

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
OCTOBER 10, 2019**

At 7:30p.m., Mr. Newman called the meeting to Order.

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

Salute to the Flag.

Ms. Curtis arrives at 7:35 p.m.

**Roll Call:** Present: Arpaia, Beck, Curtis, Grbelja, Newman, Pado and Ziner  
Absent: Ferro, Oxley, Pepe and Pinney

**APPROVAL OF MEETING MINUTES: September 11, 2019**

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

**PUBLIC COMMENT PORTION:** 15-Minute Limit.

Chairman Newman opened the meeting to the public at 7:35 p.m. Seeing no public comment, he closed the portion at the same time.

**RESOLUTION:**

**P19-08 ESTATE OF ELSIE HALKA** - Block 41, Lot 1 known as 244 Stillhouse Road consisting of 30.22 acres located in the Rural Preservation (R-UP) Zone. Applicant sought Minor Subdivision approval to create two lots. Proposed Lot 1.08 consisting of 8.226 acres and proposed Lot 1.09 consisting of 21.595 acres. Variance need for lot frontage for Lot 1.08 where 250 ft. is required, 96.64 can be provided. Application approved with Conditions.

The Board having read the Resolution, Deputy Mayor Grbelja made a Motion to memorialize and Mr. Pado offered a Second. Roll Call Vote: Grbelja, Pado, Ziner, Curtis, Arpaia and Newman voted yes to memorialize.

**RESOLUTION:**

**P19-02 BLACK BEAR LAKE REAL ESTATE CO., LLC** - Block 35, Lots 17.01, 19, 19.01, 19.02 & 20. 34.88 acres located at 457 Stage Coach Road in the RC Zone. Applicants received Preliminary and Final Site Plan approval to construct a 4,780 s.f. building, 31.56 ft. in height trampoline building. Variance granted for building height and

lot coverage. Applicant returned to the Board for an additional variance for lot coverage. Variance granted.

The Board having read the Resolution, Mr. Ziner made a Motion to memorialize and Ms. Curtis offered a Second. Roll Call Vote: Ziner, Curtis, Grbelja, Pado, Ziner, Arpaia and Newman voted yes to memorialize.

Deputy Mayor Grbelja left the meeting at 7:40 p.m. The Board has a quorum.

**NEW APPLICATION:**

**P19-05 PATEL, YOMESH** - Block 24, Lot 6 known as 455 Route 33 consisting of 1.28 acres in the Highway Commercial (HC) Zone. Applicant seeks approval to construct a 8,820 s.f. retail building. Variances requested for lot area, 3 ac. required, 1.28 ac. exists; lot width and frontage, 250 ft. required, 187.95 exists; lot depth 450 ft. required, 237.52 exists; front yard setback 100 ft. required, 77 ft. proposed, setback both sides 100 ft. required, 70 ft. proposed, parking 55 stalls required, 44 proposed, 1 loading stall need, 0 proposed. Board Attorney announced Applicant's notice deficient for Manalapan and must re-notice for Manalapan properties only. Noticing sufficient otherwise. Deemed Complete 7-8-19. Date of Action 11-5-19. Extension of time granted to 11-20-19.

Attorney Vella advised that Attorney Steib has reviewed the Noticing packet in order to accept jurisdiction over the application.

Attorney Vella Read the following Exhibits into evidence:

- A-1 Jurisdictional packet
- A-2 Application Dated 3-2-19
- A-3 Property Survey prepared by John W. McCord, Sr. dated 6-20-19
- A-4 Aerial as shown on 2015 NJDEP Geoweb
- A-5 Site Plan prepared by MGC Associates consisting of 9 pages dated 12-8-18
- A-6 EIS prepared by Gary Chiang, P.E. dated 12-8-18
- A-7 Stormwater Management Report prepared by Gary Chiang, P.E. dated 12-8-18
- A-8 Transportation Assessment prepared by Litwornia Assoc., Inc. dated 8-30-19
- A-9 Architecturals prepared by Zen Architecture, LLC dated 5-1-2019

- A-10 Color rendering of proposed building unsigned and undated
- PB-1 Report of Board Engineer dated 7-5-19
- PB-2 Report of Board Planner dated 7-8-19
- PB-3 Report of Environmental Commission dated 6-29-19
- PB-4 Report of Fire Department
- PB-5 Report of Shade Tree Commission dated 9-11-19

Attorney Richard Fornaro representing the applicant. He stated that the applicant is before the Board seeking approval for a retail center located at 455 Route 33, consisting of 8,820 s.f.

Attorney Vella swore in John Ploskonka of Concept Engineering of Manalapan, NJ. Mr. Ploskonka provided his credentials including he has been a licensed engineer for the past 50 years and has testified before this Board in the past. Chairman Newman accepts him as an expert witness.

Mr. Ploskonka explained Exhibit A-5, the site plan. He stated that the building contains 4,000 s.f. of basement storage. He stated that 2/3 of the building will be used for retail and 1/3 for a restaurant. The applicant will provide 44 parking spaces where 55 are required.

Mr. Ploskonka stated the property is located in the Highway Commercial (HC) Zone, is a vacant parcel except for trees located toward the back of the parcel. The elevation drops off to the rear about 10 feet. Mr. Ploskonka refers to the Board Engineer's report and advised that they will comply with his report.

Mr. Ploskonka advised that there are wetlands along with back of the property. A Letter of Interpretation (LOI) was performed and a 50-foot buffer was put in place. He advised that there is an NFA for the NJDEP clean-up.

Mr. Ploskonka reported that variances are needed for four (4) pre-existing conditions, lot size, width and frontage and lot depth.

Board Engineer Shafai confirmed that lot area is 1.28 acres, this includes the wetlands and buffer. Two-thirds is available for construction.

Chairman Newman clarified that pre-existing conditions don't drive the bulk standards no matter what they build.

Mr. Ploskonka does not know if soil will need to be imported or removed since he is standing in for the applicant's engineer who is not in attendance at this meeting. The Board Engineer advised that he will review an application for importing or removing soil as a condition of approval of this project.

Attorney Vella entered into Evidence, Exhibit A-11, mounted aerial subject property.

Mr. Ploskonka advised that they will not be removing any trees with this project. The applicant agrees to comply with the Shade Tree Commission's report. They will send the Shade Tree Commission their most recent revised plan.

Attorney Vella read from the Environmental Commission (EC) report as it relates to the applicant's EIS. Concerning comment #3, the EC advises the applicant that they have not complied with the Threatened and Endangered Ordinance. Attorney Vella stated that this item is outstanding.

Mr. Ploskonka stated that the NJDEP issued the LOI with a 50 foot buffer. He explained that this would not have taken place if there were threatened and endangered species at the location.

Chairman Newman asked the applicant to prepare the survey that the EC is looking for.

Attorney Vella stated that the EIS provided to the EC stated that there is a vernal pool in the immediate vicinity. Mr. Ploskonka stated that they will go back to the EC for clarification. Engineer Shafai advised applicant to look at Survey D in the Ordinance and have that completed and provided.

The applicant will comply with the comments of the Fire Department and the Board Planner.

At 8:05 p.m. that portion of the applicant was open to the public. Seeing no comment as to the Engineer's testimony, it was closed at the same time.

Attorney Vella swore in the Architect,

He presented his credentials including that he has been an architect in New Jersey for over ten (10) years. He is licensed in New York, North Carolina and Texas as well. He has testified before Boards including Hackensack.

Chairman Newman accepted him as an expert witness.

Attorney Vella entered into Evidence, Exhibit A-10, which is a Color Rendering of Exhibit A-9.

Mr. Saurin Padhak advised that the Architect from Zen Architecture is not available for the

meeting and he is a stand-in for the professional. Referring to the Exhibit , Mr. Padhak explained the plan. He stated that the proposed building will have simply lines. Engineer Shafai advised that the architectural do not match the site plan. Mr. Padhak advised that the architectural will be changed to match the site plan.

Engineer Shafai asked about the basement. There is one access from the basement. The architect advised that the basement is for storage only and not for public access.

The Board is concerned that there is only one stairwell to the basement.

The Board took a break at 8:20 p.m. returning at 8:25 p.m.

The Board wants to make sure that the plans they are reviewing are the most recently revised plans.

Attorney Vella stated that the Board will carry the application to the December 11, 2019 meeting, to take place in this building at 215 Millstone Road beginning at 7:30 p.m., without the need for any further noticing. An Extension of Time was granted through December 12, 2019.

Seeing no new or old business, Chairman Newman asked for a Motion and a Second to adjourn. Mr. Beck made a Motion to Adjourn and Ms. Curtis offered a Second and by unanimous, the Meeting adjourned at 8:39 p.m.

Respectfully submitted,

Pamela D'Andrea