

Borough of Millstone

Planning Board
Regular Meeting
March 25, 2008

Chairman Dorschner called the meeting to order at 7:33 pm. There were no members of the public present.

Chairman Dorschner read the following statement:

“The regular meeting of the Millstone Borough Planning Board will please come to order. Adequate notice of this meeting has been noticed to the Hillsborough Beacon and Courier News and posted at Borough Hall. If any member of this body believes this meeting is being held in violation of the Open Public Meetings Act, please state your views at this time, stating the reason for which you feel the notice is improper. Hearing none, we will proceed to the next item on the agenda.”

Roll Call:

Present:	Sal Ciurleo	Dan Devoti left at 7:46 pm/ returned at 9:00 pm
	Keith Dorschner	Christine Fung
	Carol Halm	Ray Heck left at 7:46 pm/returned at 9:00 pm
	Richard McDermott	Rebecca Newman

Also present: Gerald J. Muller, Esq – Planning Board Attorney
Carter Van Dyke – Planning Consultant
Denise Piskowski, Board Secretary

Absent: Jessica Pyatt

On a motion by Ms. Newman, seconded by Ms. Halm, the Board opened the meeting to the Public.

OPEN TO THE PUBLIC

Mr. Joe Abate, owner of the Millstone Getty Station, asked the Board how he could get a used car license for auto sales. He informed the Board that he would like to be an agent and help customers buy cars, he would buy the car, fix it up and sell it. Mr. Abate stated that he does not plan on having cars stored on the lot. Mr. Van Dyke stated that it sounds like Mr. Abate would be doing basic auto repair and that this is not a Board issue. Mr. Abate informed the Board that for him to obtain a used car license he needed approval from the Borough. Mr. Muller stated that a use variance would be required if used cars were stored and sold on the lot and the Board would have to review the paperwork before they could make any decisions. Mr. Abate gave the completed paperwork to Mr. Muller for review. Mr. Van Dyke stated that this must not become a used car lot.

On a motion by Ms. Newman, seconded by Ms. Halm, the Board closed the meeting to the Public.

SITE PLAN REVIEW

St. Joe's - amended site plan approval for a garage

Mr. Muller informed the Board that proof of publication and notice was sufficient.

Mr. Peter Lanfrit, attorney for the applicant, that St. Joe's would like to build 20 x 32 foot garage as an accessory building to the new home. Mr. Lanfrit handed out copies of the plans to the Board. Mr. Lanfrit explained the structure to the Board and reviewed the report from Mr. Van Dyke. Mr. Lanfrit stated that he would add the property owner names to the plans

Mr. Heck and Mr. Devoti left the meeting.

Mr. Lanford reviewed Mr. DeMuro's memo with the Board and informed them that the landscaping would be done subject to the Board's approval, there would be minimal lighting and no signs would be installed. A soil erosion permit was issued and a copy will be sent to Mr. Muller. A permit from the Hillsborough Health Department was issued.

On a motion by Mr. Ciurleo, seconded by Ms. Halm, the Board opened the meeting to the Public.

Mr. Van Dyke informed the public that while this might seem like a lot of work for just a garage, this is an accessory to an institutional use and this is why a site plan approval is required.

On a motion by Ms. Halm, seconded by Mr. Ciurleo, and with an aye vote by all Board member present, the Site Plan for St. Joe's was approved subject to the amendments to be stated in the Resolution

VARIANCE APPLICATION

Mr. Muller informed the Board that JPP Properties was presenting a preliminary and final site plan application and a use variance application. Mr. Muller stated that the proof of publication and notice were adequate. Mr. Muller also informed the applicant that there were only 5 members of the Board present at this time and that 5 yes votes were required for an approval of these applications.

Grace Dennigan informed the Board that she was the attorney for JPP properties and the tenants, Mr. Jorgensen and Mr. Meszaros.

Mr. Michael Ford, Van Cleef Engineering, was sworn in by Mr. Muller. Mr. Ford stated that he was a licensed engineer State of NJ. Mr. Ford informed the Board that a site plan was submitted to Mr. Devoti dated January 20, 2008, and faxed to Mr. Muller. Copies of the site plan were handed out to the Board and marked exhibit A.

Mr. Ford explained to the Board what the site plan showed, and pointed out the minor changes to the site which include two parking spaces in front of the building for use by the landscaping business, and one on the side of the building for trailers to be parked. The stone area across the street will also have 3 vehicles for parking by the landscape business. Mr. Ford stated that the equipment to be used by the landscaping business could be removed quickly in case of flooding.

The easement on the adjoining property has been cleaned and will be restored to a lawn area. Mr. Muller asked about the markings shown as being on Amwell Road and South River Street, Mr. Ford stated that this shows the direction of traffic when the property was used by the Gardener to Gardener tenant. These strips will be removed by the new landscaping business. Mr. Ford informed the Board that if the road direction were to change the Borough would need to notify the property owners and stated applicant has no issue with any road changes. Mr. Ford also stated that the gravel parking spaces will not be marked and that this will not be a retail business.

Robert Jorgensen, tenant for the landscaping business, stated that he and Mr. Meszaros would only be using the property to store lawn equipment and for carpentry work and that no dumpsters would be on premises. They would keep two trailers and a dump truck on the property and maintain the current state of the property. No external changes will be made to the building or the site, except for parking,

Joe Meszaros, own Premier General Contracting, stated that they have one employee and that their business consists of home remodeling and small carpentry projects. The on-site work will consist of altering of kitchen cabinets and refinishing of furniture. Most of this work is done off-site.

Mr. Jorgensen stated that the plan appears to show two 40 foot trailers. This is not correct. These trailers are actually one 16 foot enclosed trailer and one 10 foot open trailer. Mr. Jorgensen stated that he would be using the property to store lawn equipment and will be doing general maintenance on his equipment. He and Mr. Meszaros have office at their homes and do not plan on doing any office work on the property. They may store grass seed and pvc pipe on the property, but they will not store any pesticides or fertilizers. Bulk landscaping materials will be delivered directly to job sites. Mr. Van Dyke asked about parking for employees, Mr. Jorgensen stated that his employees car pool and only 2-3 cars would be parked on the site daily, the employees will meet at the business and pick up the trucks and trailers to take to the job sites. Mr. Van Dyke stated that the 2 spaces in the front of the building are right on the road and could cause traffic problems. Mr. Jorgensen stated that there is no curbing on this side and that there is no need for backing onto a main street. Mr. Muller and Mr. Van Dyke continued to question the safety of parking. Mr. Van Dyke stated that if the Board approves these parking spaces and they are not safe the Board should be concerned. Mr. Ford addressed the Board and explained how the access to parking spaces actually works and testified that it would not be dangerous. Mr. Van Dyke continued to express his concerned with the safety of parking in this location and vehicles backing out onto South River Street. Mr. Ford stated that there is no retail at this site and only the tenants would be parking on the site. Mr. Van Dyke recommended that a sign be installed specifying the direction of allowed parking and that the spaces be striped with arrows. Mr. Muller will draft a condition of how the sign should read. Mr. Van Dyke informed the Board that because this is a variance application the Board could state no parking in this location or give restrictions on parking.

Mr. Donald Hepworth, owner of JPP properties, stated that the parking spaces on the plan were based on the previous recommendations by the Board. Mr. Van Dyke stated that on the

recommendation of Mr. Ford, the strips and signs would be put on. The Board and the applicant agreed to this condition.

On a motion by Mr. McDermott, seconded by Ms. Newman, the Board opened the meeting to the Public.

Mr. Carl Kester, 13 South River Street, block 4 lots 3 & 4, was sworn in by Mr. Muller. Mr. Kester informed the Board that he owns the property adjacent to this location and he explained to the Board that this lot has expanded over the years and has previously been used as a landfill. He stated his concerns about the property.

Mr. Hepworth informed the Board and Mr. Kester that the property would be reseeded and that he was working to correct the improper treatment of the property done by the previous tenants. Mr. Jorgensen and Mr. Meszaros stated that they have no intentions of parking on this side of the property. Mr. Hepworth stated that the property would be fixed to a presentable look for the Borough.

Mr. Kestner stated his concern about the state of the easement. Mr. Hepworth assured Mr. Kestner that the easement would be reseeded and cleaned up and he would work with Mr. Kestner to get the property cleaned to his satisfaction and the chain link fence would be removed. A discussion ensued on the history of this property. The fence and trees appear to be on Mr. Kestner's property and he can remove them if he so chooses. Block 7 lot 2 has also been encroached upon by the previous tenants and this will be restored by Mr. Hepworth.

Mr. Muller recommends that as a condition of approval JPP properties restore the properties that have been encroached on by previous tenants.

Mr. Heck and Mr. Devoti returned to the meeting.

On a motion by Mr. McDermott, seconded by Mr. Ciurleo, the Board opened the meeting to the Public.

Mr. Van Dyke stated that the Board was looking to acquire a piece of property and is applying for grants. This property has a gas station and an accessory building that was previously a car wash and was then a landscaping business. The variance is being requested for this property and if the gas station were to be relocated then this would be good for a village commercial district.

Mr. Van Dyke stated that the Board has also looked to improve this area with curbing and lighting and that these improvements would no longer be applicable. Mr. Van Dyke stated his opinion that this application should be looked at as a temporary use for this site.

Mr. Van Dyke explained that the vote is for a use variance for woodworking and landscaping with the limitations discussed and preliminary and final site plan approval. The Board needs to be aware of the parking concerns and should have a condition for striping and directional signs and that the easement should be restored and the encroachment on Mr. Kester's property be restored. Mr. Van Dyke also recommends that a light coating of stone be put on and then seeded.

On a motion by Mr. McDermott, seconded by Ms. Newman, and with an aye vote by all, the Board approved the variance application and the preliminary and final site plan application for JPP Properties, with the conditions discussed to be included in the Resolution. .

Mr. Hepworth asked about the restrictions for putting a fence along the property line. The discussion was reopened for the site plan. Mr. Hepworth asked about any restrictions to install a fence along the property line.

Mr. Hepworth asked Mr. Kester if he would like a fence installed. Mr. Kester stated that he was agreeable to having a fence installed. Mr. Hepworth asked for the Board's recommendations on the type and style of fence that could be built. The Fence Ordinance was reviewed. Mr. Van Dyke stated that on this property the Flood Plain Ordinance would take precedence over the Fence Ordinance. A discussion ensued on what would be best for the property line. Mr. Van Dyke stated that the existing fence could be repaired but a new fence could not be installed without approval. Mr. Hepworth asked if shrubs and greenery could be planted and then when it grows in the old fence could be removed. Mr. Kester is agreeable to this. Mr. Muller will add this as an additional condition of the application.

On a motion by Mr. McDermott, seconded by Ms. Newman, and with an aye vote by all, the Board approved the additions discussed to the site plan application to be included in the Resolution. .

Ms. Newman and the Board discussed the sign that has been installed at the property next to Borough Hall. Mr. Devoti stated he would contact the homeowner about removing the sign.

On a motion by Mr. Ciurleo, seconded by Mr. McDermott, the Board approved the February 26, 2008 meeting minutes.

On a motion by Mr. Ciurleo, seconded by Mr. Devoti, and with an aye vote by all, the Board approved the February 2008 invoices submitted by Mr. Muller and Mr. Van Dyke.

Dan informed the Board that escrow money had been received from St. Joe's and JPP properties.

REPORTS

Carol Halm, Council Person

- The Tax Assessor explained the reassessment procedures and the benefit to the Borough. There have been very few tax appeals. Appointments were not being made before going to assess a property. A Borough ID will be given to the reassessment person and they have been instructed to make appointments
- Reminder that the Board of Education Elections were being held on April 15th.
- The auditor recommended that budget not be adopted until state aid has been approved by the governor.
- Park equipment was installed and the mulch spread out.
- The Easter egg hunt was held Saturday.
- Dedication of the park would be held in May.
- The community service worker has been working weekends and cleaning around the Borough.

- The County public hearing regarding the culvert work was being held April 7th.
- The annual village yard sale has been scheduled for June 6 and 7 and the clean up will be 2 weeks later
- Amwell Road will be widened and resurfaced. Council is researching traffic calming devices.
- There was no meter for the street lights in the Borough, each light is set for a specific usage of lighting and billed accordingly. The Borough is billed per light whether they are working or not. Residents can call public service with the pole number and cross streets if lights are out. Mr. Heck explained the types of lights that were in the Borough. A discussion ensued.
- The Recycling Ordinance 1st reading passed.
- The Resolution was passed supporting the Smart Growth Application.

Mr. Van Dyke, Planning Consultant

Mr. Van Dyke informed the Board that the grant application for the plan endorsement and open space plan would be submitted after they had been signed by the Mayor.

Mr. Van Dyke informed the Board that he had spoken to Mr. Bob Bzik at the County Planning Board regarding a possible land swap of Borough properties totaling 1.5 acres that flood with land owned by the County. Mr. Bzik stated that he was agreeable to the proposed plan and recommended that a letter from the Mayor be sent to Mr. Palmer at the County regarding this. Mr. Van Dyke read the letter to the Board. The Board discussed the properties that would be swapped. Ms. Halm informed the Board that road access could be an issue and a streetscape plan will be outlined by Mr. Van Dyke. Mr. Van Dyke explained this to the Board. Mr. Van Dyke also explained the buffer criteria. Mr. Heck asked if this would affect the historic value of the properties. Mr. Van Dyke stated that it should not. A discussion continued.

Ms. Reynolds is currently working on the ANJEC grant application for funding the adoption of three model ordinances, tree protection, sewer maintenance and repairing of buffers and stream beds. Ms. Reynolds informed the Board that these ordinances were necessary for the plan endorsement process and a grant coordinator was needed to represent the Borough. Ms. Reynolds asked Ms. Halm to be the liaison between the Board and Council and Administration of the ANJEC grant and Ms. Halm agreed. The next meeting will be held in May.

On a motion by Mr. Devoti, seconded by Ms. Newman, the Board closed the regular portion of the meeting and went into executive session.

On a motion by Mr. Devoti, seconded by Ms. Newman, the Board closed executive session and adjourned the meeting at 10:30 pm.

Submitted,

Denise Piskowski
 Planning Board Secretary