

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
JULY 13, 2011**

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

The Secretary read the Adequate Notice.

Salute to the Flag.

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

APPROVAL OF MINUTES: May 11, 2011

Mr. Ziner made a Motion to approve the minutes and Mr. Kocur offered a Second. Roll Call Vote: Ziner, Kocur, Beck and Neman voted yes to approve.

Public Comment Portion:

At 7:35 p.m., Chairman Newman opened the meeting to the public for any comment that they may have outside of the applications that are before the Board this evening. Seeing no public comment, he closed that portion of the meeting at 7:35 p.m.

RESOLUTIONS:

EXTENSION OF TIME:

P11-04 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. On 8-10-11, applicant sought and received their second one-year extension of time concluding on 7-11-11. Applicant sought and received a third one-year extension of time through 7-11-12. No Zone change.

Mr. Beck made a Motion to memorialize and Mr. Ziner offered a Second. Roll Call Vote: Beck, Ziner and Newman voted yes to Memorialize.

P11-05 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. On 8-11-10 Applicant received 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) which ends on 7-11-11. Applicant sought and received his third one-year extension of time. No Zone change.

Mr. Beck made a Motion to memorialize and Mr. Ziner offered a Second. Roll Call Vote: Beck, Ziner and Newman voted yes to Memorialize.

P11-02 ST. JOSEPH'S CHURCH – Block 41, Lot 1. Property located on Sweetman's Lane and Stillhouse Road, consisting of 30.38 acres located in the RU-P zone. Applicant received Preliminary and Final Major Subdivision approval 1-14-09. Applicant sought and received a one-year Extension of time to perfect the subdivision.

Mr. Beck made a Motion to memorialize and Mr. Ziner offered a Second. Roll Call Vote: Beck, Ziner and Newman voted yes to Memorialize.

NEW APPLICATION:

Simon Kaufman, Esq. representing the Township of Millstone.

Attorney Steib had reviewed the jurisdictional packet and finds same in order to accept jurisdiction over the application.

Attorney Steib read the following Exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Application dated 6-22-11
- A-3 Web Notice posted 6-27-11
- A-4 Aerial Prepared by Alan A. Lamoureux, PLS, of SurVet Land Surveyors, LLC.
- A-5 Minor Subdivision of block 54, Lot 5.01 prepared by Alan A. Lamoureux, PLS, of Sur Vet Land Surveyors, LLC.

Mr. Kaufman explained that the Township is to subdivide the existing lot into two (2) parcels. Referring to refers to exhibit A-5, he explained that the larger portion of the existing parcel would be farmland preserved. He explained that the other parcel is to be preserved through the State's Green Acres Open Space program. Mr. Kaufman stated that this parcel in part of an approved 13 lot subdivision; one lot to be dedicated for stormwater management and one parcel to be dedicated as a bridle trail. He explained that the property owner would withdraw that application in favor of this application. There is to be a one-acre non-severable exception area that is not part of this application. The exhibit reflects the proposed location of that area.

Attorney Steib swore in Pat Butch, 40 Prodelin Way and is the Open Space and Farmland Preservation Chairperson since 2003. She is familiar with the project and has been involved with it from the beginning which is the past or three years. Mrs. Butch explained the process. She advised that the Perlman's who own the property wish to preserve the land instead of perfecting the residential subdivision. The open fields that are farmed currently are within the farmed piece. The wooded area of Doctor's Creek would be part of the green acres open space parcel. This Creek would be protected. Mrs. Butch offered that the State owns 600 acres across the street that would tie into the trial. Open space is to be used for purpose of

passive recreation and trail and conservation. The Township will allow an irrigation easement to provide the farm with access to water. At this juncture, the one acre non-severable exception area would be within the proposed Lot 5.04 and locked in at the closing with the State.

Mrs. Butch explained that the farmland preservation program takes the development rights off of the premises so that the land is to be used for agriculture only. Chairman Newman asked if any signage is to be placed on the property. She advised that the SADC has a voluntary signage program whereas Green Acres will have a sign placed on their property. The signage is similar to every other signed on preserved property. The exception area is for the residential home.

Mr. Kaufman advised that the SADC requires that the non-severable area is to be for farm related use such as a residence or farm building. The Township is protected under state laws. Access to property will be locked in at the State level.

The specific time frame was discussed. The closing packet, survey and related materials must be sent to the SADC regarding the farmland piece for County approval and the open space lot survey must be approved by Green Acres. Mr. Kaufman advised that once we have these approvals our surveyor can go forward with the survey of each of the two lots and each respective party can move forward.

Mrs. Butch advised that the farmed acres could have other agricultural structures such as a barn. That approval would be before the County Agricultural Board. Building permits are needed. The process would allow the farm to have structures placed on them including agricultural labor housing.

Township Engineer Matt Shafai is sworn in and the Board is familiar with his credentials. Mr. Shafai that the Board is familiar with this application. The property is located in the RU-p Zone. A variance for frontage for Lot 5.05 is needed. He explained that the property has 455 feet of frontage but a portion, to be dedicated for the bridle trail, is 50.64 feet. Engineer Shafai explained the location of the path. He advised that the Board, in a prior application, looked at the same frontage issue and approved it for the location of the bridle path.

Engineer Shafai explained the two lot subdivision. Proposed Lot 5.04 consists of 26 acres for farmland preservation. Proposed Lot 5.05 is for Green Acres open space. This application provides for open space and preserved lands. He stated that there is no detriment to the zoning plan or ordinances or the land use law by creating these two lots. This plan maintains farmland and the rural character of the Township.

Chairman Newman opened the application to the public at 7:52 p.m.

Kenneth Pape, Esq. on behalf of the Perlman's, the property owners, advised that the Perlman's have been very careful to preserve their approvals. He asked the Township to confirm that the contingency will be satisfied and then they will vacate the prior approvals. The homestead retained is vested with the State and County who will be funding the project. The final location will be negotiated with the final party who holds the easement. He advised that the Perlman's have the Township's full support. Mr. Pape is testifying as attorney for the Perlman's

Seeing no other comments, Chairman Newman closed the public portion at 7:55 p.m.

Mr. Ziner made a Motion to approve the application and Mr. Kocur offered a Second, Roll Call Vote: Beck and Newman voted yes to approve the subdivision.

Attorney Steib had prepared the Resolution and a copy was provided to the Board members for their review. No members having any comment on the Resolution, Chairman Newman made a Motion to memorialize the Resolution and Mr. Pado offered a Second. Roll Call Vote: Newman, Pado, Ziner and Kocur vote yes to Memorialize the Resolution.

Seeing no new business or old business, Chairman Newman asked for a Motion to Adjourn. Mr. Beck made the Motion, Mr. Masci offered a Second and by unanimous vote, the meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Pamela D'Andrea