Steib swore in Bryan Bachelor, the TS Group CFO. Mr. Bachelor resides in Rumson Fairhaven.

Mr. Bachelor explained to the Board how the idea to construct the building came about. They would dress up the front of the building to add architectural interest.

Attorney Steib Marked into Evidence, Exhibit A-18, Pioneer Pole Buildings page three.

Attorney Steib read the Conditions of Approval should the Board vote positively on the application including but not limited to: the proposed building would be of similarity with earth and green tones, the front building would be painted to match the warehouse and the landscaping shall be enhanced.

Planner Heyer stated that improvements will be made to the site in lieu of strict requirements of the ordinance.

Changing the garage door design was discussed.

Planner Heyer stated that there is some justification in granting the combined side yard setback because you might not see it.

Deputy Mayor Grbelja and Vice-Chairman Pepe fee that leaving the discussion of the landscaping enhancement to the professionals presents no problems. Ms. Curtis added to make sure that the colors match.

The Propose Building will be consistent with Exhibit A-18. The front of the Building is to be painted to match the color scheme of the proposed building in the rear. The landscaping plan is to be submitting to the engineer and planner for their approval, in

lieu of compliance with Section 16-14 of the Ordinance. Condition of approval include the construction of an entry bib to make sure that any spills remain within the structure, applicant to work with the Board Engineer regarding this, all equipment outside will be housed in the storage building. The applicant will comply with the technical reports of the Board Planner and Engineer and comply with the Fire Department report except for the except the access road installed to the left side of the building since there are wetlands located there, etc.

At 9:20 p.m., Vice-Chairman Pepe Opened the application to the public. Seeing no public comment, he closed the public portion at the same time.

Ms. Pinney made a Motion to approve as conditioned and Ms. Curtis offered a Second. Roll Call Vote: Pinney, Curtis, Pado, Ferro, Beck, Grbelja and Vice-Chairman Pepe voted yes to approve the application as conditioned.

Seeing no new business or old business, Vice-Chairman Pepe asked for a Motion and a Second to adjourn. Ms. Pinney made the Motion and Ms. Curtis offered a Second and by unanimous vote, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Pamela D'Andrea