

**MILLSTONE TOWNSHIP
PLANNING BOARD
MEETING MINUTES
APRIL 12, 2017**

At 7:35p.m., Class IV Member, Tom Pado, called the meeting to Order.

The Secretary read the Adequate Notice.

Salute to the Flag.

ROLL CALL: Present: Grbelja, Kuczinski, Pado, Beck, Pinney, Oxley and Curtis.
Absent: Newman, Pepe and Ziner.

Attorney Steib announced that both Chairman Newman and Vice-Chairman Pepe are not in attendance this evening and provided that a Class IV member is eligible to conduct the meeting in that capacity. Committeewoman Grbelja made a Motion to approve Class IV member Tom Pado to act in that capacity and Mr. Beck offered a Second. Roll Call Vote: Grbelja, Beck, Kuczinski, Pinney, Oxley, Curtis voted in approval of Mr. Pado conducting the meeting.

APPROVAL OF MEETING MINUTES: March 8, 2017.

The Board having reviewed the meeting minutes, Mayor Kuczinski made a Motion to approve the meeting minutes and Mr. Pado offered a Second. Roll call Vote: Kuczinski, Pado, Grbelja, Ziner and Newman voted yes to approve the meeting minutes.

PUBLIC COMMENT PORTION: At 7:35 p.m., Mr. Pado opened the meeting to anyone in the audience who may have a comment. Seeing no public comment, he closed that portion of the meeting at 7:35 p.m.

NEW APPLICATION:

P17-05 POSTEN, KATE AND JONATHAN - Block 46, Lot 10. Located at 71 Backbone Hill Road consisting of 64.14 acres in the RU-P Zone. Applicant proposes to create a 3-acre residential lot. Minor Subdivision with no variances requested. No noticing required. Deemed Complete: 3-27-17. Date of Action 5-11-17.

Attorney Steib entered the following Exhibits into Evidence:

- A-1 Application dated 3-10-17
- A-2 Minor Subdivision plan prepared Crest Engineering dated 12-9-16
- A-3 EIS Prepared by Crest Engineering dated 1-10-16
- A-4 Historic Pesticide and Soil Contaminant Report prepared by Crest Engineering dated 1-11-17

- A-5 Aerial prepared by Crest Engineering dated 12-9-17
- A-6 NJDEP approved Limit of Disturbance LOI application, Plat prepared by Crest Engineering dated 12/19/16
- PB-1 Engineer Report 3-28-17
- PB-2 Planner Report dated 4-7-17
- PB-3 NJDEP LOI dated 3-15-17
- PB-5 Monmouth County Board of Health soil suitable letter dated 1-3-17

Attorney Steib further entered into Evidence, Exhibit A-7, Colorized Plan prepared by Crest Engineering.

Attorney Jeffrey Chang of Heilbrunn Pape representing the applicant. Mr. Chang advised that the Halka Family owns the subject property. The applicant is seeking Minor Subdivision approval to create a 3-acre lot to be known as Lot 10.01. The remainder of the property would be a little over 60-acres in size.

Attorney Steib swore in Peter Strong of Crest Engineering. Mr. Strong presented his credentials advising that he had received his B.S. in civil engineering, is a licensed engineer and planner, licensed to practice in both Florida and New Jersey. He has been practicing for the past 38 years and has appeared before the Board in the past. The Board accepts him as an expert witness.

Mr. Strong provided a brief description of the property. It is located opposite the northwest corner of Halka Way that intersects with Backbone Hill Road. The property has frontage on Backbone Hill Road. The Millstone River is located to the rear of the lot. Mr. Strong advised that the parcel is currently a tree farm for the Halka nursery. The plan is to carve out a 3-acre lot to create a parcel for Mr. Halka's daughter to build a home for herself.

Mr. Strong advised that the property is located in the RU-P, 10-acre zone, which allows 10-acre lots or lots as small as 3-acres to be created if the property is more than 20 acres in size and he explains the ordinance. Mr. Strong advised that a 30-acre lot is the smallest lot size that can be created.

Mr. Strong stated that there are no variances and no environmental concerns associated with the creation of this parcel. He stated that soil logs had been provided to the Monmouth County Board of Health. Mr. Strong advised that the MCBOH approved the logs, which reflect that the property can support the septic system.

Mr. Pado opened the application to the Board for questions. Engineer Shafai had a few comments on his report that he asked the applicant to address. The applicant confirmed that the soil boring of the 3-acre piece is clean. Engineer Shafai advised that Open Space and

Farmland Preservation group was interested in a 15-foot wide trail to be located on portion of the property.

Committeewoman Grbelja stated that people familiar with the family have used that portion of the property for a trail. She stated that there is an understanding that the Halka family did not want to create a trail until the time the family wanted to sell or preserve the property.

Attorney Steib swore in Chester Halka, owner of the property, who resides at 60 Stillhouse Road. Mr. Halka stated that the major issue is someone entering the property and not closing the gate. Mr. Halka explained that there are four parcels fenced there. He explained his concern because it is a liability problem.

Seeing no further questions from the Board, Mr. Pado opened the application to the public at 7:50 p.m. Seeing no public comment regarding the application, he closed the public portion at 7:50 p.m.

Engineer Shafai had another item to discuss regarding any future subdivision. Attorney Steib reported that this would come under the ordinance for lot size averaging. There is a deed restriction against further subdivision. Attorney Steib suggested that the deed includes a notice that if there is any further subdivision, the condition that a lot yield plan be presented. Attorney Steib explained the lot yield ordinance. This would be a condition of approval and is agreeable to the applicant as well.

Mayor Kuczinski made a Motion to Approve the application and Mr. Beck offered a Second. Roll Call Vote: Kuczinski, Beck, Grbelja, Curtis, Pinney, Oxley and Pado vote yes to approve the Minor Subdivision.

OLD BUSINESS: Mt. Laurel update.

Attorney Steib reported that nothing has taken place in the Courts since our last update but he added that he anticipates that things will be happening soon. He advised that the Township Committee is putting the Township's Fair Share Housing Plan together and moving toward the having the full plan in place.

NEW BUSINESS:

Ms. Pinney announced that April 22, Earth Day, is also the annual Stream Cleanup and provides a chance for the residents to take part in a stream clean up earth day this year. She explained that last year, 50 volunteers participated and removed trash bags of debris from the stream corridors. The group gathers outside of the Court Building, 215 Millstone Road, at 9:00 a.m., finishing up by 12:00 p.m. Ms. Pinney explained how the process works and encouraged all to join in.

Mayor Kuczinski announced that for one day only, on April 22, residents can drop off their electronics for recycling at the DPW from 8:00 a.m. to 12:30 p.m.

The Board Secretary announced that on April 13, the annual submission of financial disclosures would begin. She explained the process.

Seeing no further business to discuss, Mr. Pado called for a Motion and Second to adjourn the meeting. Committeewoman Grbelja made a Motion to Adjourn and Ms. Pinney offered a Second, and by unanimous vote, the meeting adjourned at 8:55 p.m.

Respectfully submitted,

Pamela D'Andrea