

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
OCTOBER 8, 2008**

At 7:30 p.m., Vice–Chairman Pepe called the meeting to Order.

The Secretary read the Adequate Notice.

Roll Call: Blanco, Pinney, Beck, Pepe and Rundella. Absent: Sico, Kurzman, Grbelja, Newman, Pado and Weintraub.

Salute to the Flag.

Approval of the July 9, 2008 Joint Meeting with the Township Committee: Ms. Pinney made a Motion to Approve and Mr. Blanco offered a Second. Roll Call Vote: Pinney, Blanco, and Beck voted yes to approve the Minutes.

Approval of August 13, 2008 Minutes: Mr. Blanco made a Motion to approve and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to approve the Minutes.

Approval of September 10, 2008 Minutes: Mr. Blanco made a Motion to approve and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to approve the Minutes.

Open Public Comment Portion. Vice-Chairman Pepe opened the Public comment portion of the meeting to the public at 7:35 p.m. Seeing no public comment, he closed same at 7:35 p.m.

NEW APPLICATION:

P08-08 GUTTRIDGE, Michael and Christine – Block 60.01, Lots 21.02 and 2. Located in the RU-C (6 acre) Zone. Lot 21.02 consisting of 4.19 acres and Lot 2 consisting of .037 acres. Applicant proposes a Minor Subdivision for a lot line adjustment to transfer .032 acres from lot 21.02 to lot 2. No new lots being created.

Attorney Kenneth Pape representing the applicants.

Attorney Michael Steib found the noticing packet to be in order and the Board accepts jurisdiction over the matter. He places the following exhibits into evidence as follows:

A-1 Jurisdictional Packet

A-2 Application dated 06/10/08

- A-3 Web Notice 09/09/08
- A-4 EIS prepared by Crest Engineering dated 05/19/08
- A-5 Survey of Block 60.01, Lot 21.02 prepared by Crest Engineering dated 02/13/07
- A-6 Survey of Block 60.01, Lot 2 prepared by Robert Yuro Associates dated 05/28/03
- A-7 One Half Mile Radius Map prepared by Crest Engineering dated 05/22/08
- A-8 Minor Subdivision (Lot Line Adjustment) prepared by Crest Engineering dated 05/22/08
- A-9 Aerial photo one Half Mile Radius Map prepared by Crest Engineering dated 05/22/08
- A-10 Minor Subdivision Plan, color rendered (Lot Line Adjustment) prepared by Crest Engineering dated 05/22/08; last revised on 7/30/08
- PB-1 Report of Board Engineer dated 09/04/08

Attorney Pape reported that this application is for a minor subdivision wherein no new lots would be created. The Guttridges' own the smaller lot at the end of Squan Road. Adjacent to the Guttridges' the property was formerly owned by the Scotto's who joined in this application. They have subsequently sold the property and the new owners are the Tonelli family who is in attendance this evening.

Mr. Pape offered that the request before the Board this evening is for a lot line adjustment. He explained that the lots were postage-stamp lots. The zoning requirement is now 6 acre zoning.

Attorney Steib swears in Lorelei Totten who is as professional engineer with Crest Engineering. She has testified many times before the Board and is accepted as an expert.

Entered into evidence:

Exhibit A-9, Half-mile radius aerial map.

Exhibit A-10 Minor Subdivision, sheet one of one, rendering of the lot- line adjustment proposal.

Referring to A-9, Engineer Totten gave a brief description of the property. Lot 2 consists of 26,969 s.f. and Lot 21.2 is comprised of 170,508 s.f. She explained that the larger parcel will be decreased by 12,196 s.f. which will be added to the smaller lot.

Attorney Steib swore in applicant Michael Guttridge of 17 West Squan Road, Millstone Township. He testified that in the masonry garage building, he stores his cars, quads and equipment.

Attorney Steib swore in John Tonelli, 19 West Squan Road. He stated that there is a buffer of ten feet to the garage and parking area.

Mr. Pape advised that the end of the road where the Guttridges could park was washed out when the bridge was washed out.

Mr. Tonelli advised that he has no problem with the location of the existing pool and well. The pool was in its present location when the Guttridges purchased the property.

Planner Richard Planner went over the application with the Board. One lot would be increased and one decreased. Some variances remain the same. The smaller of the two lots gains a great deal. This adjustment would increase the lot's frontage and width. The properties are separate visually due to vegetation and landscaping. Mr. Coppola believes in balance, this makes sense.

Vice-Chairman Pepe opened the application to the public at 7:50 p.m. Seeing no public comment on this application, he closed same at 7:50 p.m.

Mr. Blanco made a Motion to grant the minor subdivision and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to the approval.

RESOLUTIONS:

EXTENSION OF TIME:

P08-12 HARTER FAMILY LTD PARTNERSHIP – Block 17, Lot 8. Located on Highway 33 in the HC Zone consisting of 9.39 acres. Applicant received preliminary and final site plan approval to create three (3) highway commercial lots for future development. Resolution memorialized on 6-14-06. Applicant received one-year extension of time to 6-14-09.

Mr. Blanco made a Motion to grant the extension and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to grant the extension.

P08-03 BEAVER CONCRETE - Block 16, Lot 9.09. Located on Rike Drive in the Moto Industrial Park consisting of 7.91 acres in the BP Zone. Applicant seeks Preliminary and Final Major Site Plan approval to construct a 22,400 s.f. building comprised of 6,400 s.f. office space and 16,000 s.f. warehouse for contractor. No bulk variances requested. Deemed Complete: 7-11-08. Date of Action: 8-25-08. Heard in part. On 8-13-08. Carried to 9-10-08. Applicant granted an extension of time to 9-30-08. Approval granted on 9-20-08.

Mr. Blanco made a Motion to grant the approval and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to grant the approval.

REVIEW AND RECOMMEND:

ORDINANCE NO. 08-27

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXV

"LAND USE AND DEVELOPMENT REGULATIONS" SUBSECTIONS 6-3.7, 6.11g. AND ADDENDUM I TO SUBSECTION 6-3.6 a. WITHIN SECTION 6-3 CONTAINING THE SPECIFIC STANDARDS, CONDITIONS AND LOCATIONAL LIMITATIONS FOR "WIRELESS COMMUNICATION FACILITIES"

Mr. Blanco asked for clarification as to who signs off on the plans. Only our Engineer is licensed to sign off on the plans.

Attorney Steib asked Mr. Coppola for clarification regarding sending out the notification . Planner Coppola would work with Township Attorney Davison to clarify the language.

Mr. Coppola advised that he took the Planning Board's comments to the Governing Body who took a survey of each tower and the surrounding houses in order to mitigate any potential uses. The primary thrust went to 500 feet where there has to be extra sound protection measures taken. Language is in place for fencing and aesthetic shelters. They consulted with some of the carriers, particularly Verizon since they have generators within their structures. Mr. Coppola feels the ordinance covers the bases.

Mr. Coppola advised that where there is a gap in coverage, a carrier has a right to come in. Mr. Coppola explained that technology changes and the existing provisions did not cover the changes.

Mr. Blanco made a Motion finding the Ordinance to be consistent with the Master Plan I and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to the consistency of the Ordinance.

**ORDINANCE NO. 08- 28
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXV
"LAND USE AND DEVELOPMENT REGULATIONS" SECTION 10-2.5, "SHADE
TREES", IN ARTICLE 10, "IMPROVEMENTS", AND BY AMENDING SECTION 11-
14, "SHADE TREES", IN ARTICLE 11, "DESIGN AND PERFORMANCE
STANDARDS AND CONSTRUCTION SPECIFICATIONS", IN ORDER TO PROVIDE
FOR "LANDSCAPING STANDARDS"**

Mr. Coppola advised that they looked at the draft comments received from the Shade Tree Commission and Lisa Spaziano of Leon S. Avakian's Office. The Governing Body straightened out the particulars. He went over the comments and came up with the recent draft. Ms. Spaziano felt confident that the final document met the comments and intent of the Shade Tree Commission.

Vice-Chairman Pepe voiced his concern that subdivisions don't remove the wires around the trunk of the tree. He asked what the best method to prevent this from happening was. Mr. Coppola suggested through performance guarantee bonds.

Engineer Peter Avakian advised that they would insure inspectors are aware of this try to police the situation.

Mr. Blanco made a Motion finding the Ordinance to be consistent with the Master Plan and Ms. Pinney offered a Second. Roll Call Vote: Blanco, Pinney, Beck, Rundella and Pepe voted yes to the consistency of the Ordinance.

NEW BUSINESS:

Engineer Peter Avakian provided an update regarding the Stormwater Management Plan. In the spring, the Township's Plan was submitted to the County for their review. On August 18, 2008, the Board of Chosen Freeholders approved the Township's Plan.

Seeing no further business, at 8:05 p.m. Mr. Blanco made a Motion to adjourn with a Second offered by Ms. Piney and by unanimous vote the meeting was adjourned.

Respectfully submitted,

Pamela D'Andrea