

**MILLSTONE TOWNSHIP PLANNING BOARD
SEPTEMBER 8, 2021
MEETING MINUTES**

Due to the Covid-19 Pandemic State of Emergency the Millstone Township Planning Board meeting scheduled for Wednesday September 8, 2021, at 7:30 p.m. was held using the Zoom Video Conferencing platform. Members of the public have the option to attend the meeting either by using a device (PC, laptop, tablet, or smartphone) or by dialing in via telephone. This information was provided on the Township Website and on the Planning Board Agenda.

The Meeting was called to order by Chairman Newman at 7:31 p.m.

The Secretary read the Adequate Notice and additional virtual meeting information.

Salute to the Flag.

Roll Call: Present: Beck, Curtis, Dorfman (joined 7:35 p.m.), Grbelja, Newman, Oxley,
Ziner, Youngs (joined 8:46 p.m.)
Absent: Butch, Pado, Pepe, Pinney

Meeting Minutes: July 14, 2021

Chairman Newman asked if there were any suggested changes to the meeting minutes and seeing none, Ms. Oxley made a Motion to approve and Mr. Ziner offered a Second. Roll Call Vote: Beck, Curtis, Grbelja, Oxley, Ziner.

Public Comment Portion: Chairman Newman opened the public comment portion of the meeting at 7:34 p.m. Seeing no public comment, he closed that portion of the meeting at the same time.

NEW APPLICATION:

P21-07 SCOTT & CYNTHIA D'AMICO - Block 14.01, Lot 30. Located at 810 Perrineville Road. Applicants seek to subdivide the property into two lots: proposed lots 30.01 and 30.02. Each lot would consist of approximately 3 acres. Proposed lot 30.01 is improved with an existing two-story single-family residence and a freestanding greenhouse. Proposed lot 30.02 will contain an existing 1,200 square foot barn structure. Bulk variance relief is being requested for Minimum Lot Width – A minimum lot width of 250 feet is required where 215 feet is proposed for Proposed Lot 30.02. Minimum Lot Frontage – A minimum lot frontage of 250 feet is required where 215 feet is proposed for Proposed Lot 30.02. Accessory Structure Size – A maximum accessory building area of 1,000 square feet is permitted where the existing barn measures 1,200 square feet. Noticing required.

Attorney Steib read the exhibits into evidence:

A-1 Jurisdictional Packet

A-2 Application dated 7-21-21

A-3 Minor Subdivision Plan prepared by John W. Lord, P.E., P.L.S. dated 4-26-21 revised July 22, 2021

A-4 Survey prepared by John W. Lord, P.E., P.L.S., dated 4-26-2021

A-5 NJ Geo Web Aerial Photograph dated June 24, 2021

PB-1 Report of Board Engineer dated 8-2-21

PB-2 Report of Board Planner date 8-20-21

Jared Pape, Esq., appeared on behalf of the applicants. Mr. Pape gave an overview of the application. The applicants are long time residents and have owned the property for many years. They are proposing a subdivision to create two lots, lot 30.01 will include the existing dwelling and greenhouse. The newly created lot, lot 30.02 will include a 1,200 square foot barn and a 100 square foot shed.

Attorney Steib swore in John Lord (877 Oceanview Drive, Toms River), engineer, planner, and land surveyor on the application. Mr. Lord stated the subject property, known as Lot 30 in Block 14.01, is located at 810 Perrineville Road south of the intersection of Disbrow Hill Road. The property has 580 feet of frontage along Perrineville Road and a 10-foot utility easement along the front property line. The property is currently developed with a two-story single-family frame dwelling, a greenhouse, barn, small shed, and metal and wire fences, portions of which encroach onto adjacent Lot 31. A paved asphalt driveway is existing in the center of the lot leading to the principal dwelling, and a secondary stone driveway in the northwest corner of the property leads to the greenhouse. The property is surrounded by other single-family residences on large lots. A two-lot subdivision is being proposed, each lot will be three acres. Proposed Lot 30.01 will consist of the existing principal dwelling and greenhouse. Proposed Lot 30.02 will consist of the existing barn and small shed, and construction of a new single-family dwelling is proposed. After the subdivision, Proposed Lot 30.02 will be insufficient in terms of lot width and frontage. Variances are being requested for lot frontage, lot width, and the size of an accessory structure. The proposed lot frontage is 200 feet where the minimum lot frontage required is 250 feet. The proposed lot width is 215 feet where the minimum lot width required is 250 feet. A variance is also being requested for the existing barn which is 1,200 square feet and the maximum square footage allowed for an accessory building is 1,000 square feet. Mr. Lord explained the variances are necessary because if we divided the lot in half, the property line would be running through the existing house. The proposed lots will be in keeping with the area. If you look at the subdivision behind the subject property, there are a lot of lots that are basically rectangular, but they are also some oddly shaped lots. The subdivision will not impact the zoning ordinance or the intent of the zoning plan, and will fit in with the general area.

There was some concern by Board members about this being a busy intersection and the impact the subdivision and the second driveway would have. It is a county road; and county approval would be necessary. It was requested if the Board was to look favorably upon the application, as a condition of approval, Engineer Shafai needs to reach out to the County about the Board concerns about this being a busy intersection. Board members also requested that any existing structures and fencing encroaching on the neighbor's property be relocated back onto the applicant's property in accordance with any township ordinances.

Engineer Shafai and Planner Mertz both indicated that neither the existing barn nor shed will be permitted to remain on Proposed Lot 30.02 without a principal structure. If the barn and shed were to remain upon the subdivision, the applicant will need to make a new application to the Board of Adjustment for a d1 variance. However, if the existing barn is proposed to be demolished, or if a new principal dwelling is constructed on Proposed Lot 30.02, d-variance relief will not be required.

A question was raised about the size of the greenhouse and why it does not require a variance for square footage like the barn. Also, the Board asked about the use and age of the barn, as well as the intended use of the greenhouse. The applicants were also to asked to clarify what farm activity is going on at the property now, if any, and what the expected the farming activity will be if the property is subdivided. There was also discussion that if the property is being assessed as farmland, once subdivided it would no longer qualify for that farmland assessment.

Attorney Pape after consulting with the applicants stated the barn was built in 1975, does not have any historic designation, but has sentimental value and it will be made compliant by making it 1,000 square feet. The greenhouse is 96x16, 1,536 square feet and is not a permanent structure, and is used for farming activities. Currently the property is farmland assessed, but the applicants are aware once it is subdivided, it will not longer qualify for farmland assessment. Since the barn will be reduced to 1,000 square feet, the only variances the applicants will be requesting are for the lot frontage and lot width.

Open to public questions and comments:

Karen Polansky (47 Hampton Hollow Drive) asked if the additional home would be closer to the Hampton Hollow Drive side, and if the easement will still be in effect.

Closed to public questions and comments.

There was discussion on the conditions that would be imposed, if the Board was to act favorably upon the application. The approval can be conditioned upon after filing the subdivision deed, the applicant has 12 months to submit for a building permit and begin construction, with at least the foundation being completed. Then a certificate of occupancy is required after another 12 months for a total 24 months for construction of the new home. Any encroachments are to be moved immediately, a LOI should be

obtained from the DEP-if required, the septic needs to located on the plans, and the green house and barn will be reduced to 1,000 square feet.

Mr. Ziner made the Motion with the imposed conditions and Mr. Beck offered a Second. Roll Call Vote: Beck, Curtis, Dorfman, Grbelja, Newman, Oxley, Ziner voted yes, and Mr. Youngs abstained.

Seeing No New Business or Old Business, the Meeting was adjourned at 9:10 p.m.

Respectfully Submitted,

Linda Jacus