



## MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT MINUTES January 24, 2024

The Millstone Township Zoning Board of Adjustment Reorganization and regular meeting was called to order by Mr. Mostyn on Wednesday, January 24, 2024 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.

Mr. 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.

The following Board members were sworn in for their appointed term:

- Steve Barthelmes Ending December 31, 2027 (4-years)
- Mary Beckish Ending December 31, 2027 (4-years)
- Lisa Arpaia (Alternate I) Ending December 31, 2025 (2-years)

Roll call for the below members was called:

Present: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia (Alt. I).

Absent: Mr. Ferrara, Mr. Morelli and vacant seat (Alt. II).

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

Ms. Arpaia was seated for Mr. Morelli.

### **ELECTION OF OFFICERS:**

**Chairperson:** Nominations for Chairperson were open. There was a motion made by Mr. Lambros to nominate Patrick Mostyn as Chairperson, which was seconded by Mr. Barthelmes. With no alternative nominations made, Mr. Mostyn was named Chairman of the Board on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**Vice-Chairperson:** Nominations for Vice-Chairperson were open. There was a motion made by Chairman Mostyn to nominate Steve Barthelmes as Vice-Chairperson, which was seconded by Mr. Lambros. With no alternative nominations made, Mr. Barthelmes was named Vice-Chairman of the Board on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

### **APPOINTMENTS AND RESOLUTIONS OF REORGANIZATION:**

The Board reviewed the proposals received in advance of the reorganization meeting. It was noted that there were no competing bids received for the professional services of Board Attorney, Board Engineer, Board Planner and Board Court Reporter.

The Board made the following appointments and adopted the corresponding resolutions:

#### **ZB2024-01 Board Attorney, Professional Legal Services**

Chairman Mostyn made a motion to appoint Greg Vella, Attorney-at-Law of the firm Collins, Vella & Casello, LLC and adopt the corresponding resolution. The motion was seconded by Vice-Chairman



Barthelmes, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**ZB2024-02 Board Engineer, Professional Engineering Services**

Chairman Mostyn made a motion to appoint Matt Shafai, PE of Leon S. Avakian, Inc. and adopt the corresponding resolution. The motion was seconded by Mr. Sinha, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**ZB2024-03 Board Planner, Professional Planning Services**

Chairman Mostyn made a motion to appoint McKinley Mertz, PP, AICP, LEED Green Associate of Heyer, Gruel & Associates and adopt the corresponding resolution. The motion was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**ZB2024-04 Professional Court Reporting Services, Court Stenographer to the Board**

Chairman Mostyn made a motion to appoint Angela C. Buonantuono, CCR, RPR, CLR of AB Court Reporting, LLC and adopt the corresponding resolution. The motion was seconded by Ms. Beckish, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**ZB2024-05 Board Secretary**

Chairman Mostyn made a motion to appoint Danielle B. Sims as Board Secretary and adopt the corresponding resolution. The motion was seconded by Mr. Sinha, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**ZB2024-06 Designation of Official Newspapers**

Chairman Mostyn made a motion to designate the Asbury Park Press and The Times of Trenton as the official newspapers of the Board and adopt the corresponding resolution. The motion was seconded by Vice Chairman Barthelmes, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

**ZB2024-07 Adopting 2024 Meeting Schedule & Setting 2025 Reorganization/First Meeting**

Chairman Mostyn made a motion to adopt the 2024 meeting schedule provided and setting the 2025 Reorganization and first meeting for 2025 and adopt the corresponding resolution. The motion was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Vice-Chairman Barthelmes, Ms. Beckish, Mr. Lambros, Mr. Sinha and Ms. Arpaia.

Those appointed thanked the Board members.

The Board completed their reorganization part of their meeting and moved onto their regular meeting business.

**PUBLIC COMMENT:**

None.

**MINUTES:**

**Minutes from November 29, 2023**

Chairman Mostyn asked the Board if they had any comments on the minutes that were prepared. With no comments from the Board, Ms. Arpaia made a motion to adopt the Minutes from November 29, 2023, which was seconded by Mr. Lambros. The Minutes were adopted on a roll call vote: Chairman Mostyn, Ms. Beckish and Ms. Arpaia. Approved 3-0.



**RESOLUTION(S):**

**Coastal Quality Properties, LLC (DiPasquale Fence Co.)  
Block 60.01 Lot 12 – 482 Monmouth Rd.  
Use Variance, Preliminary and Final Major Site Plan Application # Z23-02**

With no comments from the Board, Chairman Mostyn made a motion to adopt the Resolution of Approval for Z23-02, which was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Beckish and Ms. Arpaia. Approved 3-0.

**APPLICATION(S) BEFORE THE BOARD:**

**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. noted that the application is a carried matter from October 2023. The meeting required new notice and he 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 were previously sworn in and are still under oath:

Matt Shafai, PE, PP – Board Engineer  
M. McKinley Mertz, PP, AICP – Board Planner  
Peter Strong – Applicant’s Engineer  
Loralie Totten – 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
- A-16 Sheet 4 of Use Variance Plan, prepared by Crest Engineering, revised 11/21/23
- A-17 Transmittal letter, K. Pape to the Board for revised plan sheet resubmission, dated 11/22/23
- A-18 Transmittal letter, K. Pape to the Board for revised architectural plan resubmission, dated 11/29/23
- A-19 Architectural Floor Plans & Elevations, prepared by Perez + Rodasti, dated 11/27/23
- A-20 Architectural Elevations, prepared by Perez + Rodasti, dated 11/27/23
- A-21 Jurisdictional Notice (Proof of Service) for 1/24/24
- A-22 Monmouth County Board of Health, site suitable for septic system, dated 1/24/24

### 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 reviewed the application as presented at the October 2023 meeting. The applicant has now provided the soil suitability confirmation from the Monmouth County Board of Health. The applicant has also shifted the building back as recommended by the Board at the last hearing. The applicant's architect has updated the elevations to address some of the Board's comments

Mr. Peter Strong previously appeared on behalf of Crest Engineering. Tonight, Ms. Lorali Totten appeared as a representative of Crest Engineering was sworn in and provided her credentials as a licensed engineer. The Board accepted her as a professional engineer. Ms. Totten described the changes made since the applicant's last appearance before the Board, including shifting the building back approximately fifteen feet. The building is now proposed to be approximately 95' from the right-of-way. The existing building (to be removed) is approximately 60-65' from the right-of-way. The asphalt in the front of the building will be removed and except from the two driveways, the front of the building is proposed to be landscaped. The proposed basin can potentially be reshaped to make some further adjustments.

Attorney Vella reminded the Board that the applicant is appearing before the Board for a bifurcated use variance and would be required to come back for site plan approval, should the Board deem the use appropriate and grant the use variance. Any substantial changes or significant deviations from what has been presented to the Board would cause the applicant to come back to the Board for new approvals.

Mr. Lambros noted that the applicant previously went to the Township requesting a zone change, which did not get approved.

The applicant provided testimony that the facility would be open until 10:00 pm.

Mr. John Rea was previously accepted as a professional traffic engineer and sworn in and remained under oath. Mr. Rea stated the shifting of the building did not change any of the site circulation from his previous testimony; however, the bus capacity has slightly increased due to the additional 15' of the building setback.

Mr. Rea stated that the proposed use has similar or less intense anticipated traffic than the permitted uses in the NC (Neighborhood Commercial) zoning district.



Engineer Shafai noted there are several utility easements on the property. Mr. Pape stated that they may be relocated as part of the site plan. Ms. Totten stated they would be investigated and relocated as necessary. Some may also no longer be needed.

The site has 93 parking spaces proposed and it is “over parked.” The applicant has offered to “green bank” the spaces, should the Board request the same. The buses that have in the past, staged themselves on Mercy Mount Way, will no longer park/stage on Mercy Mount with the proposed circulation. The site will no longer be used for over flow parking for events at the adjacent Black Bear Lake/Camp.

Mr. Lambros expressed his concern with the anticipated trips occurring every 40 seconds during peak hour. Mr. Rea stated that the prime times will be between 3:00 pm and 10:00 pm weekdays (after school hours) and weekends. Mr. Rea stated that at worst case scenario, the site will operate at a “Level B” operation. The Monmouth County Planning Board will need to review the application. They would comply with any conditions from the County. Mr. Rea would consider Stage Coach Road a “light to moderately” traveled County roadway. He reviewed the different levels of service ratings with the Board.

Mr. Steve Rodasti was previously accepted as a professional architect and sworn in and remained under oath. He reviewed the design changes that were made since the applicant’s last appearance before the Board. He highlighted the changed windows, added trim treatment, the added brick, the roof area which was enlarged to make it more prominent, corner panels that were added and that the dormers were changed to better scale the building (Exhibit A-20). The design, he explained, is more related to the surrounding buildings. The building is 35’ to the peak of the roof. The municipal building (across the street) has a similar height with the gable roof.

Mr. Anthony Italiano, Millstone Soccer representative, reminded the Board of his position with the Recreation Board. He explained that US Youth Soccer recommends that parents are not present during practice. Many kids tend to drop out from playing youth sports, mostly due to parents’ involvement, but some, for “bad coaching.” The main age group for dropping youth sports is teens with the parental pressures, so it is discouraged to allow parents to stay to watch practices.

Mr. Pape indicated that the applicant has no problem with a condition that parents will have to drop off the players and will not be able to stay inside the facility during any practice times. Planner Mertz suggested that a “no spectator” clause be included in any lease agreement with the teams.

Chairman Mostyn inquired about a required height for an indoor soccer facility. Mr. Italiano stated that the site is not big enough for games.

Mr. Pape stated that this would be strictly a practice facility. There would be no games, no tournaments, no corporate events held at the site, like you would see at “Sportika” (sports facility in Monroe). Attorney Vella noted that these other various may have a substantial negative impact to the zone and the Board can limit these.

The Board took a ten-minute break.

Upon return, Attorney Vella stated that Mr. Pape has requested that the application be carried to the March 27, 2024 meeting in order to address some of the other concerns the Board has expressed tonight. Chairman Mostyn suggested that the applicant provide a line-of-sight view of the proposed building to get a better perspective of how the building will impact the surrounding areas. Mr. Pape noted they can provide this.



Mr. Lambros expressed concern with how this would fit into the community. He stated he is concerned with the intensity of the use. Ms. Arpaia inquired about the reason for this location. Mr. Pape indicated that its proximity to Black Bear is the reason this is proposed.

Attorney Vella put on record that the application was being carried to March 27, 2024 at 7:30 pm in this same location, without any further notice.

**Green Leaf Pet Resort & Hotel, LLC**  
**Block 59 Lot 9.05 – Northeast corner Monmouth Rd./CR 537 and Burnt Tavern Rd.**  
**Use Variance Application # Z23-08**

Request to ratify the use variance approvals granted in 2015 to construct an Emergency Pet Facility sign (Z15-04). Alternatively, if the Board finds a new variance is necessary, the applicant is requesting use and bulk variance approval to construct a freestanding Emergency Pet Facility sign on a lot with no primary structure in the HC Zone. The sign is 60" wide x 101.89" in height, including a 12.15" brick planter base. The sign shall advertise the Green Leaf Pet Resort & Hotel (Applicant's business located on Burnt Tavern Rd.) Emergency Pet Facility and Millstone Elks. A NOV was issued for construction without permits. Several submission waivers are requested.

The applicant failed to provide the required notice and the Board has no jurisdiction. The application will be placed on the February 28, 2024 meeting agenda under new notice.

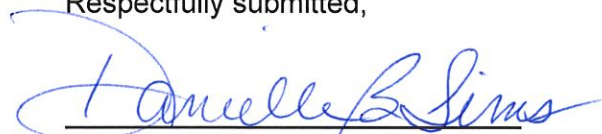
**BOARD DISCUSSION:**

There were no matters up for Board discussion.

**ADJOURNMENT:**

With no further business, Ms. Arpaia made a motion to close the meeting. With all in favor, Chairman Mostyn adjourned the meeting.

Respectfully submitted,

  
Danielle B. Sims, Board Secretary