

# 2021 ANNUAL REPORT AND RESOLUTION

of the

## MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT

This Annual Report covers the Board’s actions from January 1, 2021, through December 31, 2021. During this time span, the Millstone Township Zoning Board of Adjustment (Zoning Board) conducted nine (9) regular meetings.

The Zoning Board rendered decisions on the merits on seven (7) applications and one (1) application was carried to 2022. Thus, there was a total of 8 applications heard by the Board.

Many applications included more than one variance request as reflected below in Table 1. The Zoning Board approved four (4) applications with variances, affirmed one (1) decision of the Zoning Officer and denied two (2) applications. Tables 1 illustrate variance and application request information by respective zoning districts and type of variance requested. A summary of each application is set forth in this report.

The Zoning Board reviews applications with an eye toward reducing the intensity and quantity of variances by working with applicants to develop improved designs. Through this process, the number of variances that are initially requested is often reduced.

**TABLE 1: VARIANCES IN EACH ZONING DISTRICTS *APPROVED-2021***

<b>TYPE</b> →	1 acre Non- Usable	Dist. b/w Principal and Accessory		Setback Front/Side Rear Yard	Accessory Structure Exceeds 900 sq ft	Size of Signs	Lot Cov.	Use Changeable Elec Sign
<b>ZONE</b> ↓								
HC-1				<b>2</b>			<b>1</b>	
RUP	1	1		2	1		<b>1</b>	
R-80								<b>1</b>
<b>Totals</b>	<b>1</b>	<b>1</b>		<b>4</b>	<b>1</b>		<b>2</b>	<b>1</b>

## **2021 SUMMARY**

The following is a summary of variances approved by the Board on each application.

### **APPROVALS**

#### **Joseph Pante Block 46, Lot 22.01**

Applicant applied to the Zoning Board of Adjustment to construct a 1,425 square foot second story addition and a 273 sq. ft. covered front porch. The applicant received approval for the following relief:

1. Front Yard Setback Variance which requires a 75-foot front yard setback, where 51 feet is proposed for 2<sup>nd</sup> story addition and 43.2 feet for the front porch.

#### **New Cingular Wireless PCS, LLC Block 17, Lot 4**

The applicant applied to install 12 antennas at centerline height of 130 ft and expand the fencing and add related equipment at the base of the existing 150 ft. monopole. The applicant received approval for the following relief:

1. Variance from Accessory Side Yard Setback, which requires 75 feet is required, applicant proposes a 11-foot setback.
2. Variance from Accessory Rear Yard Setback, which requires 75 feet is required, applicant proposes a 45-foot setback.
3. Lot Coverage Variance, which requires a maximum lot coverage of 50 %, applicant proposes 66.8 %, where 66.7 % exists.

**Michael Repoli and Edwina Repoli**  
**Block 46, Lot 22.02**

The applicant applied to the Zoning Board of Adjustment to construct a 315 square foot, one story addition with a wood deck. The applicant received approval for the following relief:

1. Lot Coverage Variance, which permits a maximum of 20 % lot coverage, where 21.27% is proposed. (Existing Condition is 21.06 %)
2. Distance Variance, ordinance requires a minimum distance of 15 feet between principal and accessory buildings. Applicant proposes 11.4 feet. (Existing condition of 11.6 feet between principal building and existing garage)
3. Usable Acre Variance. Ordinance requires a minimum of one acre of usable area, but only .92 acres are proposed and existing. (Existing Condition)
4. Size of Accessory Structure. Ordinance permits a maximum accessory structure not greater than 750 square feet, where 791 feet is existing. (Existing Condition)
5. Rear Yard Setback Variance for accessory structure, which requires a 20-foot rear yard setback, where only 9 foot is existing. (Existing Condition)

**St. Joseph Roman Catholic Church of Perrineville Inc.**  
**Block 40.01, Lot 20.01**

The applicant applied to the Zoning Board of Adjustment to install a digital changeable sign. The applicant received approval for the following relief:

1. Use Variance, Digital changeable signs are not permitted in any zone.

## **AFFIRMED DECISION OF ZONING OFFICER**

**Kevin Youngs**  
**Block 17.02, Lot 46**

The Zoning Board affirmed the Decision of the Zoning Officer, who determined the applicant's proposal to construct the addition resulted in the home being a two-family unit, which is not permitted in the Zone; and

## **DENIED APPLICATIONS**

**Steven Scherer**  
**Block 54.01, Lot 1**

The applicant applied to the Zoning Board of Adjustment to construct a 6-foot solid fence in the front yard. The applicant was denied the following relief:

1. Design Waiver – Fences in front yard can only be 4 foot in height, where applicant proposes 6 ft. heigh solid fence.

**Anthony and Dianna Marandola**  
**Block 12, Lot 14**

The applicant applied to the Zoning Board of Adjustment to construct a 1,127 square foot addition, which the Zoning Offer determined that it converted the home to a 2-family home, which required a Use Variance. The applicant was denied the following relief:

1. Use Variance – Two Family homes are not permitted in the R-130 Zone.

## **RECOMMENDATIONS**

The Zoning Board is not making any recommendations this year for any modifications or new Land Use Development Ordinances.

**WHEREAS**, N.J.S.A. 40:55D-70.1 requires the Board of Adjustment to review its decisions on applications and appeals for variances and prepare and adopt by resolution, a report of its findings on zoning ordinance provisions which were subject of variance requests and its recommendations for zoning ordinance amendment or revisions, if any, and a copy of such be sent to the Governing Body and Planning Board.

**BE IT RESOLVED**, that the Board Secretary is hereby authorized and directed to send a certified copy of the Board of Adjustment 2021 Annual Report to the Township Clerk and the Township Committee and the Planning Board. The Secretary shall further post a copy of the 2021 Annual Report on the Township Web Site.

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Dated

\_\_\_\_\_  
MICHAEL NOVELLINO, CHAIRMAN

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Zoning Board of the Township of Millstone at a meeting held on February 23, 2022.

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DANIELLE B. SIMS, SECRETARY  
Zoning Board of the Township of Millstone

The Vote on the Resolution of Memorialization was as follows:

YES: Chairman Novellino, Mr. Lambros, Mr. Morelli and Mr. Mostyn.

NO: ---

ABSTAIN: Mr. Barthelmes, Mr. Conoscenti and Mr. Ferrara.