MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
MARCH 9, 2011

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

The Secretary read the Adequate Notice.

Salute to the Flag.

Attorney Steib swore in Re-Appointed Members Tom Pado and David Kurzman both serving as Class IV members.

Roll Call: Present: Beck, Pinney, Kocur, Ziner, Masci, Bailey, Grbelja, Pado and Kurzman. Absent: Blanco and Newman. Late: Pepe 8:45 p.m.

Attorney Steib explained that both Messrs. Pado and Kurzman as Class IV members are eligible to act as Chairman of the Board in the absence of both the Chairman and Vice-Chairman. This being the case, Mr. Kurzman stepped in as Motioned to act as Chairman this evening.

APPROVAL OF MINUTES: December 22, 2010.

Mr. Pado made a Motion to approve the December 22, 2010 Minutes and Mr. Beck offered a Second. Roll Call Vote: Pado, Beck and Kurzman voted yes.

APPROVAL OF MINUTES: February 9, 2011.

Mr. Ziner made a Motion to approve the February 9, 2011 minutes and Mr. Masci offered a Second. Roll Call Vote: Ziner, Masci, Pinney, Beck and Kocur vote yes.

At 7:34 p.m., Mr. Kurzman opened public comment portion of the meeting and seeing no public comment, he closed that portion was at 7:34 p.m.

RESOLUTIONS:
P10-12 NORTH PARK SOLAR ENERGY FARM – Block 16, Lots 2.01 located at N. Disbrow Hill Road consisting of 126.29 acres in the BP zone and Lot 9.05 located at 700 Rike Drive consisting of 4.93 acres in the BP Zone. On 2-9-11, applicant had received Preliminary and Final Site Plan for Phase I and II to construct a solar energy farm.

Mr. Masci made a Motion to memorialize the Resolution and Ms. Pinney offered a Second. Roll Call Vote: Masci, Pinney, Beck, Ziner and Kocur voted yes to the memorialization.

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P10-14 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 on 4-23-03 to subdivide creating 11 residential lots. Applicant Received Final Approval Resolution Memorialized 4-11-07. First Extension of Time commencing 4-11-09 granted through 4-11-10. Second One-Year Extension of Time to perfect the Subdivision granted through 4-10-11. Third and Final One-Year Extension of Time granted on 2-9-11 to perfect the Subdivision. Zone presently RU-P.

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

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 on 6/25/03. Final Approval granted Resolution Memorialized 4-11-07. First Extension of Time commencing granted through 4-11-10. Second One-Year Extension of Time to perfect the Subdivision granted through 4-10-11. Third and Final One-Year Extension of Time granted on 2-9-11to perfect the Subdivision. Zone presently RU-P.

Mr. Masci made a Motion to memorialize the Resolution and Ms. Pinney offered a Second. Roll Call Vote: Masci, Pinney, Ziner, Beck and Kocur voted yes to the memorialization.

P10-03 TRIPPIEDI , JOHN AND YOLANDA – Block 37.03, Lots 29.06, 26.25 and 26.26. Property Located at 38 Clarksburg Road in the R-80 Zone. Lot 26.26 consisting of 60.049 s.f., Lot 29.06 consisting of 40,000.s.f. and Lot 26.25 consisting of 64.123 s.f.

Applicant requested and received Preliminary and Final Major Subdivision approval for purposes of a lot line adjustment.

Mr. Masci made a Motion to memorialize the Resolution and Mr. Ziner offered a Second. Roll Call Vote: Masci, Ziner, Pinney, Beck and Kocur voted yes to the memorialization.

CAPITAL IMPROVEMENT:

P11-01 – MILLSTONE TOWNSHIP SCHOOL DISTRICT – Block 25, Lot 1.08 Located off of Baird Road at 5 Dawson Court consisting of 56.30 acres in the RU-P zone. Applicant comes to the Board to present a proposed sign plan for installation at the Middle School.

Attorney Steib advised that this is a Section 31 Review and he explained to the Board what their responsibility would be in a Section 31 Review.

Scott Brown, Associate Engineer and Bernard Biesiada, Board of Education Secretary, appeared and were sworn in to explain the project.

Mr. Brown explained to the Board that the proposed signage would be located 80 feet off of Dawson Court and 20 feet off of the site triangle. Mr. Brown explained that the LED sign would be 13 feet in height. The sign face is a polycarbonate material. The LED letters or pictures are scrolling. The sign is to be 5 ft. x 5 ft. steel mounted sign. Electricity to the sign shall run underground. The sign's concrete foundation will stand up to 120 m.p.h. winds. The sign would face Baird Road and be a double faced sign.

The Board asked how current ordinances effect this application. Board Planner Coppola advised the Board that this sign would not be the norm in the Township. Mr. Coppola stated that this is a public purpose building transmitting information to the public. This is not a private sign promoting itself. Mr. Coppola advised that the height and size of the sign are fine.

Mr. Biesiada stated that the information that would be posted on the sign is the same information that would be posted on the School District Website. The information is relative to the school.

Ms. Pinney voiced her concern about the moving lights of the LED sign. Mr. Kurzman asked about the buffering to the neighbors across the street. Mr. Ziner is concerned about the distraction to drivers passing by. Baird Road is a narrow road which presented concerns to the Board. The Board asked about placing the sign further back off of Baird Road. Ms. Grbelja feels having the sign so close to Baird could be problematic. The Board discussed these concerns.

Mr. Masci asked Mr. Biesiada if the School would be selling advertising on the sign. Mr. Biesiada stated that this was not discussed.

Both Mr. Pado and Ms. Pinney feel that the proposed sign does not fit with the environment of the Township. The feel the sign is too commercialized.

Mr. Masci expressed his mixed feelings. The School has a performing arts center that is used by the public and is a considerable hub in the community and he offered that a manual marquee may not be practical.

Mr. Coppola discussed the black background with the red lettering. He discussed different signage something that is not so blaring and easier to read such as white on blue instead of red on black.

This matter was open to the public for any comment they may have.

Pat Butch of 40 Prodelin Way explained that some sort of signage is needed and she explained that it is confusing as to which driveway to exit. She asked about the sign's location to the public trail access. Mr. Coppola advised that the proposed sign location is away from the public trail. The proposed sign location is only five feet from right of way and midway between the two driveways.

Ms. Grbelja asked if the School could come back with a different kind of sign. She feels the LED screen is causing a problem in the Community. She asked about different color possibilities. She would like to see the Planning Board regulate as to when those lights can be on and how much light can be emitted.

Mr. Masci asked the School to consider having the sign further back off of the road. His concern was the distraction off of this narrow road. Mr. Ziner agrees that the proposal is too close to the road.

Engineer Matt Shafai stated that the site triangle easement is incorrect on the plans provided. The sign must be placed outside of the correct site triangle easement.

Mr. Pado stated that when entering the school property there is confusion as to which way to the theater or to the busses. Signage is needed there. He does not feel the proposed sign fits into the Township architecture and he feels that the LED scrolling sign is not needed.

Attorney Steib was asked by the Board to generate a letter to the State and Township's Board of Education setting forth the Board's comments.

CARRIED APPLICATION:

P10-09 MILLSTONE PROPERTY INVESTMENTS, LLC. – Block 16, Lots 11.01, 11.02 and 11.03. Located at 1 Prodelin Way consisting of 9.87 acres located in the HC Zone. Applicant received approval to construct a one-story 9,900 square foot day care center along with a 6,000 square foot one-story office and storage building on 6-13-2007 and was granted a one-year extension of time through 6-13-2011. Applicant returned to the

Board for an Amendment of Preliminary Site Plan approval to include access through Monroe Township. Waivers requested. No variances requested. Application heard in part on 12/8/10 and carried to 1/12/11, 2/9/11, 3/9/11 without further noticing. Applicant granted Board extension of time through and including 3/10/11.

Attorney Steib had reviewed the Notice and found same to be in order to accept jurisdiction over the application.

The Secretary advised that there are two new members who have watched the videotaped meeting of December 8, 2010 and had reviewed the Exhibits and are prepared to participate in the meeting and are eligible to vote on this application.

Attorney Steib read the additional exhibits into evidence as follows:

A-8	Jurisdictional packet
A-9	Web Notice
A-10	Site Plan prepared by Concept engineering dated 6-20-08; last revised 2/5/11
A-11	Traffic Report from McDonough & Rae Associates date 2/16/11
PB-4	Staff Report from D&R Canal Commission dated 1-24-11
PB-5	Conditional Approval from D&R Canal Commission dated 2-16-11
PB-6	Traffic Report from Horner & Canter Associates dated 1-25-11
PB-7	Responding Traffic Report from Horner & Canter Associates dated 3-2-11

Attorney Aravind Aithal of Bob Smith & Associates, representing the applicant, gave brief overview of the project. The Preliminary Site Plan has been amended to allow for access from the Millstone property through to the Monroe shopping center.

The Board had safety concerns that the access would create a raceway for motorists wanting to exit on Prodelin Way. One of the tenants is a proposed day care center in Millstone. Excessive speed would be problematic.

Sworn in is John Ploskonka of Concept Engineering. Mr. Ploskonka has appeared before this Board and they are aware of his credentials and he is accepted as an expert.

Mr. Ploskonka advised the Board that the plan before them is different. He explained that the connection between Millstone and the Monroe property is two-way traffic. The

applicant revised the site plan to address the Board's concerns. Mr. Ploskonka explained that the applicant's professionals sat down with the Board traffic engineer, David Horner of Horner & Cantor, Board Engineer Matt Shafai and . Referring to the exhibit A-10, he explains how the traffic would flow. Speed humps for traffic calming are introduced. Parking area designated for employees only. The Applicant agrees with Mr. Horner's traffic report.

Mr. Ploskonka advised that the applicant has addressed the safety elements. The plan would allow minuscule traffic coming from Monroe.

Mr. Aithal explained that the flex space in Monroe is to be utilized by the applicant and there is presently minimal traffic.

The Board asked about the problem making a left onto Prodelin Way. Mr. Ploskonka stated that both traffic engineers looked at it and found it to be safe. Enforcement is a police problem.

Ms. Grbelja advised that the Board initially approved the plan for what is on site. She stated that the applicant had satisfied the Board's concerns that were resurrected by the additional traffic that is generated out of that area.

Board Planner Coppola looked at the plan where the roadway goes from 24 feet to 18 feet that is what is desired by emergency vehicles. He suggested that arrows be painted on the pavement reflecting the traffic pattern for the one-way traffic and that a speed table be added in the middle as a speed deterrent. This of course is subject to the traffic engineer's review.

Applicant's traffic expert, John Rae of McDonough & Rae was sworn in. He appeared before the Board in December as is accepted as an expert witness.

He explained that he believes the plan addresses the Board's concerns. The Monroe commercial piece exits on to Route 33. Mr. Rae reinvestigated with this in mind. He explained his analysis of a.m., p.m. and Saturday peak hour traffic was a Level "C" or better. Mr. Rae revisited the site distance issues, and found that they met and exceed the standards. The applicant would comply with Mr. Horner's report.

Vice-Chairman Pepe arrived at 8:35 p.m.

Board traffic expert, David Horner of Horner & Canter is sworn in. Mr. Horner advised that he had no concerns with the current plan. He advised that he liked the concept of connectivity.

The Board professionals concerns have been met. The bypass lane purpose allows someone the capability to make a left onto Prodelin Way. This is not an uncommon arrangement in an un-signalized T-intersection. The day care center would generate more traffic than an office.

Mr. Rae stated that if anyone in Millstone was going to the day care center and wanted to go into the Monroe Shopping Center, without the interconnection, they have a longer trek.

Mr. Masci reported that for the residents, there is an issue with cars flying down the road. He asked how it would hurt this project if they exit through Monroe and go back to Prodelin Way via Route 33.

Mr. Rae advised that the NJDOT has been considering an improvement to that intersection as part of an approved project across Route 33, Riverside Center. This would upgrade that intersection.

The application was open to the public. Pat Butch, 40 Prodelin Way was sworn in. She asked if the extra turn lane would cause a widening of road going any further south then the entrance to the site. The applicant stated no. Addressing Ms. Butch's concern about the underground drainage pipe, Mr. Ploskonka stated that the construction would not affect the pipe underground.

Mr. Masci likes the component change to the plan.

The applicant will post signage that there will be no trucks beyond this point.

The conditions of approval, should the Board vote that way, are as follows including but not limited to: painted arrows in the parking area and installation of speed tables, additional signage prohibiting truck deliveries, comply with the recommendations of the Board Professionals and their reports, etc.

Ms. Grbelja made a Motion to approve as conditioned and Mr. Masci offered a Second. Roll Call Vote: Grbelja, Masci, Pinney, Beck, Ziner and Kocur votes yes. Messrs. Pado and Kurzman voted no. Approval granted by majority vote.

INFORMAL APPLICATION:
P10-01 MILLSTONE ROAD HOLDINGS, LLC – Block 36, Lots 20, 23.01, 31, 34, 35, 36 &44.01 located off of Millstone Road. Property consists of 23.62 acres located in the R-130 zone. Applicant requests an informal hearing before the Board to present proposal to subdivide the property into six (6) building lots and one lot for stormwater management basin. No noticing required for the informal application.

Attorney Frank Accisano representing the applicant. Mr. Accisano explained that the property consists of 23.62 acres of forested property. The applicant is before the Board to find a way to develop the property.

Attorney Steib swore in John Ploskonka of Concept Engineering. Mr. Ploskonka has appeared before the Board in the past as both a professional engineer and professional planner. He is accepted as the applicant's professional.

Referring to the Aerial maps provided to the Board, Mr. Ploskonka explained the layout the proposed 6-lot subdivision off of Millstone Road. He provided a background of the property. The prior property owner excavated and destroyed trees leaving the land barren. This matter went to Municipal Court and was dealt with at that level. He agreed to do certain things to repair the area.

Ms. Grbelja advised that the Board had the prior owner come before them several times to come up with a plan that would make sense.

Mr. Ploskonka stated that there are 15 acres of steep slopes or hilly terrain. In order to create the subdivision, he explained how the property must be configured. His question was how to save the hill, that is 50 feet above Millstone Road, and still get a reasonable use of property.

Mr. Ploskonka advised that due to the steep slopes, variances and waivers must be requested in order to allow for homes to be constructed on the property.

Boar Planner Richard Coppola stated that in the R-130 zoning district under variable density Section 5-7.5, there are options with caveats and preconditions. He read from the Ordinance section as to what has to be provided. No variances are to be permitted. He advised that the applicant can only get two lots conventionally.

Mr. Coppola advised that what the applicant is asking the Board to do is to come up with a design to allow for more lots than what they are permitted by ordinance. If the ordinance has a provision then it should be honored.

If the applicant seeks an interpretation of the Ordinance, the Board of Adjustment is the proper Board to go to for that.

Mr. Coppola asked Mr. Ploskonka how many lots could be created without variances. Mr. Ploskonka stated that Board Engineer Shafai advised two lots. Mr. Coppola concurred with Mr. Shafai's findings.

Mr. Coppola offered that there is nothing unique about this property except it is engulfed by sleeps slopes.

Ms. Grbelja stated that the Board will not support cutting down steep slopes to add a house. She explained the importance of steep slopes for recharge of the watershed. The applicant should come up with a plan that is realistic that fits in the confines of what the master plan says.

Mr. Coppola advised that the Board should be looking at what the configuration should be in accordance with the Ordinance and that would be two lots. These are lots created conventionally. There is not a mechanism to get bonus lots.

Mr. Accisano advised that the idea was to recognize the steep slopes and the woods. There is a proposal for five lots. Mr. Ploskonka discussed the proposed plan to submit to the Board. He felt that five, 2-acre lots, would fit and not interfere with the neighbors. Mr. Coppola stated that the applicant is seeking to create more lots than are allowed by the Ordinance.

Seeing no new business or old business, Mr. Kurzman asked for a Motion to Adjourn. Mr. Pepe made the Motion to adjourn, Mr. Ziner offered a Second and by unanimous vote the meeting adjourned at 9:35 p.m.

Respectfully submitted,

Pamela D'Andrea

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