

**MILLSTONE TOWNSHIP
BOARD OF ADJUSTMENT
MEETING MINUTES
FEBRUARY 24, 2021**

Meeting called to Order by Chairman Novellino at 7:30 p.m.

Reading of Adequate Notice by Mr. Barthelmes.

Salute to the Flag and observance of a moment of silence for the troops.

Roll Call: Present - Barthelmes, Conoscenti, Lambros, Morelli, Mostyn, Novellino,
Ferrara, Mangano and Zabrosky

Mr. Lambros is travelling and can listen to the meeting but will be unable to participate.

APPROVAL OF MINUTES: January 27, 2021

The Board members have reviewed the meeting minutes and a few changes have been made, Mr. Morelli made a Motion to approve the meeting minutes and Vice Chairman Barthelmes offered a Second. Roll Call Vote: Morelli, Barthelmes, Mostyn, Zabrosky and Novellino voted yes to approve the minutes.

RESOLUTION:

Z20- 09RHEINHARDT, SAMPSON & VICTORIA – Located at 140 Disbrow Hill Road, known as Block 11, Lot 1.02 consisting of 2.28 ac and Bock 11, Lot 24 of 5.72 acres located in the Rural Preservation (RU-P) Zoning District. Applicant sought and was granted a variance to construct an attached 3-car garage with attic consisting of 864 s.f. and 22'4" approx. height. Parcel has two front yards (Disbrow Hill Road and a dirt lane) where set back is 50 feet and applicant can provide 28 feet.

The Board having reviewed the Resolution, Mr. Conoscenti made a Motion to memorialize and Ms. Zabrosky offered a Second. Roll Call Vote: Conoscenti, Zabrosky, Morelli, Mostyn, Barthelmes and Novellino voted yes to memorialize the Resolution.

NEW APPLICATION:

Z20-06 NEW CINGULAR WIRELESS PCS, LLC (AT&T) – Located at 663 Route 33, known as Block 17, Lot 4 consisting of 2.45 acres in the Highway Commercial (HC) zoning district. Applicant seeks to place 12 antennae at centerline height of 130 ft. and expand the fencing and add related equipment at the base of the 150 ft. monopole. Applicant seeks bulk variance approval and use variance approval. Deemed Complete: 10-1-20. Date of Action 1-29-21; Extension granted through 2-28-20.

Attorney Vella advised that the application will not be heard this evening and explained

that the applicant did provide proper noticing to the parties on the 200 foot list, however, the Gannett published the Notice of Hearing in a paper other than the Asbury Press. Attorney Vella explained that this was not the applicant's mistake but rather the publisher. Attorney Vella did speak to the applicant's attorney regarding this matter.

Attorney Vella stated that the Board utilizes the same zoom ID and information for its meetings so he offered that the Board can carry this application to the next meeting date of March 24, 2021 without the need for further notice to the adjoining property owners who already have the zoom information. The Applicant does have to publish the Notice of Hearing in the newspaper and provide the Board with that Affidavit of Publication.

The applicant has granted the Board an extension of time March 31, 2021.

Engineer Shafai advised that the plans reflect an old 200 foot list. Attorney Vella explained the applicant uses the 200 foot list that the Tax Assessor's provides for noticing purposes and that list cannot be more than 6 months old and he offered why the list on the plans is outdated.

Attorney Vella did not feel the law requires the applicant to re-notice because the Board uses the same log in information for the zoom meeting for each meeting. If you have a different log in information from meeting to meeting the applicant would have to re-notice. This announcement was made to the members of the public. Seeing no public in the audience this evening.

The Evidence is online and the new meeting date will be online as well.

NEW BUSINESS: Engineer Matt Shafai provide an overview of the new Stormwater Management regulations that were mandated by the NJDEP and just adopted by the Township Committee. He explained how the new ordinance pertains to residential and commercial development.

Engineer Shafai advised that 6 months ago the NJDEP mandated that every town must replace their current ordinance with the new one. He explained the difference between the 2004 ordinance and the new ordinance which requires non-structural green infrastructure. No more underground structures which are found to be difficult to maintain and do not work. The NJDEP wants everything out in the open. Engineer Shafai provided an example would be the use of rain gardens to recharge stormwater.

Engineer Shafai explained that if an applicant is unable to accomplish the green infrastructure, then they must go the NJDEP to obtain the variance. IF the Board approves an application, it would be conditioned upon the applicant obtaining NJDEP variance approval. The responsibility falls upon the applicant.

Engineer Shafai also went over some of the changes in definitions including impervious surface disturbance went from 10,000 s.f. down to 5,000 s.f. A gravel driveway is considered to now be pervious which Engineer Shafai always considered it that way.

Vice-Chairman Barthelmes asked Engineer Shafai if any present buildings are not in compliance. Engineer Shafai stated that the new ordinance changes the buildable area and every application before the Boards must comply with the Rules.

Ms. Zabrosky stated that the Environmental Commission helped put this ordinance together. She offered that four towns in the State of New Jersey were on the Green Infrastructure Honor Roll and Millstone was one of the four recipients.

OLD BUSINESS:

Members Mangano and Zabrosky have successful completed the Mandatory Board Member Training and that information is being sent to the DCA.

Seeing no further new or old business, Mr. Mangano made a Motion to adjourn and Vice-Chairman Barthelmes offered a Second and by unanimous vote, the meeting adjourned at 7:55 p.m.

Respectfully Submitted,

Pamela D'Andrea