

**MILLSTONE TOWNSHIP
PLANNING BOARD
JULY 11, 2007
MEETING MINUTES**

Meeting called to Order by Chairman Mitch Newman at 7:47 p.m.

Reading of Adequate Notice by the Secretary

Flag Salute.

Roll Call : Present: Blanco, Grbelja, Kucziniski, Pinney, and Newman. Absent: Murphy, Kurzman, Weintraub, Pepe . Late: Pado (arriving at 8:42 p.m.).

NEW BUSINESS: Mayor Grbelja explained to the Board how the recordation of the Meetings would be placed on The Township Web Site for the Public to access and listen to.

APPROVAL OF MINUTES: May 9, 2007 Special Meeting.

Chairman Newman asked for a change to the Minutes to reflect that the 4B Mr. Coppola is making reference to is the Plan Tier 4B. With that amendment, Ms. Grbelja made A Motion to approve and Ms. Pinney offered a Second. Roll Call Vote: Grbelja, Pinney, Blanco, Kucziniski and Newman voted yes to approve.

APPROVAL OF MINUTES: May 9, 2007 Regular Meeting

Mr. Blanco made a Motion to approve and Mr. Kucziniski offered a Second. Roll Call Vote: Blanco, Kucziniski Grbelja, Pinney and Newman voted yes to approve.

APPROVAL OF MINUTES: June 13, 2007

The Secretary advised the Board that she made a change to the Minutes reflecting that the Riordan application extension of time is through August 8, 2007. Mr. Kucziniski made a Motion to approve as amended and Ms. Pinney offered a Second. Roll Call Vote: Kucziniski, Pinney, Blanco, Grbelja, and Newman voted yes to approve.

Chairman Newman advised the Board that Attorney Michael Steib was unable to attend this evening's meeting. Attorney Douglas Freiberger is our substitute Board attorney this evening. Ms. Fran DeBella is the Board substitute Court Reporter this evening.

PUBLIC COMMENT PORTION: At 7:56 p.m. Chairman Newman opened the Public portion of the meeting and seeing no comment, closed that portion at 7:56 p.m.

RESOLUTIONS:

P05-23 RIORDAN – Block 45, Lot 10.04. Located on Stage Coach Road and Charleston Spring Road. 27.61 acres located in the RU-p zone. Minor Subdivision extension of time granted through June 15, 2007. Applicant returns

for a further extension of time to perfect minor subdivision. Extension granted through August 8, 2007.

Ms. Pinney made a Motion to Memorialize and Mr. Kuczinski offered a Second. Roll Call Vote: Pinney, Kuczinski, Blanco and Newman voted yes to Memorialize.

P06-02 33 ASSOCIATES (RIVERSIDE CENTER) – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant seeks Final Major Subdivision Approval to subdivide property into 9 individual sites. Preliminary Major Subdivision approval granted 12-13-06. Final granted 6/13/07.

Mr. Kuczinski made a Motion to Memorialize and Mr. Blanco offered a Second. Roll Call Vote: Kuczinski, Blanco, Pinney and Newman voted yes to approve.

P06-11 IDEAL TILE – Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. 14.93 Acres located in the PCD Zone. Applicant seeks 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. of administrative offices. Jurisdiction accepted 5/9/07. Approved 6/13/07.

Mr. Blanco made a Motion to Memorialize and Mr. Kuczinski offered a Second. Roll Call Vote: Blanco, Kuczinski, Pinney and Newman voted yes to approve.

P07-03 TOTAL STONE – Block 53, Lot 4. Located at Red Valley Road and Trenton-Lakewood Road. 28.7 acres in the BP Zone. Applicant received Preliminary Major Subdivision approval granted on 8/9/06 for a 7-lot subdivision for existing building, private road and 5 new building lots 9/13/06. Final granted 6/13/07.

The applicant had agreed to provide Architectural information to the Board Planner by this meeting. That was not done in a timely manner and the applicant granted an extension the time with the Secretary to table the Resolution until the August meeting for Memorialization.

At 8:00 p.m., Chairman Newman asked for a short break to allow the Board to reach a quorum in order to proceed with the application and explained that both Ms. Grbelja and Mr. Sico had to step down.

NEW APPLICATION:

P07-08 MILLSTONE TOWNSHIP – Block 52, Lots 1.01, 1.07 and 13. Located on Red Valley and Trenton-Lakewood Roads. 178.714 +/- acres in the RU-P Zone. Applicant seeks Major Preliminary and Final Subdivision approval for three lots. No additional lots are being created. The applicant shall seek variance relief.

At 8:11 p.m., the Board returned. No quorum was reached to hear the application, Attorney Freiburger advised that Board Attorney Michael Steib had reviewed the jurisdictional packet and found same to be in order to accept jurisdiction over the application.

Attorney Simon Kaufman representing the Township.

Mr. Freiberger read the evidence into the record as follows:

- A-1 Jurisdictional Packet
- A-2 Website Notice Posted 6/27/07
- A-3 Application dated 6/26/07
- A-4 Plan of Boundary & Topographical Survey prepared by Harris
 Surveying Inc. dated 6/1/2007
- A-5 Major Subdivision for the Township of Millstone prepared by Harris
 Surveying, Inc. dated 6/25/2007

The matter has been carried to August 8, 2007 without any further noticing required by Motion of Mr. Kuczynski and a Second offered by Ms. Pinney and by Roll Call Vote: Kuczynski, Pinney, Newman and Blanco.

NEW BUSINESS:

Mr. Blanco is the liaison to the Open Space and Farmland Preservation Council and gave an update to the Board of their recent activities. The OSFP Council held a Clam Bake to raise \$10,000 for the council that was successful. He advised that Dennis Rike is working with the council to clear the trail at Moto Industrial Park. Mr. Blanco announced that at Millstone Day, the OSFP Council will hold a Pig Roast and have a mechanical bull and a money booth. Mr. Blanco explained to the Board what defines funded and unfunded preserved lands and explained what is allowed and disallowed on those lands.

Ms. Grbelja advised the Board that the Township had a focus group review the Town's recreational needs for over the period of the next ten years. Accordingly, an additional 250 acres would be needed as a result of their findings. She advised that one of the properties designated would be the Lee property, which would alleviate overcrowding of the present Township's Parks. Ms. Grbelja explained how the property would serve the recreation needs in the future.

Chairman Newman addressed the Fair Share Housing Plan Element adoption to the Master Plan. He read a letter issued from the State advising that there were no objections received to our Plan Element. He offered that the Township appropriately complied. Ms. Grbelja gave thanks to Mr. Coppola and Mr. Shafai and Ms. Donna Rose for their joint efforts in this matter.

At 8:30 p.m., Board Member Tom Pado arrived to allow a quorum in order to hear Application P07-08 MILLSTONE TOWNSHIP.

Since the application was carried, the proper procedure was discussed. Seeing that no one in the minuscule audience this evening had left the room, a Motion to open the application up was made by Mr. Kuczynski with a Second offered by Ms. Pinney and by roll call vote: Kuczynski, Pinney, Blanco, Pado and Newman, the matter was re-opened. Ms. Grbelja and Mr. Sico stepped down and left the audience for the application.

NEW APPLICATION:

P07-08 MILLSTONE TOWNSHIP – Block 52, Lots 1.01, 1.07 and 13. Located on Red Valley and Trenton-Lakewood Roads. 178.714 +/- acres in the RU-P Zone. Applicant seeks Major Preliminary and Final Subdivision approval for three lots. No additional lots are being created. The applicant shall seek variance relief.

Mr. Simon Kaufman representing the applicant. The application of the Township is to purchase over 150 acres commonly known as Lee Farm. Mr. Kaufman referred to Exhibit A-5. He explained the proposal. The Lees are to retain two 6-acre lots and abandon their interest in 9 acres of land to comprise the larger portion. Lots 1.01 and 1.07 are the two 6-acre pieces retained by the property owners. He advised that variances are being requested to allow this subdivision. The zoning requires 10-acre minimum and as a result of this subdivision, Lots 1.01 and 1.07 are seeking relief for 6.005 acres each and the balance of those lots would be deeded to the Township. Several existing greenhouses require variances (5). Mr. Kaufman explained that the intention of the Township is to retain one. One greenhouse would be moved across the street to another Lee property. The other green houses would be demolished. Mr. Kaufman explained that the greenhouses are located in the front yard set back. He clarified the need for the variances.

Tom Harris of Harris Surveying is sworn in. He is a PLS and a professional planner. He presented his credentials and was accepted by the Board. Mr. Harris pointed out to the location of the original lots referring to Exhibit A-5. He described the lots that front on Red Valley Road. The property owners are to retain 6.005 acres (both lots). Lot 13 consists of 163.696 acres. He explained the variances requested.

Chairman Newman asked Board Engineer Matt Shafai about the lot line adjustment. The new lots are larger than lots existing nearby. He offered that there is no detriment to the Master Plan or the Zoning Plan by this application. Engineer Shafai stated that the new lots and variances help support the MLUL.

Pat Butch, 40 Prodelin Way, is sworn in. She is the Chairwoman for the OSFP. She is familiar with this application and has been involved in meetings with the Lees for proceeding with this application and contracts. She referred to A-5 showing the five greenhouses. Ms. Butch had an understanding the Township would take possession of the greenhouses to be used for the garden club. Mr. Lee will move the first greenhouse to his farm across the street and the others are to be demolished. Chairman Newman asked the applicant to place that on the plan. Ms. Butch advised that this is also in the contract they Township has with the Lee Family.

Ms. Butch. The AD Hoc recreation focus group advised that more land is needed for recreation. The 150 plus acres will be used for recreation uses. Ms. Butch explained the proposed plan. She explained that there is presently preserved land behind the proposed piece. The masonry building is to be kept and trailer will go.

Chairman Newman asked if approval would be conditioned upon the land being used for any specific purposes. Attorney Kaufman would request that this would not be condition of approval at this time. The only condition with respect to the property is that the Township is acquiring it for Open Space. Mr. Kaufman stated that it would be clarified that the property would be part of green acres trust with their restrictions. It will be deed restricted at closing. This will be an inherently beneficial use for the Township and will be used for Open Space and Recreation. Mr. Kaufman advised that the Lees are under contract with the Township for the acquisition of the property. The Board attorney will place a condition in the Resolution that this approval will be null and void should the acquisition fall through.

Ms. Butch discussed the Ordinance in place that allows an undersized lot if the land goes to the benefit of the towns. The undersized lot would be granted or they could go under lot averaging.

At 9:00 p.m., the application was opened to the public. Seeing no public comment on the application, the public portion was closed at 9:00 p.m.

Mr. Kaufman stated that the application would be to the benefit to Millstone for open space and recreation in a beautiful area with surrounding open space areas that are already established. There was a clarification that the Motion of Approval would be four variances; two for set backs and two for lot area.

Mr. Pado made the Motion to approve and Mr. Kuczynski offered a Second. Roll Call Vote: Pado, Kuczynski, Pinney, Blanco and Newman voted yes to approve the application.

There being no further business, by Motion of Mr. Pado and a Second offered by Mr. Kuczynski and by unanimous vote, the meeting adjourned at 9:02 p.m.

Respectfully submitted,

Pamela D'Andrea