

# OFFICIAL MINUTES APPROVED DECEMBER 3, 2019

## **Borough of Millstone** Regular Meeting of the Planning Board October 1, 2019

Mr. Huber, Board Chairman, called the meeting to order at 7:37 pm. There were three members of the public present.

Mr. Huber 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:

<b><u>Board Member</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Vincent Biviano	X	
Clint Bowers	X	
Dan Devoti	X	
Dan Dixon	X	
Christine Fung	X	
Zach Huber	X	
Lawrence Tarantino	X	
<b><u>Also Present:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Denise Piszowski, Board Secretary	X	
Mr. Muller, Planning Board Attorney	X	
Mr. Van Dyke, Planning Board Planner	X	

### **OPEN TO THE PUBLIC**

*On a motion by Mr. Dixon seconded by Mr. Bowers, the Board opened the meeting to the public*

Ms. Portia Orton, Historic District Commission (HDC), read a memo regarding review procedures on applications for work on homes in the historic district (copy attached and part if these minutes). She informed the Board that a homeowner obtained a permit for improvements to a home in the historic district without HDC review and approval. She then read an excerpt from the Land Development Ordinance regarding the requirement of approval from the HDC for properties in the historic district.

She state that she had met with the Construction Official, Andy Jepsen, and the Zoning Officer, Dan Devoti, regarding these issues. She asked Mr. Muller to contact the Borough Attorney to see what steps they can take to see this doesn't happen going forward.

A discussion ensued.

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Ms. Pat Morris, HDC representative, informed the Board that the HDC had a report prepared by for them which is in conformance with the state. They would like the Board to adopt these as ordinances for the historic district. The discussion continued. She also questioned the 40 foot setback on Main Street. Mr. Van Dyke stated he would look into this. The discussion continued.

Mr. Huber informed Ms. Orton that she should have asked him to recuse himself due to a conflict because she keeps referring to his property in regards to her issues with the oversite on homes in the historic district. The discussion ended.

Ms. Morris asked the Board to review the lighting ordinance because she doesn't believe that it is being enforced. She also asked if it is reviewed that solar lighting and string lighting be included. Mr. Huber asked which specific properties she is referring to. She said it was a general issue and was concerned about specifically string lights. Mr. Huber again asked if she was referring to his property and ended the discussion.

Mr. Morris asked about the Master Plan and informed the Board that only the amendments were on the website. But she would like to see the entire plan on the website, not just the amendments. Ms. Piskowski will review and add the correct Master Plan documents.

Mr. Devoti recommended reviewing the setback regulations and the lighting ordinance. The Board discussed that if it were reviewed and changes were made that HDC input be considered before adoption.

*On a motion by Mr. Devoti, seconded by Mr. Dixon the Board closed the meeting to the public*

## APPROVAL OF MEETING MINUTES

*On a motion by Ms. Fung, seconded by Mr. Devoti, the Board approved the June 11, 2019 meeting minutes. Mr. Biviano and Mr. Dixon abstained.*

## REVIEW AND VOTE ON PROFESSIONALS' INVOICES

The Board discussed the invoices submitted by Mr. Muller.

*On a motion by Mr. Devoti, seconded by Mr. Dixon and with a roll call vote, the following invoices submitted by Mr. Muller were approved.*

- Jerry Muller, Board Attorney
  - o June 2019 Inv. 13515 General Board Services \$ 369.00
  - o July 2019 Inv. 13596 General Board Services \$ 369.00

Roll Call: Ayes: Biviano, Bowers, Devoti, Dixon, Fung, Huber, Tarantino  
Nays:  
Abstain:

The Board discussed the invoices submitted by Mr. Van Dyke.

*On a motion by Mr. Bowers, seconded by Mr. Devoti, and with a roll call vote, the following invoices submitted by Mr. Van Dyke were approved.*

- Carter Van Dyke, Board Planner
  - o June 2019 Inv. 18250 Plan Endorsement \$ 1,138.50
  - o July 2019 no work done \$ 00.00

Roll Call: Ayes: Biviano, Bowers, Devoti, Dixon, Fung, Huber, Tarantino  
Nays:  
Abstain:

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## RESOLUTION

### No 2019-03 Interim Village Center

Mr. Van Dyke reviewed this resolution and explained to the Board that it shows that the Borough is continuing to move forward on this item. He has been working with the County and the County has been doing a lot of work for the Borough. He updated the Board on these meetings. He has been working with Zach and the Mayor and Walter Lane, Somerset County, talked to DEP and they are extending this for 1 year, at that time the Borough will be required to renegotiate the plan endorsement area. The Board needs to have all completed by August 2020. A lengthy discussion ensued.

## DISCUSSION ITEMS

### Update on Plan Endorsement. Copy of memo attached

Mr. Van dyke reviewed the memo and a discussion ensued.

### Van Cleef Redevelopment Area Preliminary Report

Mr. Van Dyke explained that Council has been working with the Van Cleef family and the County for this area and the sewers. He reviewed the report with the Board.

The Board asked about the PILOT program and how this development would affect the property taxes and for how long. Mr. Muller explained how the funding would work for this development and how it might affect the current residents. The process was also explained. A lengthy discussion ensued.

Jerry reviewed his recommended changes to the Report.

*On a motion by Mr. Dixon, seconded by Mr. Huber and with a roll call vote, the Board approved the Report with the changes recommend by Mr. Muller to be presented at an open public hearing.*

Roll Call: Ayes: Bowers, Devoti, Dixon, Fung, Huber, Tarantino  
Nays:  
Abstain: Biviano

### Van Cleef Settlement Agreement

Mr. Muller reviewed and explained the Borough's agreement with Van Cleef and the COAH obligation and gave the Board a brief history.

## REPORTS/OPEN TO BOARD MEMBERS AND PROFESSIONALS

### Board Chair

Mr. Huber updated the Board on the progress he and Mr. Tarantino have made on the Development Ordinance. They will also review the lighting ordinance. They anticipate having it completed for the Board to review at the February 2020 meeting.

### Dan Devoti, Zoning Officer

Mr. Devoti informed the Board that the Wittman three family house has a new roof and they did not obtain HDC approval. A permit was issued by the new construction official who is not aware of the homes in the historic district

He also informed the Board that there has been some issues with FEMA and DEP because Tetrattech has a new person handling the Borough's paperwork. Due to this DEP has allowed some leeway.

Mr. Tarantino asked the Board if anything could be done about business properties are having excessive vehicles parked on lawns, etc. He also stated that there are landscaping trucks being parked at the liquor store. Mr. Devoti stated he would look into this. The Board also discussed various properties in the Borough.

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## **OPEN TO THE PUBLIC**

*There being no public in attendance the Board opened and closed the meeting to the public.*

The Board discussed that the HDC is supposed to review historic buildings and that they would need to talk to Council if they needed assistance.

*With an aye vote by all, the Board adjourned the meeting at 10:10 pm. And went into executive session*

Submitted,

Denise Piskowski  
Planning Board Secretary