



## MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT MINUTES January 22, 2025

The Millstone Township Zoning Board of Adjustment Reorganization and regular meeting was called to order by Mr. Mostyn on Wednesday, January 22, 2025 at 7:30 p.m. in the Municipal Meeting Room, 215 Millstone Rd., Millstone Township, NJ 08535. Notice of this meeting was provided in accordance with the Open Public Meetings Law.

Secretary Sims read the Open Public Meetings Act Statement.

There was a salute to the Flag and an observance of a moment of silence offered for those serving and those who have served our country in the past.

The following Board members were sworn in for their appointed term:

- Patrick Mostyn Ending December 31, 2028 (4-years)
- Lloyd Cadigan Ending December 31, 2028 (4-years)

Roll call for the below members was called:

Present: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

Absent: Mr. Barthelmes, and two vacant seats (Alt. I and Alt. II).

Attending: Greg Vella, Esq.; Matt Shafai, PE, PP, Board Engineer; McKinley Mertz, PP, AICP, Board Planner; Angela Buonantuono, Court Reporter (Application Z23-10 only); and Danielle B. Sims, Board Secretary.

### **ELECTION OF OFFICERS:**

**Chairperson:** Nominations for Chairperson were open. There was a motion made by Mr. Lambros to nominate Patrick Mostyn as Chairperson, which was seconded by Mr. Ferrara. With no alternative nominations made, Mr. Mostyn was named Chairman of the Board on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**Vice-Chairperson:** Nominations for Vice-Chairperson were open. There was a motion made by Chairman Mostyn to nominate Steve Barthelmes as Vice-Chairperson, which was seconded by Mr. Ferrara. With no alternative nominations made, Mr. Barthelmes was named Vice-Chairman of the Board on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

### **APPOINTMENTS AND RESOLUTIONS OF REORGANIZATION:**

The Board reviewed the proposals received in advance of the reorganization meeting. It was noted that there were no competing bids received for the professional services of Board Attorney and Board NJ Licensed Tree Expert Services. There were competing proposals submitted by an alternate professional for Board Engineer and Board Planner.

The proposals were reviewed and considered by the Board based on the hourly rates proposals submitted, the services offered and past experience with the Board.

### **ZB2025-01 Board Attorney, Professional Legal Services**

Mr. Lambros made a motion to appoint Greg Vella, Attorney-at-Law of the firm Collins, Vella & Casello, LLC and adopt the corresponding resolution. The motion was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan,



Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**ZB2025-02 Board Engineer, Professional Engineering Services**

Chairman Mostyn made a motion to appoint Matt Shafai, PE of Leon S. Avakian, Inc. and adopt the corresponding resolution. The motion was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**ZB2025-03 Board Planner, Professional Planning Services**

Mr. Lambros made a motion to appoint McKinley Mertz, PP, AICP, LEED Green Associate of Heyer, Gruel & Associates and adopt the corresponding resolution. The motion was seconded by Mr. Cadigan, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**ZB2025-04 NJ Licensed Tree Expert Services – Shari Spero, LTE of CME Associates**

Ms. Arpaia made a motion to appoint Shari Spero, LTE of CME Associates and adopt the corresponding resolution. The motion was seconded by Mr. Lambros, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**ZB2025-05 Board Secretary**

Chairman Mostyn made a motion to appoint Danielle B. Sims as Board Secretary and adopt the corresponding resolution. The motion was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**ZB2025-06 Designation of Official Newspapers**

Mr. Lambros made a motion to designate the Asbury Park Press and The Times of Trenton as the official newspapers of the Board and adopt the corresponding resolution. The motion was seconded by Chairman Mostyn, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

**ZB2025-07 Adopting 2025 Meeting Schedule & Setting 2026 Reorganization/First Meeting**

Ms. Arpaia made a motion to adopt the 2025 meeting schedule provided and setting the 2026 Reorganization and first meeting for 2026 and adopt the corresponding resolution. The motion was seconded by Mr. Cadigan, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha.

Those appointed thanked the Board members.

The Board completed their reorganization part of their meeting and moved onto their regular meeting business.

**PUBLIC COMMENT:**

None.

**MINUTES:**

**Minutes from December 12, 2024**

The Minutes from December 12, 2024 were carried to the next meeting.



**RESOLUTION(S):**

**Gary Brady**  
**Block 49, Lot 4.01 – 43 Schoolhouse Rd.**  
**Variance Application Approval # Z24-10**

With no comments from the Board, Chairman Mostyn made a motion to adopt the Resolution of Approval for Z24-10, which was seconded by Mr. Sinha, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha. Approved 6-0.

**Sean Cox**  
**Block 20, Lot 2.01 – 1 Dugan's Grove**  
**Variance Application # Z24-08**

With no comments from the Board, Mr. Ferrara made a motion to adopt the Resolution of Approval for Z24-08, which was seconded by Ms. Arpaia, with all in favor on a roll call vote in favor: Chairman Mostyn, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros and Mr. Sinha. Approved 6-0.

**APPLICATION(S) BEFORE THE BOARD:**

**Daniel Lichtman**  
**Block 39.01, Lot 9 – 319 Sweetman's Lane**  
**Bifurcated Use Variance Application # Z24-10**

Proposal to operate a commercial electrical contracting company, using an existing 8,000 s.f. frame building, along with onsite storage of vehicles and equipment. The existing 1 1/2-story frame dwelling is proposed to remain. This application is a result of a Notice of Violation for operating a commercial business in the residential zone. Notice was deficient.

Mr. Vella, Esq. noted that the applicant again failed to provide proper notice. The Board decided to give Mr. Lichtman one last chance to provide notice or his application will be dismissed without prejudice as it has taken up the Board's agenda for several meetings. The application will be placed on the February 26, 2025 meeting and the applicant will be prepared to move forward or the matter will be dismissed.

**The Estate of Fay Hom – Frank Hom and Wickie Hom**  
**Block 17, Lot 10.01 – 25 Millstone Rd.**  
**Block 23, Lot 2.02**

**Preliminary Major Site Plan and Use Variance Application # Z23-10**

Proposal to construct two warehouse buildings (total approx. 360,000 s.f.) incl. office space on a 78.33 +/- acre lot (Block 17, Lot 10.10 – PCD zone). The require 'd' variance relief for building height 10' or 10% greater and for maximum useable FAR, and bulk variance relief. Block 23 Lot 2.02 (8.33-acres) is located on the opposite side of Millstone Rd. (no improvements). Previous hearing held on 10/17/24.

(Angela Buonantuono, Court Reporter, was in attendance to transcribe the proceedings for this applicant. A copy of the transcript will be kept in the Land Use office along with a copy of the minutes for this meeting.)

Mr. Kenneth Pape, Esq. appeared on behalf of the applicant.

Attorney Vella confirmed that notice was provided for the Board's hearing on October 17, 2024 and was carried without further notice to this meeting.



The following witnesses were sworn in and are under oath:

Matt Shafai, PE, PP – Board Engineer  
M. McKinley Mertz, PP, AICP – Board Planner  
Peter Strong, PE – Applicant's Engineer  
Daniel Lampke – Applicant's Fire Protection Engineer  
Steve Rodasti – Applicant's Architect

The following exhibits were marked in evidence:

### EXHIBITS

- A-1 Jurisdictional Notice (Proof of Service)
- A-2 Application, Checklist(s) and Administrative Forms
- A-3 Correspondence
- A-4 Outside Agency Approvals
- A-5 List of Proposed Witnesses
- A-6 Traffic Impact Analysis, prepared by McDonough & Rea Associates, dated 12/1/23
- A-7 Statement of Environmental Impact and Assessment, prepared by Crest Engineering, dated 2/2024
- A-8 Monmouth County Historic Sites Inventory Survey Evaluation Form, recorded by James C. McCabe for Millstone Township, Historic Site Inventory No. 1332-7, dated March 1982, updated 1991
- A-9 Survey of Property, Block 17, Lot 10.01, prepared by Crest Engineering, one (1) sheet, dated 9/1/23
- A-10 Architectural Floor Plan and Elevation Plan, prepared by Perez + Rodasti, four (4) sheets, dated 11/6/23
- A-11 Operations and Maintenance Manual, prepared by Crest Engineering, dated 10/27/23
- A-12 Stormwater Management Report, prepared by Crest Engineering, dated 10/20/23
- A-13 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, eighteen (18) sheets, dated 10/27/23, revised 3/20/24
- A-14 Survey of Property, Block 23, Lot 2.02, prepared by Crest Engineering, one (1) sheet, dated 2/1/24
- A-15 Historic Pesticide Report (B17 L10.01), prepared by Crest Engineering, dated 2/2024
- A-16 Soils Report (B17 L10.01), prepared by Crest Engineering, dated 2/8/24
- A-17 Response memo to Environmental Commission Review, prepared by Crest Engineering, dated 8/7/24
- A-18 REVISED Pages 29 and 61 of the Operations & Maintenance Manual (A-11) dated 10/27/23 (no revision date noted on revised pages)
- A-19 REVISED Page 9 of EIS (A-7) and Stormwater Management Measure Log (no revision date noted on revised pages)
- A-20 Color Sketch of Porous Pavement, unknown source, undated
- A-21 Infiltration Basins and Porous Pavement Plan, prepared by Crest Engineering, dated 6/27/24
- A-22 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, eighteen (18) sheets, dated 10/27/23, revised 8/12/24
- A-23 500' Aerial Display, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
- A-24 1,000' Aerial Display, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
- A-25 Aerial Site Plan, one (1) sheet, prepared by Crest Engineering, dated 8/12/24



- A-26 Rendering Site Display, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
- A-27 Extension of Time to Act through 12/31/24
- A-28 Request to carry to 1/22/25 and Extension of Time to Act through 3/30/25
- A-29 Traffic Impact Analysis, prepared by McDonough & Rea Associates, Inc., dated 12/1/23, revised 12/23/24
- A-30 Stormwater Management Report, prepared by Crest Engineering, dated 10/20/23, revised 12/31/24
- A-31 Fire Protection Schematic, one (1) sheet, prepared by Harrington Group, Inc, dated 12/23/24
- A-32 Architectural Floor Plan and Elevation Plan, prepared by Perez + Rodasti, four (4) sheets, dated 12/20/24
- A-33 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, eighteen (18) sheets, dated 10/27/23, revised through 12/20/24
- A-34 Rendering Site Display, one (1) sheet, prepared by Crest Engineering, dated 1/21/25

### **BOARD'S PROFESSIONAL'S REVIEW EXHIBITS**

- ZB-1 Incomplete Determination dated 1/18/24
- ZB1b Completeness Determination dated 5/3/24
- ZB-2 Engineer's Review dated 7/15/24
- ZB-3 Planner's Review dated 9/17/24
- Zb-3b Planner's Review dated 1/16/25
- ZB-4 Environmental Commission and Shade Tree Commission review dated 5/31/24
- ZB-5 Fire Bureau review dated 7/29/24
- ZB-6 Tax Assessor's Review dated 7/29/24
- ZB-7 Historic Preservation Survey 1992 (B17 L10) & HPC review memo dated 7/22/24
- ZB-8 Shade Tree Review dated 7/30/24
- ZB-9 Agricultural Advisory Council memo received 10/17/24

Mr. Pape reviewed the application as presented at the October 2024 meeting.

Peter Strong of Crest Engineering was previously sworn in and is still under oath. Mr. Strong reviewed Exhibit A-23, aerial rendering of site. He described the surrounding properties. Block 17, Lot 10.01 is 77.96-acres and includes wetlands. Block 23, Lot 2.02 is primarily wetlands. The portions of the property which are not proposed at this time are not intended to be

Mr. Strong introduced A-34. The property contains approximately 37-acres of critical area and approximately 40.9-acres if buildable area. Building "A" is now proposed to be 215,000 s.f. and proposed Building "B" is now proposed to be 135,000 s.f., with loading spaces located on the north side of both of the buildings. The previous design called for a setback of 360 feet to the nearest property line, whereas the new proposal calls for a setback of 555 feet to the nearest property line. The property is located in the PCD Zone, which allows for warehouses. The proposed development would be maintaining the current draining on the property and no significant change in contours on the property. The Stormwater Maintenance will be the responsibility of the property, this would be filed with the County Clerk. The southern portion of the property contains a retention pond for storm water purposes, but also for firefighting supply and landscaping maintenance supply.

There is only one entrance to the site and it is accessed from a driveway on Millstone Road. Mr. Strong reviewed the proposed site circulation. The exit driveway would be two lanes. One for truck traffic to make a left-hand turn to only allow truck access to the north. Cars only would be



permitted to go south onto Millstone Road using a “slip lane” which would prevent trucks from maneuvering the right turn.

Mr. Strong reviewed the changes in the plan since the applicant’s appearance in October 2024. This includes the size of the buildings, the trailer storage area has been removed, the driveway location has been relocated several hundred feet to the north, the nearest building has been shifted about 195 feet further from the nearest residential property, the loading spaces were relocated and the car parking areas were relocated opposite side of the building from the residential lots. The lighting would not have any spillage onto the neighboring properties and would be LED lighting so they may be controlled. There are deciduous, ornamental and evergreen trees used surrounding the site and in the areas of the basins to offer screening. The applicant would work with the Board’s new LTE regarding the landscaping requirements. The irrigation will be done through the retention pond. All landscaped areas will contain a drip irrigation system, but the grassed areas will not have irrigation. The remaining areas will be seeded with wildflowers. The Board would recommend additional plantings in the wetlands area, more substantial than just wildflowers and recommended the applicant work with the Board LTE to come up with a more substantial planting, not just wildflowers and tall grass. The Board would expect “Class A” plantings, line of sight view, etc.

The firefighting water supply would draw from the retention pond and there would be a pump house storage tank. There would be drafting stations on the site. The buildings would be fully suppressed. The Board was concerned about emergency vehicle access. Mr. Strong described two proposed fire lanes.

There is one proposed monument sign proposed to the north of the entrance driveway on Millstone Road, which would meet the Township’s ordinance.

There are approximately 40 loading docks on the northern building and 17 loading docks on the southern building which would be used for active warehousing and shipping and would not be intended to be used for long term storage. Ms. Mertz explained that, ideally, would only remain until the trucks are filled.

The applicant has not done a Threatened and Endangered Species Report, which is required by Ordinance. There is a soil investigation testing which still need to be submitted, per ordinance. Additionally, the storm water report had some errors carried from the previous version of the plan. Engineer Shafai inquired if the DRCC 150’ has been confirmed, Mr. Strong will provide a copy of the November 2024 LOI stamped “approved” map.

Daniel Lampke was sworn in and provided his credentials as a registered Fire Protection Engineer and accepted his credentials. Mr. Lampke described the system designed for fire protection. The Board inquired about the potential use of the storage space. Some fire protection would not be suppressed by water. Mr. Lampke explained a different permit would be required for hazardous items. The pump house tank would hold approximately 120,000 gallons of water. The tank would fill from the wells within eight hours. There is also the retention pond which would be available for firefighting. The pump is proposed to be a diesel engine and would run approximately 8 hours, since it is a reliable power source. There is a maintenance inspection testing required as part of the owner’s responsibility. The Board would prefer to require a designated maintenance service to make sure it is always in operation. The weekly run tests are logged and reported back to the monitoring system. The proposed tank would be a steel cylinder, painted the same color as the buildings, and would be lower than the height of the existing buildings. Mr. Lampke would provide a full specification for the Board’s use at the continued hearing.

Since Mr. Lampke will not be available for the next meeting, the Board opened this witness to the public for questions.



Mr. Mike Oliu of 7 Indian Path inquired about the NFPA response time. Mr. Lampke stated it is between two minutes and ten minutes. Mr. Oliu stated in general, NFPA recommends five minutes, and noted that the drive time is between 10 and 12 minutes from the Firehouse. Mr. Strong responded that the retention pond would be supplied by a well.

There were no other questions of Mr. Lampke from the public and Chairman Mostyn closed the public question session for Mr. Lampke. The Board felt there was no need for Mr. Lampke to fly back to New Jersey.

The Board took a short recess.

Upon return, Mr. Pape introduced Mr. Steve Rodasti. Mr. Rodasti was sworn in and the Board recognized he has previously appeared before the Board and accepted him as a licensed professional architect. Mr. Rodasti used Exhibit A-32 to describe the proposed buildings at 40' in height. The roof peak would be at the center of the building. He described the loading areas. There are rooftop heating and A/C areas which would be screened by the parapets. The buildings would have a trash compactor in one of the bays in each building. The hydraulics would be located inside the buildings to minimize any noise from the compactors. The proposed buildings' massing would be "broken up" by the five different earth tone colors and a series of vertical and horizontal color bands. The parapet would have cutouts every 20-25 feet for visual interest at the top of the building. There will be real and faux windows at the top of the building. The corner with the offices will be accented with a dark water table. Address numeral signs would be on the buildings. There is one internally lit sign proposed on each building, totaling 60 s.f. The proposed monument sign would be 85 s.f. per side.

Mr. Rodasti noted the requested design waivers, including the proposed concrete tilt up walls and the roof configuration (5 on 12 pitch is required, ¼ inch per foot is proposed and meets the requirements for the Board to grant a waiver). He reviewed the proposed energy efficient design measures.

A darker colored water table base is proposed on the buildings as well as a series of vertical and horizontal elements. There are high level windows and entry level glass to allow some natural light. The architectural treatments are proposed on all four elevations of both buildings. The proposed monument sign has similar architectural elements proposed. The colors would match the proposed buildings. The proposed downspouts will likely be internal. Radiant heat would be suspended from above inside the building and no conditioning is proposed in the storage areas. The A/C units and heating units would only be above the proposed office spaces. Mr. Rodasti stated that the parapets may be between 4'-6' in height, but the roof over the office areas can be lowered since the offices are only one-story in height.

Recessed LED lights would be added under the proposed canopies at the emergency access doors. The building is being designed for "S-1 or S-2" use and there would be no "H" (hazardous) materials that would be stored on the site. There would be no second floor or mezzanine areas, for storage or additional office space, above the proposed office space areas.

The Board inquired why the project was designed at 40' in height, when the ordinance only permits a height of 30' in height. Mr. Rodasti explained that there are joists, decking, insulation, etc., and this would lose approximately 6' in storage height. Additionally, the roof slightly slopes down from the center of the building. At the ends, you would be down to approximately 21' of storage height if it was designed at 30' height. The additional 10' of building height being requested is to allow additional storage height. Attorney Vella noted that it is approximately 215,000 s.f. multiplied by 10', plus 135,000 s.f. multiplied by 10' of additional storage. Mr. Rodasti estimated this would allow for approximately two additional pallets in storage height. Mr. Pape noted that Mr. Rodasti was directed to design the building at 40' in height and questions



about why it was done like this would be answered by others. Mr. Rodasti noted that he typically designs warehouses at 40'-50' in height.

Chairman Mostyn opened the matter to the public for questions of Mr. Strong and Mr. Rodasti. Izzy Tula of 51 Millstone Rd. appeared and was sworn in. His questions were not related to these witnessed and stepped away.

Scott Boland of 302 Wincrest Ct. appeared and was sworn in. He asked why the application was designed at 40' if the regulations only permitted 30' in height. Mr. Pape explained that they have a right to appear before the Board of Adjustment to request this type of relief. He asked if the application conforms to the Master Plan. Attorney Vella noted these questions are not for the two witnesses that provided testimony. Planner Mertz further explained the purpose of appearing before the Zoning Board to seek relief.

Brian Moran of 7 Nathaniel Drive appeared and was sworn in. He inquired about the purpose of the proposed wildflowers plantings. Mr. Strong stated it is for aesthetics and for stabilization. Ryan Walker of 11 Pinehill Rd. appeared and was sworn in. He inquired about the water hookup to the well. Mr. Strong confirmed the water would automatically fill from the well when needed.

Mariusz Krawiec of 6 Red Owl Ct. appeared and was sworn in. He inquired about the potential roof top solar panels. Mr. Rodasti stated there are no additional fire ratings required for the roof. The walls will be fire rated at three hours, as required. Attorney Vella noted additional approvals would be required if the applicant would like to install roof top solar panels, but the roof will be designed to withhold the panels.

Anthony Morris of 3 Rue Ct. appeared and was sworn in. He inquired about the State Development and Redevelopment Plan. He asked why they are not being certified as a LEED building. Mr. Rodasti stated that they are using green ideas, although they are not seeking to be LEED certified. The designs, such as materials being produced within 500 miles of the building, would add to the points needed if they were to get LEED certified.

There were no other members of the public that came forward and Chairman Mostyn closed questions of tonight's witnesses.

Due to the time, the Board decided to carry this matter to a continued hearing. Attorney Vella put on record that the application was being carried to the March 26, 2025 Zoning Board meeting at 7:30 pm, in this same location, without any further.


#### **BOARD DISCUSSION:**

There were no matters up for Board discussion.

#### **ADJOURNMENT:**

With no further business, Ms. Arpaia made a motion to close the meeting. With all in favor, Chairman Mostyn adjourned the meeting.

Respectfully submitted,

  
Danielle B. Sims, Board Secretary