

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
NOVEMBER 13, 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.

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

APPROVAL OF MEETING MINUTES: October 10, 2019

The Board having reviewed the meeting minutes, Mr. Ziner made a Motion to approve and Ms. Curtis offered a Second. Roll Call Vote: Ziner, Curtis, Beck, Pado 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.

P19-10 TOWNSHIP OF MILLSTONE - Block 35, Lot 15, located at 471 Stage Coach Road, consisting of 2.53 acres in the Neighborhood Commercial (NC) Zone. Applicant seeks Preliminary and Final Major Site Plan Approval to construct ten (10) one-bedroom, single-story, 591.6 s.f. units for purposes of providing age-restricted apartment units for rent as defined and regulated by the Township's Housing Element and Fair Share Housing Plan and consistent with Ordinance 15-18. Building No.1 will consist of three (3) units and a mechanical room. Building No. 2 will consist of seven (7) units, along with a community laundry room. Eighteen (18) parking spaces are required and 18 will be provided. Applicant seeks variance relief from minimum building set back where 75 ft. required, 40.37 ft. provided. The "Allen House II", would provide affordable housing credits against Millstone Township's mandated affordable housing obligation. The existing structures on the property are to be demolished/removed to allow for the new construction of the two residential buildings and residential parking. This will be a sister site to the existing Allen House age-restricted housing units located next door at 477 Stage Coach Road.

Deputy Mayor Grbelja and Committeeman Ferro Step down for the application.

Attorney Duane Davison representing the Township.

Board Attorney Mr. Steib reads the exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Application date 9-14-19

- A-3 Web Notice
- A-4 Preliminary and Final Major Site Plan prepared by Leon S. Avakian, Inc. dated 6-21-19 (consisting of 9 pages)
- A-5 Aerial prepared by Leon S. Avakian dated 9-19-19
- A-6 Architecturals Prepared by Feldman & Feldman Architects dated 9-19-19 (consisting of 4 pages)
- A-7 State of New Jersey Letter of Interpretation Wetland Line Verification dated 2-28-19
- A-8 Monmouth County Board of Health report finding Soil Suitable for Subsurface Sewage Disposal System dated 3-5-19
- A-9 Monmouth County Board of Health Approval for Subsurface Sewage System dated 9-10-19
- A-10 Millstone Township Fire Department Report dated 10-8-19
- A-11 Millstone Township Historian Report dated 9-28-19
- A-12 Soil Erosion and Sediment Control Plan Certification Application to Freehold Soil Conservation District by Leon S. Avakian, Inc. dated 10-15-19
- A-13 Monmouth County Planning Board review and request for information dated 10-18-19.
- A-14 Freehold Soil Conservation District initial application review dated 10-31-19

Attorney Davison provided a brief overview of the project. The property known presently as Allen House II is located next to the existing Allen House I. There is a variance request for front yard setback where 75 feet is required 40.37 feet can be provided.

Attorney Davison advised that the Allen House II are rental units for seniors.

Attorney Steib swore in Matt Shafai, P.E., P.P., Township Engineer. Engineer Shafai presented his credentials including he is a licensed professional engineer and has been the Township Engineer for the past 16 years.

Chairman Newman accepts Engineer Shafai as an expert.

Engineer Shafai stated that the plan, Exhibit A-4, was prepared by Sam Avakian, P.E.

The Township purchased the property in 2015 or 2016 to help meet the affordable housing need

which is located next to the Allen House I.

Engineer Shafai stated that 18 parking spaces are required by Ordinance and 18 spaces are provided to comply with the Ordinance.

Engineer Shafai discussed the front yard setback has to do with the nature of the property. The property is located on Stage Coach Road between the former Clarksburg Inn and the Allen House I. He presented that the property goes back toward a tributary of Doctor's Creek which was delineated for wetlands and approved by the NJDEP. The proposed housing is 200 feet away from the stream. No other buildings are proposed on the property. Engineer Shafai advised that the proposal is for the Township to record a conservation easement in order to protect this area.

Engineer refers to Exhibit A-4 and describes the site and plan. He stated that there is a residential subdivision located behind the property. The property has 3 or 4 small sheds and a 900 s.f. barn, which will be removed.

The proposal is to demolish the existing buildings. He stated that the existing home is not suitable for affordable housing. Engineer Shafai advised that the Township Historian will be taking a few items from the property prior to the demolition (Exhibit A-11).

Attorney Steib entered into Evidence, Exhibit A-15, Conceptual Plan prepared by Leon S. Avakian Engineers. Engineer Shafai refers to the exhibit and stated that the exhibit is an overlay of the proposed plan over the existing property. He explained the plan is for a one-story building to be constructed where the present 1 1/2 story building is located.

Attorney Steib entered into evidence, Exhibit A-16, 3 pages of 10 photos A-C.

Engineer Shafai describes the exhibit. He stated that there is bamboo on the site that will be removed. The tannery location is on the other side of the stream. The project is to construction ten (10) one-story units.

Attorney Davison asked Engineer Shafai what dictated the location of this project. Engineer Shafai replied that is in next door to the Allen House I senior complex.

Attorney Steib entered into Evidence, Exhibit A-17, Allen House I and Allen House II.

Engineer Shafai stated that both projects have the same trash enclosure and lighting.

Attorney Davison asked Engineer Shafai about the landscaping on the Allen House II. Engineer Shafai described the shade trees will be located in the front along the street and along the Black Bear Property. For stormwater management, a rain garden is proposed that will take the rain water away from the parking lot and place it in the rain garden. Engineer Shafai stated that they were limited to the septic field location and where landscaping can be placed due to the location of the woods and the mature trees. Engineer Shafai stated the topography reflects the property slopes 15% to the stream. He advised that nothing is being changed.

Engineer Shafai provided that the proposed septic and well locations have been approved by the

Monmouth County Board of Health. The Township will address the comments from the Monmouth County Planning Board and Freehold Soil Conservation District. The Township has already received the NJDEP permit. The conservation easement area will be located 150 feet away from the project with a 50 foot buffer. Engineer Shafai stated that there is no adverse impact on the property, citing that it is a very quiet use. The Township already has ten (10) units next door to this project.

Ms. Oxley asked if there will be a path between the two projects. Engineer Shafai advised that will be down the road.

Attorney Steib swore in McKinley Mertz, P.P. A.I.C.P, of Heyer Gruel, Township Planners. Ms. Mertz is sworn in and presents her credentials. She is a licensed planner in the State of New Jersey.

Planner Mertz advised that she is familiar with how this plan fits into the Township's Affordable Housing Plan. She offered that as part of the Township's Affordable Housing Plan, they have one-hundred twenty (120) days within which to put certain mechanisms in place. The development of this project to construct ten (10) senior affordable units is applied to the Township's Third Round obligation. Planner Mertz stated that the project is located in the Neighborhood Commercial (NC) Zoning District. This proposed use is permitted in this zone and in every zone per Ordinance.

Planner Mertz stated that this use is a less intense use in the NC Zone. She stated that with the exception of the square footage, retail trade they are permitted to go up to seventy percent (70%) lot coverage with this project.

Planner Mertz testified that she is familiar with the land use development. Specifically, the provision of sufficient use of resources to provide housing for all. Planner Mertz is familiar with the property and the environmental constraints. She offered that only sixty-six percent (66%) of the property is useable. The project has been moved to accommodate these constraints and preserve the mature trees. Planner Mertz stated that from a planning perspective, it is appropriate to preserve the environmental property and mature trees. The two developments are keeping consistent with each other. She stated that senior housing is good for the public finding no negative impact on the Township Zoning Plan. She offered that the Township had adopted an Ordinance to allow for this use and it is supported in the 2017 Master Plan as well.

Attorney Steib swore in Derrick Griggs the COO of the Affordable Housing Alliance.

Mr. Griggs names several projects that they have been involved in the Township. He clarified that for both the Allen House I and II, the residents are 62 years of age and older.

Mr. Griggs stated the difference between both facilities in the Allen House I has a 2-story community building. An elevator was not installed at that building so the second floor could not be utilized. The Allen house does not have a 2nd-story and has a larger laundry room and mechanical room.

Mr. Griggs explained that all units are all one-bedroom units, with a maximum of two (2) residents to one unit because they are one-bedroom units.

Attorney Steib swore in Tim McCory, Architect from Feldman and Feldman Architects. Mr. McCory is a licensed architect in the State of New Jersey. Mr. McCory described what went into the design of the project other than it mirrors the image of the Allen House I. There is no variation in the design of the units themselves. There is no community room in the Allen House II but has a larger laundry room and mechanical room.

Chairman Newman asked if each unit has its own private entry. Mr. McCory stated that each unit has its own private entrance.

Mr. Griggs confirmed that each homeowner has a key to enter the laundry room.

Mr. Griggs stated that each unit has emergency windows to escape if there is a fire. There is a fire suppression system in the building.

The Fire Department have provided their review of the facility in Exhibit A-10.

The water is supplied by well water. One well is needed for 10 units. Monmouth County Board of Health requires that the well be 150 to 200 feet in depth. Engineer Shafai stated that the leaching field works on gravity.

Township Historian Doreen Polhemus was sworn in. She provided to the Board that this is the last piece of history in the Village of Clarksburg. She offered that the Township grew up around the Mill Bark and Tannery.

Ms. Polhemus provided that in the 1790s, businesses in the area included the old Willow Tree Tavern located at the corner of Rising Sun Tavern Road and Route 524. This is the last piece of business from the 1800's. The Mill Bark worked with the Tannery. She explained that the Mill Bark is bark from trees that are soaked and tannin comes from the bark. They use this to pickle leather hides. Ms. Polhemus explained the process.

Mr. Polhemus stated that the Village of Clarksburg was a self-sufficient thriving community. This business lasted for 220 years. There was a pump for good water. A stone wall exists on the property that was used to divert water when water pressure was needed.

Attorney Steib marked into evidence, Exhibit TH-1,

Ms. Polhemus reported that the findings of the stone wall and mill bark would benefit from an archaeological dig to study the area and preserve the remaining stone wall.

Chairman Newman advised that this dialogue is between the Township Committee and the Township Historian and not for the Board to decide.

Chairman Newman asked Board Attorney Steib for guidance. Attorney Steib stated that the issue is that the wall is within the wetland area and it would be the jurisdiction of the NJDEP to determine what activities can take place.

Chairman Newman opened the application to the public at 8:30 p.m.

Doreen Polhemus, Millstone Township. Ms. Polhemus has a family member residing at the Allen House I units. She advised that the bathrooms have a standard bathtub which is difficult for seniors to access noting trouble getting in and out of the tub. Safety bars located in bathroom are important. The height of the commodes are problematic as well. The senior residents would benefit from a walk-in- tub.

Mr. Griggs advised that they will meet the code and have 50% of the units in Allen House II will be handicapped accessible. He explained that HUD pays a significant amount of the residents' rent. HUD pays for the units to have generators which are needed if there is a power outage.

Ms. Polhemus asked about the patios. Mr. Griggs advised that each unit will have a patio with a flower area by their individual space. Mr. Griggs stated that it is their goal, down the road, to have a community area between both projects

Chairman Newman seeing no further public comment on the application, closed the public portion at 8:35 p.m.

Seeing no further comments from the Board Chairman Newman asked for a Motion to either approve or deny the application. Chairman Newman made the Motion to approve the application and Ms. Curtis offered a Second. Roll Call Vote: Newman, Curtis, Beck, Oxley, Pado and Ziner voted yes to approve the application.

P18-03 BLACK BEAR DAY CAMP - Block 35, Lots 17, 17.01, 19, 19.01, 19.02, 19.04, 20 & 20.04. Located in the RC Zoning district. The applicant reached out to the Township Committee to Request a Modification of Certain Terms and Conditions of the Millstone Township Land Use and Development Regulations Chapter XXXV for Black Bear Day Camp regarding a rezoning. The Township Committee, at their March 6, 2019 Meeting, considered the request and referred the matter to the Planning Board for their review and comment. Carried from 8-14-19 and 9-11-19 Meeting.

Attorney Kenneth Pape representing the applicant. He offered that this is the third meeting the applicant has had before the Planning Board. He advised that they have made modifications per the Board's request. He explained that the Black Bear Property is located next to the Allen House II. The Zone is a split zone, some RC (recreation camp) zoned property and some NC (neighborhood commercial) zoned property

Mr. Pape stated that Black Bear has asked the Board to make recommendations to the Township Committee to modify the RC Zone so that it can to encompass all of the Black Bear properties.

Mr. Pape discussed the NC Zone overlay. The Board asked that it be modified to allow for NC along the road. Engineer Peter Strong developed a plan that demonstrated the ability to have NC along the County Road frontage and the goal to have a recreational building behind that.

Chairman Newman asked how the ordinance would be revised to allow commercial in the front. Mr. Pape looks to the Township professionals to draft the ordinance. Chairman Newman offered that he likes the idea and the way in which it is being presented

Mr. Ziner asked if Black Bear would entertain the development of that area or would someone else develop the area. Deputy Mayor Grbelja advised that this is the NC Zone and would be developed with those uses.

Planner Mertz advised that she will move forward drafting the text of the ordinance with specific information that the Township wants such as road frontage and the like. She stated that the Board's guidance will be followed.

Mr. Pape asked if they would be able to build at 30% impervious lot coverage where 10% is the impervious lot coverage presently. He stated that 35 foot maximum height is consistent with the NC Zone.

Chairman Newman summarized that Black Bear is looking to this Board to give guidance to our professionals and the Township Committee to put together an ordinance that creates new parameters.

Attorney Steib will provide a memorandum to the governing body.

OLD BUSINESS: Mt. Laurel

Attorney Steib provided a brief update. On 10-22-19 at the fairness hearing, Judge Jones found that the proposal met the Affordable Housing constitutionality.

Attorney Steib advised that the Township will have to comply with the settlement agreement and other items by 2-27-19. Attorney Steib explains that for municipally sponsored projects, we must have a shovel in the ground within 2 years time.

Seeing no further business, Chairman Newman made a Motion to Adjourn and Mr. Ziner offered a Second and by unanimous vote, the meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Pamela D'Andrea