

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
SEPTEMBER 22, 2010**

At 7:30p.m., Chairman Newman called the meeting to Order.

The Secretary read the Adequate Notice.

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

The Township Committee, in Resolution 10-128, authorized the Planning Board to undertake a preliminary investigation and hearing to determine if Property, known as Block 20, Lot 5 consisting of 32.9 acres in the PCD Zone located at the intersection of New Jersey State Highway Route 33 and Millstone Township Route 13 a/k/a Bergen Mills Road, qualifies under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., as an area in need of redevelopment.

Chairman Newman advised the audience that this item that was scheduled for consideration this evening was pulled from the Agenda. If this item should come back to the Board for their investigation, the matter would be re-noticed and published accordingly in the in the newspaper, posted on both the bulletin board and on the Township website.

APPROVAL OF MINUTES: The eligible Board members have reviewed the August 11, 2010 minutes. One change by way of clarification was made to the minutes and Ms. Pinney made a Motion to approve to include the change and Mr. Beck offered a second. Roll Call Vote: Pinney, Beck, Blanco, Pado, Pepe and Newman voted yes to approve the minutes.

PUBLIC COMMENT PORTION: Chairman Newman opened the public comment portion to the public at 7:35 p.m. Seeing no public comment; Chairman Newman closed that portion of the meeting at 7:35 p.m.

RESOLUTIONS:

P10-11 BENTON FIBRE AND DRUM – Block 16, Lot 9.12 – Located on Rike Drive in the Moto Industrial Park in the BP Zone. The Lot consists of 10.04 Acres of property. The applicant received Preliminary and Final Major Site Plan approval to construct an additional one-story 8,435 s.f. building for office space 6-11-08. Applicant returned to the Board requesting a one-year extension of time. Extension granted 8-11-10.

The Board having considered the Resolution, Mr. Blanco made a Motion to approve and Mr. Pepe offered a second. Roll Call Vote: Blanco, Pepe, Pinney, Beck and Newman voted yes to memorialize the Resolution.

P10-04 HUNEKE, ROBERT –Block 16, Lots 6 and 6.02 – Located at 21 Huneke Way. Property located in the RU-P zone. Existing Lot 6.0 consists of 25.316 acres; Lot 6.02 consists of 10.518 acres. The applicant sought and granted requested checklist waivers in connection with their Minor Subdivision (lot line adjustment) application. Applicant received minor subdivision approval (lot line adjustment) to create new lot 6.03 consisting of 13.611 acres; and new Lot 6.04 consisting of 22.028 acres. Subdivision approval was granted as conditioned by the board.

Chairman Newman requested a change to the Resolution to Paragraph 10, Page 7 to clarify that while Mrs. Butch testified to the importance of a trail in this area, the portion that would involve Mr. Huneke’s property was not very large and therefore, the Board “determined that it would be an imposition based upon the Planning Board’s review of the Bridle Path Network Map” to consider requesting the trail.

With that clarification, Mr. Pepe made a Motion to memorialize the Resolution and Mr. Pado offered a Second. Roll Call Vote: Pepe, Pado, Pinney, Blanco, Beck and Newman voted yes.

REVIEW AND RECOMMEND:

ORDINANCE NO. 10-25

AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE), ARTICLE XI, DESIGN AND PERFORMANCE STANDARDS AND CONSTRUCTION SPECIFICATIONS, BY CREATING SECTION 11-32 (TREE CLEARING) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

Mr. Shafai explained the Tree Clearing Ordinance is applicable to anyone who wants to clear one-thousand (1,000) square feet of wooded area. The Ordinance requires them to file an application to receive a permit. Once the application is filed, the engineer’s office makes a site visit to make sure that the applicant is not clearing any environmentally sensitive areas such as conservation easements and wetlands. The application will be approved and the permit issued if the clearing is outside of an environmentally sensitive area.

Engineer Shafai clarified that if an applicant is before one of the Boards with an application, then they are stayed from clearing any land until we have had an opportunity to do a site visit.

Engineer Shafai had conferred with Planner Richard Coppola as to the consistency with the Master plan and both professionals find the Ordinance to be consistent with the Master Plan.

Chairman Newman suggested that the Board make a recommendation to the Township Committee that Paragraph C6, the word “reviewed” is not crystal clear and he recommended that the sentence include that the “application or proceeding before the Planning Board or Board of Adjustment,”.

Engineer Shafai clarified that this Ordinance does not pertain to a homeowner who wants to take down a single tree. The Ordinance pertains to clearing of 1,000 s.f.

Mr. Pepe made a Motion finding the Ordinance consistent with the Master Plan with the recommendation above and Ms. Pinney offered a Second. Roll Call Vote: Pepe, Pinney, Blanco, Beck, Pado and Newman voted yes

**ORDINANCE NO. 10-23
AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE DEVELOPMENT REGULATIONS), ARTICLE III (ADMINISTRATION AND PROCEDURES) SECTION 3-9 (FEES AND FEE SCHEDULE), SUBSECTION 3-9.4 (FEE SCHEDULE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

Engineer Shafai explained that periodically, the fee schedule is reviewed to keep fees consistent in order to cover the costs. Both Messrs. Shafai and Coppola find the amendment to the Ordinance to be consistent with the Master Plan. Attorney Steib reported that the Municipal Land Use Law allows towns to take periodic changes to their fee schedule in order to keep them current.

Mr. Pepe made a Motion finding the Ordinance to be consistent with the Master Plan and Mr. Pado offered a Second. Roll Call Vote: Pepe, Pado, Pinney, Blanco, Beck, and Newman voted yes

NEW BUSINESS:

Mrs. Pinney addressed the ANJEC Award received by the Township’s Environmental Commission for its crafting and adoption of the Threatened and Endangered Species Ordinance. She offered a history of why the Ordinance was necessary and what has transpired over the past three years since research first began. Mrs. Pinney stated that the EC was not satisfied with the EIS reports they were receiving. They worked with Lisa Spaziano of the Leon S. Avakian Engineering firm. Ms. Spaziano crafted the Ordinance that was ultimately adopted by the Township. Mr. Pinney explained member

Barry Frost's article to the ANJEC was ultimately published and that article is in the ANJEC Fall Newsletter. The Board secretary will provide a copy of that Newsletter to all members.

Seeing no further business, Chairman Newman made a Motion to Adjourn, Mr. Blanco offered a second and by unanimous vote, the meeting adjourned at

Respectfully Submitted,

Pamela D'Andrea