

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
FEBRUARY 12, 2020**

At 7:31p.m., Acting Chairman Beck 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, Grbelja, Oxley, Ziner and Arpaia  
Absent: Pinney, Pado, Pepe, Conoscenti, Newman

**APPROVAL OF MEETING MINUTES: January 8, 2020.**

The Meeting Minutes having been distributed for review and comment, the Board Secretary announced that a few grammatical changes were made subsequent to this meeting. These changes were not substantive.

Deputy Major Grbelja made the Motion to approve the Meeting Minutes and Mr. Ziner offered a Second: Roll Call Vote: Grbelja, Ziner, Oxley, Curtis and Beck voted yes to approve.

**APPROVAL OF MEETING MINUTES: January 29, 2020.**

The Board having reviewed the meeting minutes and no comments made, Mr. Ziner Made a Motion to approve and Deputy Mayor Grbelja offered a second. Roll Call Vote: Ziner, Grbelja, Oxley, Curtis and Beck voted yes to adopt.

**PUBLIC COMMENT PORTION:** At 7:35 p.m., Acting Chairman Beck opened the Meeting to the public for any public comment they may have excluding the applications that are on the Agenda for the Board to consider this evening. Seeing none, he closed that portion of the meeting at the same time.

**RESOLUTION:**

**MILLSTONE TOWNSHIP ADOPTION OF THE TOWNSHIPS AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN:**

The Planning Board at its 1-29-20 Meeting presented, considered and adopted the Township's Amended Housing Element and Fair Share Plan. The Board had received and reviewed the proposed Resolutions.

Mr. Beck asked for a Motion and a Second. Ms. Oxley and a Motion to Memorialize and , Deputy Mayor Grbelja offered a Second. Roll Call Vote: Oxley, Grbelja and Beck voted yes to Memorialize.

**CARRIED 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. Deemed Complete 7-8-19. Date of Action 11-5-19 with extensions through February 29, 2020. Application heard in part 10-11-19; 12-11-19, Carried to and 1-8-20 Ext. Granted through January 31, 2019, Carried to 2-12-20. No further noticing required.

Attorney Richard Fornaro representing the applicant. The applicant will be addressing the modification to the building layout that has been done to address the concerns of the Fire Department and concerns of the Board.

- A-17 Preliminary and Final Site Plan prepared by MGC Associates dated 12-8-18; last revised 12-23-19, sheet 2 of 9
- A-18 Site Plan prepared by MGC Associates consisting of sheet 1 of 1 dated 12-23-19
- A-19 Floor Plans prepared by Zen Architects, sheet 2 of 3, dated 12-24-19
- A-20 Letter from Gary Chiang, P.E. dated 12-24-19 re: revisions
- PB-8 Report from the EC dated 12-16-19

Attorney Steib swore in Gary Chaing, P.E. He was previously sworn in, presented his credentials and was accepted as an expert.

Mr. Chaing explained they met with the Fire Officials on site to discuss emergency vehicle circulation and k-turn around. He explained that they have reduced the building by 450 s.f. Attorney Steib asked if the reduction of the building affects the number of parking spaces. Mr. Chaing said the number of spaces now required would be 47 spaces are need and the applicant can provide 44.

Mr. Ziner asked about the garbage truck entering the property and Mr. Chaing said that they would enter and traverse the same way as a fire truck.

There are no further modifications to the plan.

The Board members have signed the eligibility certifications.

Mr. Chaing explained how they had increased the side yard setback.

Engineer Shafai asked about the k-turn around area would also be the loading area. There was a variance requested for that. Mr. Chaing agreed with a comment made by Engineer Shafai that the area would be stripped to prevent cars from parking there.

Mr. Kotelawala was sworn in. He is a principal in the project. He explained how the basement is to be used for storage for the two retail offices not the restaurant. There would be a common door in the middle to access each walled off storage area. There are ingress/egress doors to access the individual space. The basement will meet with the fire safety codes. If sprinklers are required, they will install. The space is not for rental, the space is for the tenants.

The final construction plans are provided to the Construction office.

The application was opened to the public at 7:46 p.m. Seeing no public comment or questions, the public portion was closed at the same time.

Seeing no questions or comments from the Board, Attorney Steib went over the conditions should be Board approve the application, including but not limited to, the items that they have already complied with including reducing the size of the building and the number of parking spaces needed, along with accommodating the fire department and the trash removal circulation, the application will be subject to complying with the technical comments of the Board Engineer and Board Planner reports, they will provide the decorative gooseneck lighting and the colors will be as per the elevation drawings, they will provide the k-turn, reduced the building size by 450 feet and they have reduced the parking spaces to 47 providing 44, they will be stripping the loading zone area.

Deputy Mayor Grbelja made a Motion to approve the application as conditioned and Ms. Curtis offered a Second. Roll Call Vote: Grbelja, Curtis, Oxley, Ziner, Arpaia and Beck voted yes to approve the application.

**NEW APPLICATION:**

**P19-11 GREEN, GEORGE** – Block 62, Lo 16.02 located at 97 Stagecoach Road consisting of 9.83 acres in the R-130 Zoning district. Applicant seeks approval for a Minor Subdivision to create two residential single-family lots. Proposed Lot 16.04 has an existing dwelling which will remain. Deemed Complete 12-3-19. Date of Action: 1-17-20. No noticing required.

Attorney Steib explained the application. Attorney Steib explained that no variances are being requested and therefore, noticing was not required.

Joseph May KBA Engineering, a Civil Engineer licensed in the State of New Jersey, he presently works as the Engineer for the Borough of Spring Lake Heights and has served as the Planning Board Engineer for Spring Lake Heights and has worked for Schoor DePalma and CME.

Mr. May is excepted as a Professional Engineer and is sworn in by Attorney Steib.

Attorney Steib read the exhibits into evidence as follows:

- A-1 Application dated 9-26-19
- A-2 Aerial prepared by KBA Engineering Services dated 7-22-19
- A-3 Wetland Delineation Plan Mager Associates dated 9-12-18

- A-4 Survey, Topo, Utility Plan Prepared by Mager Associates dated 6-13-19
- A-5 Minor Subdivision Plat prepared by KBA Engineering Services dated 7-22-19
- PB-1 Engineering report dated 12-3-19
- PB-2 Planner's Report dated 1-2-20

Mr. May explains the location of the property is located at the corner of Stagecoach Road and Ely Harmony Road, consists of approximately 10 acres that the applicant is seeking to subdivide into two lots consisting of 3 acres and 6 ½ acres. He advised there is an existing dwelling and the pool on the eastern portion of the property.

Engineer Matt Shafai stated that there are waiver requests that the applicant should address. Attorney Steib advised the Board that the waivers are contained in Engineer Shafai's report and the applicant is required to address these requests.

Mr. May stated that the tax map is incomplete and is not on the plan. Engineer Shafai reported that the Ordinance requires that the applicant show all structures within 200 feet of the property. Engineer Shafai advised that does not have a problem with the Board waiving this submission requirement. Engineer Shafai stated that the Ordinance requires the provision of an EIS, a Threatened and Endangered Species report and soil testing. Engineer Shafai asked if soil testing was done. Mr. May asked for these waivers until the properties are being built on. Engineer Shafai advised it was up to the Board to place a condition of approval.

The Board discussed access to the lots. Engineer Shafai stated the driveway would be from Stagecoach Road and the County must approve that.

Attorney Steib swore in George Green 84 Stagecoach Road. Mr. Green advised that the lot will be a building lot that he will sell for someone to develop.

Engineer Shafai asked the Board wants to waive the applicant's provision of soil testing or make the soil testing part of the condition of approval.

Attorney Steib went through Engineer Shafai's report with the applicant. The applicant will place the key map on the final plans, listing the location of the existing structures they will provide, the easements, sight triangle and right of way easements will be placed on the plan, the property owners within 200 feet will be placed on the plan. The applicant is seeking a waiver from providing an Environmental Impact Statement and the applicant is seeking the same waiver from provision of the T&E report.

Engineer Shafai asked if the wetlands have been delineated. He advised that the area is to be set with conservation easement monuments per ordinance and the wetland information is to be included in the notes on the plan.

Engineer Shafai asked Mr. May to address the gore that was on the property survey. Mr. May discussed the gore on the property and explained the gore was actually an overlap and was corrected by Deed. They could adjust the lot line by 25 feet which would eliminate the lot being undersized. Engineer Shafai stated that if it does not exist that should be noted on the plans.

Engineer Shafai also advised that dry wells would have to be provided and that will note will be placed on the plan.

Attorney Steib asked the applicant if other than the existing swimming pool that has a non-conforming setback, the subdivision complies with the zone. Mr. May advised that do not need any other variances or design waivers.

Planner Mertz presented that this application is for the creation of two conforming lots, the only variance is for the existing pool, and they are not creating any new variances. Planner Mertz asked about the existing trail behind the property. Planner Mertz stated that the tax assessor provides the lot numbers and addresses and the applicant would work with her for that information.

Attorney Steib advised a condition of approval would be the waivers of providing the EIS and Threatened and Endangered Species study but the soil testing will be a condition of approval.

The applicant stated that there are no other structures on the lot.

Mr. Arpaia made a Motion to approve the application as conditioned and Deputy Mayor Grbelja offered a Second. Roll Call Vote: Arpaia, Grbelja, Oxley, Ziner, Curtis and Beck voted yes to approve the application.

Seeing no new or old business, by Motion of Mr. Beck and a Second offered by Deputy Mayor Grbelja, and by unanimous vote, the meeting adjourned at 8:13 p.m.

Respectfully submitted,

Pamela D'Andrea