

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
JUNE 9, 2010**

At 7:50 p.m., Vice-Chairman Pepe called the meeting to Order.

The Secretary read the Adequate Notice.

Roll Call: Present: Grbelja, Weintraub, Beck, Blanco and Pepe. Absent: Kurzman Masci, Pado, Pinney, Newman and Rundella.

APPROVAL OF MINUTES: The eligible Board members have reviewed the May 12, 2010 meeting minutes. Ms. Grbelja made a Motion to approve and Mr. Weintraub offered a Second. Roll Call Vote: Grbelja, Weintraub and Beck voted yes to approve the minutes.

PUBLIC COMMENT PORTION: Vice-Chairman Pepe opened the public comment portion to the public at 8:00 p.m. Seeing no public comment, he closed that portion of the meeting at 8:00 p.m.

RESOLUTION:

P10-05 FIRST CHOICE – Block 16, Lot 9.10. Located on Rike Drive. 3.26 acres in the BP Zone. Applicant Received Preliminary and Final Major Site plan approval to construct a 20,843 s.f. building consisting of 8,000 s.f. office space and 12,483 s.f. warehouse. Resolution Memorialized 4-6-06. First Extension of Time granted to 4-6-09. Second Extension granted through 4-6-10. Applicant seeking third and final one-year Extension of Time. No zone change. No noticing required.

Ms. Grbelja made a Motion to memorialize the Resolution and Mr. Weintraub offered a Second. Roll Call Vote: Grbelja, Weintraub and Beck voted yes to the memorialization.

P10-07 MILLSTONE CENTER ASSOCIATES– Block 58, Lot 4.06. Located on Route 526 in the NC Zone consisting of 9.537 acres. Applicant received Preliminary and Final subdivision approval in June 2005. The applicant returned to the Board to amend their approval prior to subdivide the parcel into six lots; five for commercial purposes and one lot for private roadway. The approval was memorialized 3-12-08. Applicant returns for a one-year extension of time. The zone has not changed. No noticing required.

Ms. Grbelja made a Motion to memorialize the Resolution and Mr. Beck offered a Second. Roll Call Vote: Grbelja, Beck and Weintraub voted yes to the memorialization

EXTENSION OF TIME:

P10-08 33 ASSOCIATES (RIVERSIDE CENTER) – Block 18, Lot 2.02. Located on Route 33. 57.7 acres located in the PCD Zone. Applicant received Preliminary Major Subdivision approval in Resolution Memorialized 1-10-07 and Final Major Subdivision Approval in Resolution Memorialized 7-11-07. In Resolution Memorialized on 6-8-09 applicant sought and was granted a one-year extension of time to 6-8-10. No Zone change. No noticing required.

Attorney Mr. William Mehr representing the applicant explained to the Board the reasons for the delay in perfecting the subdivision. He explained one of the delays is that the NJDEP would not issue their permit until the NJDOT had approved their portion of the application. They now have NJDOT approval and are still awaiting approval from the NJDEP.

Mr. Blanco made a Motion to approve and Mr. Beck offered a Second. Roll Call Vote: Blanco, Beck, Grbelja, Weintraub and Pepe voted yes to the one-year extension.

EXTENSION OF TIME:

P10-10 IDEAL TILE - Block 18, Lot 2.03 Located on Old Route 33 and Farrington Blvd. 14.93 Acres located in the PCD Zone. Applicant received Preliminary and Final Site Plan approval to construct a 94,500 s.f. warehouse/storage area, a 4,000 s.f. showroom and 4,000 s.f. of administrative offices in Resolution memorialized 7-11-07. Applicant returns to the Board for a two-year extension of time to allow for the creation of the subdivision which this application is part of (Block 18, Lot 2.02). No Zone change. No noticing required.

Attorney Mr. William Mehr representing the applicant . He explained that this application received preliminary and final site plan approval and would be the first lot in the Riverside Center subdivision to be built. The applicant is waiting for the perfection of the subdivision. The two year extension of time would be retroactive to 2009 and take them to 2011.

Mr. Blanco made a Motion to approve and Mr. Beck offered a Second. Roll Call Vote: Blanco, Beck, Grbelja, Weintraub and Pepe voted yes to the two-year extension.

EXTENSION OF TIME:

P10-09 MILLSTONE PROPERTY INVESTMENTS – Block 16, Lots 11.01, 11.02 & 11.03. Located on Prodelin Way and State Highway Route 33 consisting of 9.3 acres located in the HC (Highway Commercial) Zone. Applicant received Preliminary Site Plan approval in Resolution Memorialized 6-13-07 to construct a one-story 9,900 sq. ft. day care center along with a 6,000 sq. ft. one-story office and storage building. Applicant seeks a one-year extension of time. No Zone Change. No noticing required.

Attorney Aravind Aithal of Bob Smith & Associates, representing the applicant. Mr. Aithal explained that the applicant had received preliminary approval vested rights for period of three years. In order to secure financing for the project, they must secure tenants before they start. They will apply or D&R canal approval when they know who the tenants to be. The applicant received their approval in 2007. Banks will not loan money on speculation, they must have tenants in place. Due to these circumstances, the applicant is seeking a one year extension of time. He offered that this is a smaller project, less than 1 acre and the Board could consider economic conditions as a factor in granting the extension. The applicant advised that zoning has not changed. They will be back to the board to get final approval and may not have the day care center element of the project.

Attorney Steib explained the protection under preliminary approvals.

Mr. Blanco made a Motion to approve and Mr. Weintraub offered a Second. Roll Call Vote: Blanco, Weintraub, Grbelja, Beck and Pepe voted yes to the one-year extension.

REVIEW AND RECOMMEND:

ORDINANCE NO. 10-18

AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE), ARTICLE III (ADMINISTRATION AND PROCEDURES), SECTION 3-1 (PLANNING BOARD), ARTICLE IV (REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS), SECTION 4-1 (GENERAL REGULATIONS) AND CREATING ARTICLE 17 (RIPARIAN ZONE ORDINANCE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Mayor Grbelja explained that the Monmouth County Planning Board has to submit a waste water management plan to the State and in order to do so, municipalities must have an ordinance in place which addresses this matter. The County has provided a model ordinance to the municipalities to follow. The Township Attorney and Engineer have worked on an ordinance which addresses the Township's needs. The Township has been asked to adopt an ordinance that insures that stream corridors will not be compromised by future development. Mayor Grbelja explained the buffering to those streams.

Resident and Chairperson for the Open Space and Farmland Preservation Council had some concerns about the proposed ordinance. She wanted to make sure that this was not a boiler plate ordinance. She has concerns as to the impact this ordinance may have on farming practices, including blueberry farming that may take place near waterways.

Ms. Butch offered her concerns if the proposed Ordinance would change Town's trail systems.

The concerns were discussed, The Planning Board has the task of reviewing and recommending changes to the Township Committee. The Township Committee would be the entity to make any changes to a proposed ordinance.

The Board discussed that Section 17-1.4 has to be in compliance with the stormwater management rules that are in place.

Board Attorney Michael Steib advised that there are two components to the ordinance. This ordinance is for land prospective applications looking toward land development that would require a site plan.

Another component would be if a property owner feels his property is erroneously located in a riparian zone, there is a process in place to address that.

The Board discussed the intent of the ordinance is directed at land development applications coming before the Boards. The Board feels the ordinance is about future development and not what already is in existence.

The Board discussed the Ordinance to be consistent with the Master Plan but would make a recommendation to the Township Committee Referring to section 17-1.5d, shall include language that public trail access and agricultural activities shall not be compromised by this ordinance.

Mr. Blanco made a Motion finding the Ordinance consistent with the Master Plan and to send the recommendation to the Township Committee. Mr. Beck offered a Second. Roll Call Vote: Blanco, Beck, Weintraub, Grbelja and Pepe voted yes to the consistency and recommendation.

Seeing no further business, at 8:30 Vice-Chairman Pepe asked for a Motion and Second to Adjourn the meeting. Ms. Grbelja made the Motion, Mr. Weintraub offered Second and by unanimous vote, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Pamela D'Andrea