

**MILLSTONE TOWNSHIP
BOARD OF ADJUSTMENT
MEETING MINUTES
JANUARY 26, 2022**

The meeting was called to order by Chairman Novellino.

Mr. Morelli read the Adequate Notice into record.

There was a salute to the flag and observance of a moment of silence for the troops.

Roll Call: Present – Novellino, Lambros, Morelli and Mostyn,
Absent – Barthelmes, Conoscenti and Mr. Ferrara

Mr. Novellino noted that Mr. Lambros was sworn in for another term as Board member in advance of the hearing. He thanked Mr. Lambros and the two alternate Board members (who did not return this year) for their service to the town.

ELECTION OF OFFICERS:

CHAIRMAN:

A motion to nominate Mr. Novellino to serve as Chairman was made by Mr. Lambros, which was seconded by Mr. Morelli. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

VICE CHAIRMAN:

A motion to nominate Mr. Barthelmes to serve as Vice-Chairman was made by Mr. Novellino, which was seconded by Mr. Mostyn. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

SECRETARY:

A motion to nominate Ms. Peerboom to serve as Secretary to the Board (until a full-time employee has been hired to fill the position) was made by Mr. Novellino, which was seconded by Mr. Morelli. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

PROFESSIONALS:

Mr. Novellino noted the all of the professionals from the previous year have submitted bids, along with other competitive bids, for the various Board appointments. Mr. Novellino stated both he and Mr. Lambros have reviewed the various bids submitted and recommend the Board appoint the following:

ATTORNEY:

A motion to nominate Greg Vella, Esq, to serve as Board Attorney was made by Mr. Novellino, which was seconded by Mr. Lambros. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

Mr. Vella thanked the Board.

ENGINEER:

A motion to appoint Leon Avakian, Inc., with Matt Shafai, PE to serve as Board Engineer was made by Mr. Novellino, which was seconded by Mr. Mostyn. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

PLANNER:

A motion to nominate Heyer, Gruel & Associates with M. McKinley Mertz, PP to serve as Board Planner was made by Mr. Novellino, which was seconded by Mr. Lambros. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

Ms. Mertz thanked the Board.

COURT REPORTER:

A motion to nominate AB Court Reporting, with Angela Buonantuono to serve as Court Reporter to the Board was made by Mr. Novellino, which was seconded by Mr. Morelli. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

DESIGNATION OF THE OFFICIAL NEWSPAPER

A motion to designate the Asbury Park Press and The Times of Trenton as the official newspapers of the Board was made by Mr. Novellino, which was seconded by Mr. Morelli. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

REGULAR MONTHLY MEETING SCHEDULE:

The Board considered Zoom meetings as an option for certain meetings, deciding that the meetings will be planned to be held in person and should the Board wish to change a meeting to a virtual meeting, additional notice can be provided at that time. The Board noted that the proposed meeting in November is the day before Thanksgiving and will likely be changed to another night with any appropriate notice. The motion to adopt a regular monthly meeting schedule for 2022 and the first meeting date for 2023, was made by Mr. Lambros, which was seconded by Mr. Mostyn. The motion was approved on a roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

The meetings will begin at 7:30 pm and being held, in person, at the Municipal Meeting Room at 215 Millstone Road, Millstone Township, NJ as follows:

February 23, 2022	August 24, 2022
March 23, 2022	September 28, 2022
April 27, 2022	October 26, 2022
May 25, 2022	November 23, 2022
June 22, 2022	December 28, 2022
July 27, 2022	January 25, 2023

APPROVAL OF MINUTES: DECEMBER 9, 2021

The minutes from December 9, 2021, were not yet available and were carried to a future meeting.

RESOLUTIONS:

**Z21-05 ST. JOSEPH ROMAN CATHOLIC CHURCH OF PERRINEVILLE, INC.
91 Stillhouse Road – Block 40.01, Lot 20.01**

The Board had an opportunity to review the drafted resolution and with no comments on the same. A motion to adopt the resolution of use variance approval was made by Mr. Mostyn, which was seconded by Mr. Lambros. The motion was approved on a roll call vote: Mr. Lambros, Mr. Mostyn and Mr. Novellino.

**Z21-07 MARANDOLA, ANTHONY & DIANNA – DENIAL OF USE VARIANCE
11 Van Hise Drive – Block 12, Lot 14**

The Board had an opportunity to review the drafted resolution and with no comments on the same. A motion to adopt the resolution of use variance denial was made by Mr. Mostyn, which was seconded by Mr. Morelli. The motion was approved on a roll call vote: Mr. Morelli, Mr. Mostyn and Mr. Novellino.

CARRIED APPLICATION:

Z21-06 CLICKNER, DALE

80 Paint Island Spring Road – Block 47.02, Lot 2, consisting of 1.11 acres; located in the R-80 Zone. Applicant is seeking variance relief to construct a 1,609 square foot detached four-car garage. A building coverage of 10.6% is proposed where the maximum building coverage is 10%. A lot coverage of 27.7% is proposed where the maximum lot coverage allowed is 20%. An accessory structure of 1609 square feet is proposed where the maximum accessory structure allowed is 900 square feet. Deemed complete October 15, 2021. Date of action is February 12, 2022. Noticing required. Carried to 1-26-22 without further notice.

Mr. Vella noted that the applicant previously appeared, where the Board took jurisdiction. The matter was carried without further notice and since the last appearance, the applicant has submitted revised plans. Mr. Vella marked the additional exhibits as follows:

EXHIBIT A-7 Variance Sketch, prepared by Crest Engineering, revised 1/5/22

EXHIBIT A-8 Site display, prepared by Crest Engineering, dated 1/5/21

EXHIBIT A-9 Correspondence from Jared Pape, Esq., applicant's attorney, dated 1/12/22, describing the changes made to the plan

The Board's professionals have had the opportunity to review the submitted changes and have updated their reports with the following:

EXHIBIT BOA-3 Engineer's Review Memo dated 1/24/22

EXHIBIT BOA-4 Planner's Review Memo dated 1/26/22

Jared Pape, Esq. again appeared on behalf of the applicant. He noted there only being four Board members present, he may want to ask the Board to carry the matter to have the benefit of a fuller Board. The Board reviewed the upcoming agenda and offered the applicant the February 23, 2022 meeting. The application was carried without further notice to February 23, 2022 at 7:30 pm, to a meeting to be held in-person in the Municipal Meeting Room.

Chairman Novellino noted that the Board is short two alternate members and cannot guarantee that there will be a full Board at the next meeting.

NEW APPLICATION:

Z21-08 KHARAT, SHAILESH

21 Fern Drive, Known as Block 54.01, Lot 11; consisting of 3.12 acres; located in the R-130 Zone. Applicant is seeking variance relief to construct an inground pool with a patio and retaining walls, which will require a disturbance of steep slopes of 30% where Ordinance Section 11-24-3 prohibits disturbance of any steep slopes of 15% and more. Deemed complete November 30, 2021. Date of action March 30, 2022. Noticing required.

Mr. Vella, Esq. noted that the applicant provided notice for the hearing of this application, which was proper, in so that the Board has jurisdiction over the matter. He reviewed the exhibits which were pre-marked for the Board.

Amrita Singh appeared as the applicant, explaining that Shailesh Kharat is her husband. Stephen Schwartz, contractor for the applicant, appeared as the applicant's witness. Both were sworn in.

Mr. Schwartz reviewed the proposed application to install an inground pool on a property with steep slopes. Chairman Novellino acknowledged the steep slopes and that there is a conservation easement on the site. He stated that the Township requires conservation markers to be placed in these areas and the Township is sensitive to steep slope development as this is something that may cause runoff in certain areas.

The applicant described the need for the requested relief and the reasons for the same.

The Board considered the applicant's requests. Considering the hardship created by the topography of the site, the Board reviewed the requested relief, including the conditions discussed on record. The applicant should provide the finished floor elevation and the existing deck elevation on the plan, the patio material should be provided, the certified easements must be provided, the applicant is prohibited from removing trees outside the area of disturbance as shown on the plan. The applicant would be required to provide an as-built survey and any other conditions in the Board's professionals' review memos.

Mr. Mostyn made a motion to approve the application with the conditions placed on record which was seconded by Mr. Morelli. The variance request was approved on the following roll call vote: Mr. Lambros, Mr. Morelli, Mr. Mostyn and Mr. Novellino.

Mr. Shafai explained that the items will need to be shown on the plan. Mr. Schwartz noted that the items are on the plan. Mr. Vella stated they will need to point them out to Mr. Shafai for confirmation and resolution compliance.

NEW BUSINESS:

- Annual Report 2021. The Board had a chance to review the draft of the 2021 Annual Report. Mr. Lambros made a motion, which was seconded by Mr. Morelli to adopt the report and to transmit it to the Township Committee. With all in favor, the 2021 Annual Report was adopted.

OLD BUSINESS:

None

ADJOURNMENT:

With no further business, Mr. Lambros made a motion to close the meeting. With all in favor, Chairman Novellino adjourned the meeting.

Respectfully submitted,


Danielle B. Sims, Board Secretary