

OFFICIAL MINUTES APPROVED December 5, 2017

Borough of Millstone

Planning Board
Regular Meeting
October 3, 2017

Mr. Emmich, Board Chairman, called the meeting to order at 7:30 pm. There were no members of the public present at that time.

Mr. Emmich, Board Chairman, 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 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:

<u>Board Member</u>	<u>Present</u>	<u>Absent</u>
Clint Bowers	X	
Dan Devoti	X	
Dan Dixon		X
Curt Emmich	X	
Christine Fung	X	
Derek Johnson		X
Carl Kestner	X	
Kristen Ross		X
Johnathan Stashek		X
<u>Also Present:</u>	<u>Present</u>	<u>Absent</u>
Gerald J. Muller, Esq – Planning Board Attorney	X	
Carter Van Dyke – Planning Board Planner	X	
Denise Piskowski, Board Secretary	X	

OPEN TO THE PUBLIC

There being no public comment the Board opened and closed the meeting to the public.

APPROVAL OF MEETING MINUTES

On a motion by Mr. Devoti, seconded by Mr. Emmich the Board approved the September 5, 2017 meeting minutes.

Roll Call: Ayes: Devoti, Emmich, Fung, Kestner
Nays:
Abstain:
Not Eligible: Bowers

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REVIEW AND VOTE ON PROFESSIONALS' INVOICES

The Board discussed the invoices submitted by the Professionals”.

On a motion by Ms. Fung, seconded by Mr. Kestner the following invoices submitted by Mr. Muller were approved.

- Jerry Muller July - August 2017 Invoices
 - Inv. 12769 – HRC Parsonage Variance Block 7, Lot 8 (Escrow) \$ 563.75
 - Inv. 17743 – General Board Services \$ 615.00
 - Inv. 12767 – HRC Parsonage Variance Block 7, Lot 8 (Escrow) \$ 153.75

Roll Call: Ayes: Bowers, Emmich, Fung, Johnson, Kestner
Nays:
Abstain: Devoti

On a motion by Mr. Emmich, seconded by Mr. Devoti, the following invoices submitted by Mr. Van Dyke were approved.

- Carter Van Dyke August 2017 Invoices
 - Inv. 17744 – Review codified draft of Land Use Ordinances \$ 451.50

Roll Call: Ayes: Bowers, Devoti, Emmich, Fung, Johnson, Kestner
Nays:
Abstain:

A member of the public walked in and it was decided to open the meeting to the public since they missed the previous opening.

OPEN TO THE PUBLIC

On a motion by Mr. Emmich, seconded by Mr. Devoti, the meeting was opened to the public.

Mr. Henry Wittman, III, owner of 1424 Main Street, 3-family home. Mr. Wittman informed the Board that he had put in a parking lot to accommodate his tenants and that Mr. Devoti later talked to him about it. He stated that he did not want to submit a site plan and would put the property back to the way it was if the Board required a site plan for the expanded parking.

Mr. Emmich explained to Mr. Wittman that the parking lot was brought to the attention of the Board and Council by surrounding residents as being excessive and intrusive and the Board wanted to understand the circumstances, including when the three units were created, Mr. Whitman explained that the property was a 3 family home back into the 30's. He provided a copy of a certificate from NJ Department of Community Affairs (DCA) that shows the property was once registered with it as a 3-family home. He further explained that there have been no local inspections on the property. Mr. Wittman also informed the Board that the State could inspect a property but supposedly only at the owners' request. Mr. Muller inspected the DCA certificate and stated that it appeared that the certificate no longer valid and was issued to Mr. Wittman's father.

Mr. Muller explained that the use of the home could be considered grandfathered if the three units had been in place since the early 1950's and the oldest ordinance that could be found in the Borough's records was for 1962.

Mr. Muller swore in Mr. Wittman. Mr. Muller then explained that the Board could determine that the use is continued and that they should address the parking lot size and setback issue. Mr. Emmich explained to Mr. Wittman that there have been many complaints from the neighbors regarding the number of vehicles on the property. Mr. Wittman explained that a neighbor does not want the vehicles on the street and prefers them to be parked off of the street in the rear of his property. Mr. Wittman and the Board continued to discuss the parking

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issue and its impacts to the surrounding neighbors. A discussion ensued on various ways to properly fit the parking spaces on to the property.

The Board and Mr. Muller reviewed the Borough's current ordinance and discussed what was permitted and the best resolution for this issue. The rear yard setback for this district is 25 feet and the side yard setback is 10 feet, while the parking lot had been expanded essentially up to the property line

Mr. Muller informed the Board that they could treat the three unit building as a lawful non-conforming use if it was in existence prior to adoption of the zoning ordinance and had not been abandoned. He also stated that it would benefit the neighbors to have the parking off-street.

Mr. Wittman stated that he grew up in the home in the 1950's and that at that time there was a shed on the left side, a chicken coop on the right side and there was parking in the back yard up to the current fence line. He informed the Board that he would like to have the parking issue resolved in a way that is best for the community. He stated that he would take out the parking lot expansion and restore the property to the previous layout but would prefer to not put in a fence; however he would put in landscaping as a buffer.

The Board asked Mr. Wittman to submit a copy of the new DCA registration form when he receive it and that he reach out to the building inspector to ensure that proper inspections are done with each change in tenant. They also stated that they would discuss the issue further and get back to him.

On a motion by Mr. Bowers, seconded by Mr. Devoti, the meeting was opened to the public.

RESOLUTIONS

The Resolution for the Hillsborough Reformed Church Parsonage, 1445 Millstone River Rd, B7 L8, was reviewed and discussed.

On a motion by Ms. Fung, seconded by Mr. Kestner, the Board approved the Resolution for the Hillsborough Reformed Church.

Roll Call: Ayes: Emmich, Fung, , Kestner
Nays:
Abstain: Bowers, Devoti

DISCUSSION ITEMS

Mr. Emmich informed the Board the the Complete Streets Committee of Christine Fung, Helene Dandy and himself reviewed several examples of policies from surrounding towns that had already been adopted and that they had drafted the draft policy to meet the needs of the Borough.

The Board discussed the policy. Mr. Van Dyke recommended that it be adopted as part of the Master Plan. Mr. Van Dyke showed the Board a County Priority Improvement Plan d that should also be incorporated into the plan. Mr. Emmich stated at the last check the County's plan had not been finalized but he would reach out to Mr. Walter Lane at the County to determine if their plan had been since finalized. It was also discussed adding this to the master plan as an amendment. The board discussed recommended language, grammar and punctuation changes in the Complete Streets policy.

On a motion by Ms. Fung, seconded by Mr. Emmich, the Board approved the Complete Streets Policy as discussed. It will be forwarded to Council for adoption.

Roll Call: Ayes: Bowers, Devoti, Emmich, Fung, , Kestner
Nays:
Abstain:

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REPORTS

Mr. Devoti informed the Board that the Borough Marshall, Mr. Grimshaw, had cited the owners of 39 Amwell Road for the disrepair of porch and overgrown, unmaintained yard and they are currently accruing daily fines. Mr. Grimshaw also had the abandoned car towed.

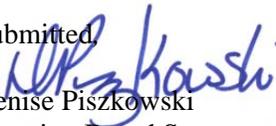
Mr. Devoti asked about status of the County land swap and Mr. Kestner informed the Board on the latest status of the land swap with the County and their 'improvement authority'. A lengthy discussion ensued. Mr. Emmich offered to contact Mr. Offen to find out the status of this project.

Mr. Emmich updated the Board on the status of the review of the draft codification that was received from Coded Systems.

The Board briefly discussed Mr. Wittman's property.

With a motion by Mr. Devoti, seconded by Mr. Bowers and an aye vote by all, the Board closed the meeting and adjourned.

Submitted,


Denise Piszkowski
Planning Board Secretary