



**MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MINUTES  
October 25, 2023**

The Millstone Township Zoning Board of Adjustment regular meeting was called to order by Chairman Mostyn on Wednesday, October 25, 2023 at 7:30 p.m. in the Municipal Meeting Room, 215 Millstone Rd., Millstone Township, NJ 08535. Notice of this meeting was provided in accordance with the Open Public Meetings Law.

Vice-Chairman Barthelmes read the Open Public Meetings Act Statement.

There was a salute to the Flag and an observance of a moment of silence offered for those serving and those who have served our country in the past.

Roll call for the below members was called:

Present: Chairman Mostyn, Mr. Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Morelli, Mr. Sinha and Ms. Arpaia (Alt. 1).

Absent: Mr. Ferrara; one vacant seat (Alt. #2).

Attending: Greg Vella, Esq.; Matt Shafai, PE, PP, Board Engineer; McKinley Mertz, PP, AICP, Board Planner; Angela Buonantuono, Board Court Reporter; and Danielle Sims, Board Secretary.

Ms. Arpaia was seated for Mr. Ferrara.

**MINUTES:**

**Minutes from September 27, 2023**

Chairman Mostyn noted the Board received the minutes in advance of the meeting for their review. With no comments from the Board, Ms. Arpaia made a motion to adopt the Minutes from September 27, 2023, which was seconded by Mr. Morelli. The Minutes were adopted on a roll call vote: Chairman Mostyn, Mr. Lambros, Mr. Morelli and Ms. Arpaia.

**RESOLUTION(S):**

**REQUEST FOR EXTENSION OF VARIANCE APPROVALS**

**Dave & Maria Sienkiewicz (fka: The Sycamores, LLC)**

**Block 49.01 Lot 12 – 6 Laurel Court (fka: 6 Oak Hill Drive)**

**Extension of Bulk Variance Approval Request # Z22-07 (Ext.)**

Attorney Vella prepared the resolution in advance of the meeting for the Board's review. Mr. Lambros made a motion to memorialize the resolution of approval, which was seconded by Ms. Arpaia. With no comments from the Board, the resolution was adopted on a roll call vote in favor: Chairman Mostyn, Mr. Lambros, Mr. Morelli and Ms. Arpaia. Motion approved, 4-0.

**Malinowski, Zack and Renata**

**Block 31, Lot 28 – 106 & 108 Agress Road**

**Use Variance Application # Z22-12**

Attorney Vella prepared the resolution in advance of the meeting for the Board's review. He noted that there were many conditions associated with the approval, most importantly that the existing non-conforming use is abandoned (the second house will be demolished) before any other permits are issued. Ms. Arpaia made a motion to memorialize the resolution of approval,



which was seconded by Mr. Morelli. With no comments from the Board, the resolution was adopted on a roll call vote in favor: Chairman Mostyn, Mr. Lambros, Mr. Morelli and Ms. Arpaia. Motion approved, 4-0.

### **APPLICATION(S):**

#### **Bradley Graves**

#### **Block 11 Lot 21.02 – 731 Perrineville Rd.**

#### **Bulk Variance Application # Z23-06**

Proposal to construct an 8' deep x 30' length front porch on an existing home, within the front yard setback. The home is on a ~6.65-acre lot in the RU-P zoning district. Variance relief is required for 54' from property line; whereas 75' is required. Several submission waivers are requested.

Attorney Vella, Esq. reviewed the notice package in advance of the meeting and confirmed that it was in proper form, so the Board can take jurisdiction to hear the continued application.

Bradley Graves appeared on his own behalf.

The following witnesses were sworn in:

- Matt Shafai, PE, PP – Board Engineer
- McKinley Mertz, PP, AICP – Board Planner
- Bradley Graves – Applicant

The following exhibits were marked in evidence, including new exhibits:

### **APPLICANT'S EXHIBITS**

- A-1 Jurisdictional Notice (Proof of Service)
- A-2 Application, Checklist(s) and Administrative Forms
- A-3 Google Aerial Image of site, two (2) pages
- A-4 Portion of a Survey, one (1) sheet, unknown source, unknown date
- A-5 Proposed Porch Detail, two (2) pages, prepared by applicant/owner
- A-6 Copy of As-Built Survey, one (1) sheet, prepared by Midstate Engineering, dated 9/27/00
- A-7 Letter from Monmouth County Planning Board, Application Exempt from County Review and Approval, dated 10/10/23
- A-8 Picture of house from roadway

### **BOARD'S EXHIBITS**

- ZB-1 Completeness Determination dated 9/29/23
- ZB-2 Engineer's Review dated 10/2/23
- ZB-3 Planner's Review dated 10/19/23

Mr. Graves explained that he is seeking to construct a 30' wide by 8' deep front porch on his existing home. The proposed porch would be a flat front with steps and would have a shingle roof. The existing home is 77' to the property right-of-way and there is a 15' wide road widening easement in place. With the proposed porch addition, the front yard setback would become 54'. Engineer Shafai clarified the existing front setback is 62' since it is measured from the existing 15' road widening easement, which is why the variance request for the 8' deep porch requires relief for 54' setback.

Mr. Graves explained that while the property is large, the house is located very close to the roadway. The remainder of the property is restricted with extensive wetlands.



Mr. Graves explained that there are no lights proposed along the driveway. He would like to keep the existing maple tree at front of the house. He is not able to see any neighbors from the front of his house. Board Planner Mertz agreed there does not appear to be any impact on the surrounding area.

The Board discussed the area and roadway, stating that drivers would be concentrating on navigating the turns in the roadway and the proposed porch would not impact drivers in the roadway. Mr. Graves stated that it would be a big aesthetic improvement to the home.

Board Engineer Shafai requested that the applicant provide a partial as-built survey (of the house and the front of the property, no need to re-survey the rear/wetlands area). Mr. Graves stated he has already made contact with the previous surveying company, Crest Engineering.

Attorney Vella confirmed that the applicant would be providing an as-built of the development area only.

With no further questions or comments from the Board, Mr. Barthelmes made a motion to approve the request for the requested submission waivers and bulk variance relief. This motion was seconded by Mr. Morelli. Application Z23-06 was approved with the following votes in favor: Chairman Mostyn, Mr. Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Morelli, Mr. Sinha and Ms. Arpaia. Approved 7-0.

**Millstone Property Company, LLC**  
**Block 35, Lot 16.01 & 17 – 469 & 465 Stage Coach Rd.**  
**Bifurcated Use Variance Application # Z23-05**

Request for Use Variance relief to construct an approximately 21,960 s.f. one-story fieldhouse/indoor recreation center, with associated site improvements at the existing Black Bear Day Camp. The property is a 6.88-acre lot, which is portion of an approximately 34.88-acre track in the NC zoning district and is proposed to be constructed in the area of the Clarksburg Inn (which burned down several years ago).

Mr. Vella, Esq. reviewed the notice package in advance of the meeting and confirmed that it was in proper form, so the Board can take jurisdiction to hear the continued application.

Mr. Kenneth Pape, Esq. appeared on behalf of the applicant.

The following witnesses were sworn in or are still under oath:

Matt Shafai, PE, PP – Board Engineer  
M. McKinley Mertz, PP, AICP – Board Planner  
Peter Strong – Applicant's Engineer  
Ian Feibelman – Director of Black Bear Camp and proposed manager of Fieldhouse  
Jeff Breshad – Millstone Property Company (did not testify)  
Steve Rodasti – Applicant's Architect  
John Rea – Applicant's Traffic Engineer  
Christine Cofone, PP, AIA – Applicant's Planner (did not testify)  
Anthony Italiano – Millstone Soccer

The following exhibits were marked in evidence, including new exhibits:

**APPLICANT'S EXHIBITS**

- A-1 Jurisdictional Notice (Proof of Service)
- A-2 Application, Checklist(s) and Administrative Forms
- A-3 Correspondence
- A-4 Outside Agency Approvals



- A-5 List of Applicant's Professionals
- A-6 Stormwater Management Statement, prepared by Crest Engineering, dated 7/7/23
- A-7 Statement of Negligible Environmental Impact, prepared by Crest Engineering, dated 7/7/23
- A-8 Traffic Impact Analysis, prepared by McDonough & Rea Associates, Inc., dated 6/28/23
- A-9 Architectural Floor Plans & Elevations, prepared by Perez + Rodasti, dated 6/16/23
- A-10 Survey of Property, prepared by Crest Engineering, dated 4/27/23
- A-11 Use Variance Plan, prepared by Crest Engineering, dated 7/6/23
- A-12 Color Rendered Elevations, prepared by Perez + Rodasti, dated 10/16/23
- A-13 Aerial Plan Exhibit, prepared by Crest Engineering, dated 10/17/23
- A-14 Aerial Layout Plan Exhibit, prepared by Crest Engineering, dated 10/17/23
- A-15 Bus Stacking Exhibit, prepared by Crest Engineering, dated 10/17/23

### BOARD'S EXHIBITS

- ZB-1 Completeness Determination dated 8/16/23
- ZB-2 Engineer's Review dated 8/23/23
- ZB-3 Planner's Review dated 9/14/23
- ZB-4 Shade Tree Commission's Review dated 9/20/23

Mr. Pape, Esq. appeared on behalf of the applicant. Mr. Pape explained that the site is directly across from the Millstone Township Municipal Building and was formerly the Clarksburg Tavern.

Mr. Peter Strong was sworn in. He has previously appeared before the Board and was accepted as a professional licensed Engineer. Mr. Strong described the approximately 6.88-acre property and the surrounding area, as well as the general site circulation. The existing front of the site is primarily asphalt, which would be removed and the proposed plan would provide a controlled driveway system. The site currently does not have any stormwater management or landscaping.

The applicant is proposing an indoor recreation/sports building. The building would be approximately 200' x 100' in size. Mr. Strong described the proposed site circulation and the proposed landscaping. There is a stormwater management facility proposed in the rear of the proposed facility, preliminary soil logs have been done. The asphalt in the front of the building would be removed. The driveway system would need to be reviewed and approved by the County as this is a County roadway. It is proposed to have ingress only at the north of the site and both ingress and egress at the southern driveway.

Mr. Strong testified that he is confident that he would be able to design a stormwater plan that would comply with the Township's and the State's stormwater regulations.

The proposed use would be for sports and recreation. For thirty-nine (39) days of the year, the site operates summer camp and the applicant intends to use the facility as part of the summer camp. Currently, Black Bear currently informally uses the area for buses and parking. Referring to Exhibit A-15, Mr. Strong described the bus circulation and parking plan. During the thirty-nine camp days, the facility would be exclusively used for the camp.

The lot currently has encroachments from the adjoining lots of the overall Black Bear Camp complex. Mr. Pape stated the applicant would like to allow the encroachments to remain, but offered to do a lot line adjustment.

There is a trash and recycling enclosure proposed on the site plan. The proposed signage would comply with the NC zone requirements and with regard to setbacks.

Mr. Steven Radosti was sworn in. He provided his credentials and was accepted by the Board as a professional licensed architect.



Mr. Rodasti described the proposed facility as a 21,000 s.f. turf field (artificial grass) primarily used for sports. They are proposing an office area and restrooms for the patrons. The peak of the roof would be 35' in height, staying within the Township's height requirement, allowing 30' on the inside of the field. Referring to Exhibit A-12, Mr. Radosti described the various exterior materials and colors, explaining that it would fit in the character of the area. There would be a parapet and "mansard roof" and dormer windows. The materials would all be in earth tone colors. The applicant would require some design waivers including façade materials; however, Mr. Radosti feels the proposed design would meet the surrounding area; also, the roof would not be able to be hip roof or gable roof due to the clearance area needed for sports activities. The building would not be LEED certified, but they would use several green attributions, including the roof, which would be designed to allow for solar panels.

Planner Mertz suggested that the applicant consider adding ground plantings around the foundation to help the aesthetics of the building. Chairman Mostyn suggested widening the dormer widths to help with the mass of the building.

Mr. Sinha inquired why the facility was located so close to the roadway within the site since it is a larger property. Mr. Pape will follow up with Mr. Strong, noting that the design meets all of the setback requirements. Mr. Morelli suggested that they may want to look at rotating the building so less fronts on the roadway. Planner Mertz suggested that would put more of the activities towards the roadway, including busses.

The Board took a ten-minute recess.

Upon return, Mr. Pape stated that he spoke to Mr. Strong and they believe that they can push the building back about fifteen feet without interrupting the stormwater facilities since it backs up to wetlands and wetlands buffers. Mr. Radosti stated he can use some other materials and may add some additional tools to help with the architectural look of the building.

Mr. Ian Feibelman, Director of Black Bear Camp and manager of the proposed fieldhouse, was sworn in. Mr. Feibelman described how busses currently access the site, explaining that the proposal would be more structured. The building would be open seven days a week, year-round. During camp operations, the camp operates from 7:00 am to 6:00 pm. Normal business hours would be Monday to Friday from approximately 9:00 am and until 10:00 pm. And on Saturday and Sunday from 7:00 am to 10:00 pm. They expect soccer, field hockey, lacrosse, etc. teams or speed and agility training groups would likely use the fields for training, practice or a single game sessions. There would not be any tournaments at the site. At this time, Mr. Feibelman does not plan to host sessions on their own, but would not rule it out for the future.

Mr. Morelli asked about the bus routes. Busses are only expected to be used during the summer camp sessions. During the early times weekdays, Mr. Feibelman stated that they would envision groups like "mommy and me" or pre-school groups. He expects there to be less use during the weekday day times than afterschool times.

Mr. Feibelman stated Black Bar hosts events. The gymnastics and trampoline facility operates year-round. Groups would enter into a lease agreement which would prohibit food. There would be an onsite manager on site at all times. They are no proposing any concession stands or locker rooms. They are no proposing any bleachers for parents/spectators and

The inside of the facility is 200' x 100'. A soccer field is 100 yards x 70 yards, so it is not a full field. The target demographic is local use.

Mr. Anthony Italiano was sworn in. He has been serving Millstone Soccer for 17 years as a recreation and travel soccer coach. He recently was appointed as a member of the Township's Recreation Commission. He described how Millstone Soccer may utilize the facility. He has



spoken to other organizations who have also expressed interest in use of a facility such as this. Based on the size of the facility, Mr. Italiano suggested that the maximum players he would have training at any given time would be 35-40 players. Mr. Pape stated that the applicant is prepared to incorporate the needs and recommendations from Millstone Soccer and other organizations in their design for the site.

Mr. John Rea was sworn in. He provided his credentials and was accepted as a professional licensed engineer with an expertise in traffic engineering. Mr. Rea reviewed his findings in the traffic study. He believes the traffic counter used captured the peak movements. He believes that the site has more parking than required; however, if there are teams leaving the site while others are dropping off, they would potentially need the extra parking spaces. Mr. Rea stated that the site would be designed to safely circulate the site. Cones would be used in the parking lot when bus parking is anticipated. No buses or cars would be expected to park on any County or local roadways. The site can accommodate up to 24 busses. Mr. Pape stated the proposed 93 parking spaces would be dedicated to the fieldhouse. The camp has its own parking spaces and employee parking areas. Planner Mertz suggested to enlarge the island area, noting they may lose one parking space. The Board suggested that the applicant may want to consider "banking" some of the parking spaces.

Chairman Mostyn opened the matter to the public.

Mary Anne Kennedy of 5 Mercy Mount Way appeared and was sworn in. She has lived here for 28 years. She would like to know where the need came from for this use. She would like to see another restaurant put in place of the old Clarksburg Inn restaurant. She is concerned that the facility would get used.

Deborah Lindstrom of 4 Mercy Mount Way appeared and was sworn in. Ms. Lindstrom is concerned with transportation and traffic analysis. She has experienced busses parking on Mercy Mount Way every summer and they shouldn't be parking there. She also expressed concern with potential noise and the late hours of operation.

Mr. Pape would like to take the opportunity to adjust the building back about 15 feet and add enhancements to the building. He asked that the matter be carried to the December 5, 2023 Zoning Board meeting without further notice to revise the plans and resubmit to the Board.

The Board took no exception to this request. Attorney Vella announced that the application would be carried to Tuesday December 5, 2023 Zoning Board meeting, in this same location, without any further notice.

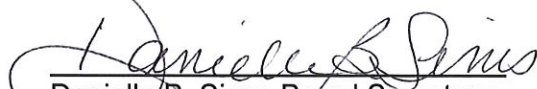
**BOARD DISCUSSION:**

There were no other business matters up for discussion.

**ADJOURNMENT:**

With no further business, Chairman Mostyn adjourned the meeting.

Respectfully submitted,

  
Danielle B. Sims, Board Secretary