

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
JANUARY 13, 2010**

At 7:35 p.m., Mitchell Newman called the meeting to Order.

The Secretary read the Adequate Notice.

Attorney Steib swore in the following Members: Mayor Grbelja, Committeeman Fiore Masci, Robert Beck and Manny Blanco.

Salute to the Flag.

Roll Call: Blanco, Grbelja, Masci, Kurzman, Weintraub, Beck, Pado. Late: Pinney arriving at 7:50 p.m. Absent Pepe.

Election of Officers: Nominations for the Chairman were open. Ms. Grbelja made a Motion to nominate Mr. Newman as the Chairman and Mr. Pado offered a Second. Seeing no other nominations for Chairman, by unanimous vote, the nominations for Chairman were closed. Roll Call Vote: Grbelja, Pado, Blanco, Masci, Kurzman, Weintraub, Beck and Rundella voted yes to nominate Mr. Newman.

Mr. Newman thanked the Board.

Nominations for Vice-Chairman were open. Although Mr. Pepe was out of town and unable to attend the meeting, he had agreed to accept the nomination should he be nominated for the position of Vice-Chairman for which he had served in the past. Mr. Rundella made a Motion to nominate Mr. Pepe as the Vice-Chairman and Mr. Pado offered a Second. Seeing no other nominations for Vice-Chairman, by unanimous vote, the nominations for Vice-Chairman were closed. Roll Call Vote: Rundella, Pado, Grbelja, Masci, Kurzman, Blanco, Weintraub, Beck and Newman voted yes to the nomination of Mr. Pepe.

Nominations for Secretary were open. Mr. Pado made a Motion to nominate Pam D'Andrea as Secretary and Chairman Newman offered a Second. Seeing no other nominations for Secretary, by unanimous vote, the nominations for Secretary were closed. Roll Call Vote: Pado, Newman, Blanco, Grbelja, Masci, Kurzman, Beck, Weintraub and Rundella voted yes to the nomination.

Ms. D'Andrea thanked the Board.

The Board next considered nominations for its professionals. Chairman Newman explained the fair and open bidding process.

Ms. Grbelja made a Motion to nominate Michael B. Steib as Board Attorney and Mr. Pado offered a Second. Seeing no other nominations for Board Attorney, by unanimous vote, the nominations for Board Attorney were closed. Roll Call Vote: Grbelja, Pado, Masci, Blanco, Kurzman, Beck, Weintraub, Rundella and Newman voted yes to the nomination.

Mr. Steib thanked the Board.

Mr. Blanco made a Motion to Nominate the Engineering firm of Leon S. Avakian, Inc. with Matt Shafai as the principal engineer for the Board Engineer and Mr. Masci offered a Second. Seeing no other nominations for Board Engineer, by unanimous vote, the nominations for Board Engineer were closed. Roll Call Vote: Blanco, Masci, Grbelja, Pado, Kurzman, Weintraub, Beck, Rundella and Newman voted yes to the nomination.

Mr. Shafai thanked the Board.

Mr. Blanco made a Motion to nominate the firm of Coppola and Coppola with Richard T. Coppola as the primary Planner to the Board and Mr. Kurzman offered a Second. Seeing no other nominations for Board Planner, by unanimous vote, the nominations for Board Planner were closed. Roll Call Vote: Blanco, Kurzman, Grbelja, Masci, Pado, Weintraub, Beck, Rundella and Newman voted yes to the nomination.

Mr. Coppola thanked the Board.

Ms. Grbelja made a Motion to nominate Daniel Dobromilsky & Associates with Daniel Dobromilsky as the primary Landscape Architect to provide Landscape Architectural Services to the Board and Mr. Masci offered a Second. Roll Call Vote: Grbelja, Masci, Blanco, Kurzman, Pado, Weintraub, Beck, Rundella and Newman voted yes to the nomination.

Mr. Masci made a Motion to nominate Angela Buonantuono as the Board Court Reporter and Mr. Pado offered a Second. Seeing no other nominations for Board Court Reporter, by unanimous vote, the nominations for Board Court Reporter were closed. Roll Call Vote: Masci, Pado, Blanco, Grbelja, Kurzman, Weintraub, Beck, Rundella and Newman voted yes to the nomination.

Ms. Buonantuono thanked the Board.

Ms. Grbelja made a Motion to nominate the Asbury Park Press and The Messenger Press as the official Board Newspapers and Mr. Blanco offered a Second. Seeing no other nominations for official newspaper designations, by unanimous vote, the nominations were closed. Roll Call Vote: Grbelja, Blanco, Masci, Kurzman, Pado, Weintraub, Beck, Rundella and Newman voted yes to the nominations.

The Board having reviewed the proposed monthly meeting schedule, Mr. Blanco made a Motion to adopt the regular monthly meeting schedule and Mr. Weintraub offered a second. The dates were read into the record. Roll Call Vote: Blanco, Weintraub,

Grbelja, Masci, Kurzman, Pado, Beck, Rundella and Newman voted yes to adopt that Regular Monthly Meeting Schedule to be held on the following dates in 2010 and the first meeting date in 2011 beginning at 7:30 p.m. in the Municipal Meeting Room located at 215 Millstone Road, Millstone Township, New Jersey as follows:

|                   |                            |
|-------------------|----------------------------|
| January 13, 2010  | July 7, 2010               |
| February 10, 2010 | August 11, 2010            |
| March 10, 2010    | September 22, 2010         |
| April 21, 2010    | October 13, 2010           |
| May 12, 2010      | November 22, 2010 (Monday) |
| June 9, 2010      | December 8, 2010           |
|                   | January 12, 2011           |

Approval of Meeting Minutes: November 23, 2009.

Having reviewed the proposed meeting minutes, Mr. Kurzman made a Motion to adopt the November 23<sup>rd</sup> Minutes and Mr. Rundella offered a Second. Roll Call Vote: Kurzman, Rundella, Grbelja, Pado Beck and Newman voted yes to adopt the minutes.

Ms. Pinney arrived at 7:55 p.m.

**RESOLUTION:**

**P05-30 512 ROUTE 33, LLC** – Block 22, Lot 7. Located on Route 33. 9.23 acres in the HC Zone. Applicant received Preliminary and Final Major Site Plan approval to construct a 15,925 s.f. retail center and 3,200 s.f. bank on 10-11-06. Applicant received Minor Subdivision approval associated with the bank on 3-12-08. Applicant is seeking an Extension of Time to perfect both the site plan and the subdivision. Extension granted 11-23-09.

Having read the Resolution, Ms. Pinney made a Motion to memorialize and Mr. Beck offered a second. Roll Call Vote: Pinney, Beck, Grbelja, Kurzman, Pado, Rundella and Newman voted yes to memorialize.

**P07-03 TOTAL STONE** – Block 53, Lot 4. Located at Red Valley Road and Trenton-Lakewood Road. 28.7 acres in the BP Zone. Applicant received Final Major Subdivision approval for a 7-lot subdivision for existing building, private road and 5 new building lots 8-8-08. Applicant returns to the Board for an Extension of time. . Extension granted 11-23-09.

Having read the Resolution, Ms. Grbelja made a Motion to memorialize and Mr. Kurzman offered a second. Roll Call Vote: Grbelja, Kurzman, Pinney, Beck, Pado, Rundella and Newman voted yes to memorialize.

**P06-06 PERL ACRES NORTH** – Block 54, Lot 5.01. Located on Route 526. Previously Zoned R-130 consisting of 44.69 Acres. Applicant received Preliminary Major Subdivision approval to subdivide 11 residential lots received 4-23-03. Applicant Received Final Approval Resolution Memorialized 4-11-07. First Extension of Time commencing 4-11-09 granted through 4-11-10. Applicant seeks 2<sup>nd</sup> one-year Extension of Time to perfect the Subdivision. Zone presently RU-P. . Extension granted 11-23-09.

Having read the Resolution, Mr. Pado made a Motion to memorialize and Ms. Grbelja offered a second. Roll Call Vote: Pado, Grbelja, Pinney, Beck, Kurzman, Rundella and Newman voted yes to memorialize.

**P06-07 PERL ACRES SOUTH** – Block 55, Lot 2, - Located on Route 526. Previously Zoned R-130 consisting of 158.2 acres. Applicant received Preliminary Major Subdivision approval for a 43-residential lot subdivision and 2 lots for Township dedication received 6/25/03. Final Approval granted Resolution Memorialized 4-11-07. First Extension of Time commencing granted through 4-11-10. Applicant seeks 2<sup>nd</sup> one-year Extension of Time to perfect the Subdivision. Zone presently RU-P. . Extension granted 11-23-09.

Having read the Resolution, Mr. Pado made a Motion to memorialize and Ms. Pinney offered a second. Roll Call Vote: Pado, Pinney ,Grbelja, Beck, Kurzman, Rundella and Newman voted yes to memorialize.

**NEW APPLICATION:**

**P09-10 – MILLSTONE TOWNSHIP** – Block 57.01, Lot 19.04 (located at 534 Monmouth Road) and Lot 20 (located at 6 Novad Court) consisting of 1.22 acres located in the R-130 (Rural Preservation) Zone. The Township of Millstone makes application for minor subdivision approval and bulk variance relief for purposes of combining two existing lots and creating two new lots. The applicant further requests preliminary and final major site plan approval to for purposes of constructing a one-story building, consisting of approximately, 3,004 square feet and is 18.5 feet in height, which will house a six (6) bedroom alternative living arrangement (group home) for six developmentally disabled young persons, as defined and regulated by the New Jersey Council On Affordable Housing (COAH) and as permitted in accordance with N.J.S.A.40:55D-66.1.

Having reviewed the noticing packet, Attorney Steib finds same to be in order to accept jurisdiction over this application.

Attorney Steib read the following exhibits into the record:

- A-1            Jurisdictional Packet
- A-2            Application dated 12/22/09
- A-3            Web Notice 12/29/09
- A-4            Boundary and Topographic Survey prepared by Harris Surveying, Inc, dated 4/26/07; last revised 3/26/09
- A-5            Minor Subdivision Plan prepared by Leon S. Avakian, Inc. dated 11/10/09
- A-6            Preliminary and Final Site Plan prepared by Leon S. Avakian, Inc. dated 11/10/09
- A-7            Architecturals prepared by Joseph P. Tomaino, AIA PP of Design Ideas Group Architecturals & Planning, LLC dated 11/30/09
- A-8            Aerial Map
- A-9            Color architectural rendering with sample building materials of proposed Group Home prepared by Design Ideas Group
- PB-1           Report of Board Engineer dated
- PB-2           Report from Planner dated
- PB-3           Monmouth County Planning Board Report dated

Simon L. Kaufman, Esq. of Lomurro, Davison, Eastman and Munoz appeared before the Board representing the Township of Millstone.

He explained to the Board that two existing lots are to be combined and then re-subdivided so that the existing house shall remain on one lot and a new group home shall be constructed on the second lot.

Mr. Kaufman explained that there initially was some question as to the need to request a use variance but research revealed that pursuant to State statute, a group home is permitted in any residential zone. The application before the Board is for Minor subdivision and preliminary and final site plan approval.

Engineer Matt Shafai is sworn in, presents his credentials and is accepted by the Board as an expert.

Mr. Shafai explained the proposed minor subdivision. He explained the property is located behind the existing Burger King on Novad Court.

He explained that it is located in the R-130 Rural Residential Zone and cannot meet all of the requirements of the zone.

Referring to Exhibit A-8, Aerial photograph of the property, Mr. Shafai explained that Novad Court runs parallel to Route 537 and is serviced by a gravel driveway. The driveway is in an easement and services three driveways. Mr. Shafai advised that the proposal is to take the gravel driveway out and pave the first ten feet of the driveway. He explained where the well and septic are located on the property. The new home is a one-story building with a porch, landscaping around the building. Some trees would have to be removed for placement of the septic and well subject to the Monmouth County Board of Health's approval.

The access to the three lots was discussed. The Township resident that utilizes the gravel driveway has access to his property via an easement. Chairman Newman asked for clarification of that easement

Sworn in is Planner Cindy Coppola who presented her credentials and is accepted as an expert.

Mrs. Coppola advised that the two adjacent properties are included in the Township's Fair Share Housing Plan.

The Board asked for clarification as to who would be responsible to plow and maintain the driveway.

Mr. Shafai explained the site plan proposal for the property. He advised that a soil test pit was done and the Township will submit to the MCBOH for approval. The well would be located in the back. The existing home has its own separate well and septic.

Mr. Kaufman explained that the Township has entered into a maintenance agreement with the Ladacin Group as to taking care of the septic and well. Chairman Newman requested that the agreement be provided to Board Attorney Steib for his review.

Mr. Shafai addressed the proposed parking. Mr. Kaufman advised that visitors would use the parking spaces. No garage is involved. The residents of the proposed group home are not drivers. The usage is for visitors of the residents. Only the supervisor would have a vehicle.

Mr. Pado addressed his concerns asked about the fire department and emergency vehicles' ability to negotiate the driveway. Mr. Shafai advised that the property fronts on Novad Court but he will have the fire department to look at this item and this would be a condition of approval.

Mr. Shafai addressed the soil and sediment control plan. He advised that stormwater management exists and no drainage is proposed.

Mrs. Coppola was sworn in, presented her credentials as a professional planner and was accepted as same by the Board.

She addressed the variances requested. The proposal is for a minor subdivision of two existing lots where one lot has no frontage on a public road. The lots are to be combined and then re-subdivided. She explained that the lots do not meet the minimum lot, width or frontage requirements of the R-130 Zone. Mrs. Coppola advised that the existing single family home does not have lot frontage but will have after the subdivision.

Mrs. Coppola explained that the existing conditions and the proposed variances that would be needed as a result of the minor subdivision. The re-subdivision of the lots was discussed. The applicant is unable to meet the requirement of one acre of continuous area.

Mrs. Coppola explained the positive criteria in granting the application. She advised that both the minor subdivision and the proposed site plan promote the production of affordable housing as per the Housing Act and by promoting establishment of affordable housing, it promotes welfare. The Township owns the land and maximizes the use of this property to minimize the expenses.

Mrs. Coppola advised that affordable housing to meet the needs for disabled persons is meeting the needs of a particular group of residents in the State of New Jersey.

Addressing the negative criteria, the property is close to commercial uses within the highway commercial zoning district. The properties do not front on a county road but their orientation is towards the county road. Mrs. Coppola stated that this should not have any impact on the commercial uses. The surrounding property is on the Township's Fair Share Housing Plan and the Township is in the process of purchasing that property. She finds this application to be consistent with the Master Plan.

Next to present his credentials and be sworn in by Attorney Steib was Thomas R. Besold, Design Ideas Group, architects in New Brunswick. He presented that he has

been a licensed architect for the past 30 years and in the business for 30 years. He is accepted as an expert.

Mr. Besold explained the floor plans for the 6 bedroom residential group home. There would be 2 ½ bathrooms and a common living room and kitchen and eating area. It is a one-floor, wood frame home with no basement.

Mr. Besold described the exterior to have an asphalt shingle roof and vinyl siding simulating clapboard, trimmed out in a composite type trim, maintenance free material.

Referring to Exhibit A-9, Color Rendering of the proposed building, Mr. Besold advised that the building is compliant with the architectural standards we see for other single family home site plans.

Mr. Besold explained the importance of keeping the project cost effective.

The applicant does not want any signage on the premises and wishes to keep it residential.

Mr. Besold stated that the project is 100% ADA compliant.

The lighting was discussed and would be on a residential scale.

Attorney Steib swore in Patricia Carlesimo. She advised that she is the director of the Ladacin group for the past 6 years. She agreed that no signage is proposed. Two bathrooms are sufficient. She explained that they have four group homes and all are laid out in a similar configuration which works. She thanked the Board for their consideration of this application.

Ms. Carlesimo advised that they work with 2800 families in Monmouth and Ocean Counties. They serve persons with multiple disabilities. They have been incorporated since 1952 and were formerly United Cerebral Palsy.

Attorney Steib swore in Anita Kneeley of Brielle, New Jersey. Ms. Kneeley was the executive directive from was 1979 to 1996. She advised that she is a consultant for developing funding for housing and planning.

She advised that they regard this group home as a residence. Six tenants would live in the home. Staff would be available 24/7 but would not live on the premises. The home maintains a vehicle with a lift on site. She reiterated that no residents at this facility would be driving. The proposed parking spaces are adequate and are better than what they have in other locations.

Ms. Kneeley advised that The Ladacin Group has set up a long term lease with the Township. Ladacin would continue to provide services to their residents. The Land is leased and the homes are owned by Ladacin Group.

Chairman Newman opened the application to the public at 8:50 p.m. Seeing no public comment, he closed that portion at 8:50 p.m.

Mr. Kaufman summarized the application.

Mr. Pado made a Motion to approve and Mr. Kurzman offered a Second. Attorney Steib read conditions of approval including but not limited to: minor subdivision approval with preliminary and final site plan approval and bulk variance approval, confirmation as to the easement providing adequate access and maintenance clearing for snow, etc., copies of the easements and agreements shall be provide to assure issues are adequately addressed, written confirmation from the fire department as to adequacy of access to the property, lighting shall be on a residential scale, no signage shall be in place, the residence is limited to 6 tenants, non-residential staff shall be on site 24/7 but not living at the home, all outside approvals shall be secured, etc.

Mr. Pado's Motion included the conditions and Mr. Kurzman offered his second. Roll Call Vote: Pado, Kurzman, Blanco, Weintraub, Pinney, Beck, Rundella and Newman voted yes to the approval.

Having no old business or new business on the agenda, Chairman Newman asked for a Motion to Adjourn. Mr. Weintraub offered a Motion to Adjourn and Chairman Newman offered a Second and by unanimous vote, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Pamela D'Andrea