

**MILLSTONE TOWNSHIP PLANNING BOARD  
OCTOBER 13, 2021  
MEETING MINUTES**

Due to the Covid-19 Pandemic State of Emergency the Millstone Township Planning Board meeting scheduled for Wednesday October 13, 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 7:32 p.m.

Board Secretary, Linda Jacus, read the Adequate Notice and additional virtual meeting information.

Salute to the Flag.

Roll Call:

Present: Beck, Butch, Curtis, Grbelja, Newman, Pado, Oxley, Youngs

Absent: Dorfman, Pepe, Ziner

**Meeting Minutes:** September 8, 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. Beck offered a Second. Roll Call Vote: Beck, Curtis, Grbelja, Newman, Oxley

**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.

**RESOLUTION:**

**P21-07 SCOTT & CYNTHIA D'AMICO** - Block 14.01, Lot 30. Located at 810 Perrineville Road. Applicants sought approval 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. 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. The application was approved with conditions.

Attorney Steib stated the resolution will be carried to the November 10<sup>th</sup>, 2021 meeting.

**NEW APPLICATION:**

**P21-01 MILLSTONE PLAZA, LLC** - Block 24, Lot 4. Located at 457 Route 33. Applicant is seeking approval to construct a new one-story, 4,100 square foot retail building. Existing non-conforming conditions exist on the property, lot area is 1.225 acres where a minimum of 3 acres is required, lot width is 129.60 feet where a minimum lot width of 250 feet is required, lot frontage is 129.60 feet where a minimum lot frontage of 250 feet is required, lot depth is 412.63

feet where the minimum lot depth required is 450 feet. Bulk variance relief is being sought for the side yard setback where a minimum of 40 feet is required and 24.80 feet is proposed, a minimum combined side yard setback of 100 feet is required where a proposed combined side yard setback of 75.40 feet is proposed, a minimum front yard setback of 20 feet is required for parking spaces and 10 feet is proposed; an off street 12x45 loading area is required where a loading area is not proposed.

Attorney Steib read the exhibits into evidence:

- A-1 Jurisdictional Packet
- A-2 Application dated 11-22-20
- A-3 Aerial-undated
- A-4 Survey prepared by Crest Engineering, dated 6-7-2019
- A-5 DRCC Report dated 10-1-21
- A-6 EIS prepared by Concept Engineering dated 12-20
- A-7 Soils report prepared by PHE dated 8-21-20
- A-8 Stormwater Management Report prepared by Concept Engineering dated 6-11-21  
Revised 8-30-21
- A-9 Traffic Report prepared by McDonough & Rea dated 6-16-20
- A-10 Soil Profile Pit Report prepared by CME date 8-10-18
- A-11 Site Plan prepared by Concept Engineering dated 3-16-20 revised 8-30-21
- A-12 Architectural Plans prepared by Salzan & Winkler Associates, LLC., dated 4-23-20
- A-13 Environmental Specialists Report prepared by Herpetological Associates, Inc.,  
dated 7-8-21
- PB-1 Report of Board Engineer dated 9-22-21
- PB-2 Report of Board Planner dated 10-4-21

Richard Stone, Esq., appeared on behalf of the applicant. Attorney Steib swore in John Ploskonka (123 Route 33, Manalapan), engineer on the application. The Board accepted his credentials as a licensed professional Engineer. Mr. Ploskonka stated the subject property, known as Lot 4 in Block 24, is located at 457 Route 33. The property is 53,355 square feet and is located in the (HC) Highway Commercial Zone. It has frontage on eastbound State Route 33 between Conover Road to the west and Smithburg Road to the east. The property is currently vacant and undeveloped. The northerly portion of the lot was previously used as a small orchard, and the property is surrounded by residential, agricultural, and commercial uses. A 4,100 square foot retail building is proposed, which will be used as a liquor store. The building would be one story, measuring about 24.5 feet high, and there will not be a basement. A 27-space parking area is proposed within the front yard, and access will be provided via a 25-foot-wide two-way driveway leading to Route 33. Originally a 4,400 square foot building was proposed, but based on the recommendations made by the D.O.T., the building was reduced to 4,100 square feet. We have provided for quite a bit of green space which will include about 30 trees and 120 shrubs. This project will require over 2,000 cubic yards of soil to be imported to the site, which would require the Board's approval. Mr. Ploskonka stated we have approval from Freehold Soil, and do not require approval from the Monmouth County Planning Board because it is on a state highway. We are in the process of getting approval from the Monmouth County Board of Health for the septic system. The report from the Engineer & Planner, Shade Tree Commission, and the Environmental Commission will be complied with. A letter of interpretation was obtained from the D.E.P., and we are working with DNR Canal for that approval. A conservation easement will be dedicated to Millstone Township for the wetlands and wetlands buffer at the rear of the property.

\*Board Secretary at time of adoption of minutes, not present at meeting - minutes drafted by others and based on audio recording only.

Mr. Ploskonka noted receipt of the Engineer Shafai's report dated September 22, 2021 and will comply with the report. There is one waiver for storm water the applicant may need to request if they are unable to meet the needs due to the size of the property.

Engineer Shafai noted on item 4B of his report, over 2,000 cubic yards of soil that will need to be imported must be approved by the Planning Board. Engineer Shafai suggested they move forward requesting the approval tonight, subject to completion of the application.

Chairman Newman asked what is the anticipated truck route for the importation of soil and also the number of commercial trucks that would be needed to fulfill the request. Engineer Shafai answered approximately 100 – 120 truckloads and that the site being located on Route 33, should not affect any local roads. Mr. Ploskonka agreed to that being a possible condition of approval.

Attorney Stone requested that Mr. Ploskonka review the Engineer's report dated September 22, 2021 and wherever appropriate to respond to any questions or comments as needed.

Deputy Mayor Grbelja asked why 2,000 cubic yards of topsoil is need to be imported. Mr. Ploskonka noted that it would be to fill in the building pad and parking lot areas, not to fill in any wetlands.

Attorney Stone also requested Mr. Ploskonka bring to the attention of the board the proposed septic plan.

Mr. Ploskonka began review of Engineer's report. Item 2 is zoning and land use and is just informational. Item 3 of the report is variance and waivers consisting of A, B through H. Item 4A is site plan and as noted earlier will be including 30 trees and 120 shrubs. Item 4B is the soil importation. Item 4C is the width of the sidewalk in front of the building, 6 foot wide in the front, 5 foot wide on the side. Item 4D is the details. Item 4E is the metes and bounds description for the conservation area, which was agreed to complete. Item 4F is the light fixtures in front of the building that needs clarification. Mr. Ploskonka noted it is a free-standing light and there are two of them, one in the front of the building and the other by the island by Route 33.

The architect's plan will be revised to match the site plan so they both reflect 4,100 square feet.

The EIS mentions that the Threatened & Endangered Study has been done and submitted the 10-page study to the planning board with no issues. Dumpster will be put on the left front corner of the parking lot. It will be enclosed with an enclosure that matches the building.

Chairman Newman could not find dumpster on the plan. Engineer Shafai identified on the plan where the dumpster was actually located.

Chairman Newman asked what the difference is between the parking lot that has cross hatching and without cross hatching. Mr. Ploskonka explained that the parking lot with cross hatching has pervious pavement, under the new stormwater regulations.

Engineer Shafai stated a lot of the new applications that are coming in are part of the green infrastructure designs.

Chairman Newman inquired about the location of the basin. Mr. Ploskonka responded that there is no storm water basin. There is a 36-inch pipe, 240 – 250 feet, that runs from Rt.33 to the back rear point of the building, which is used for storm water detention.

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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.

Chairman Newman inquired about the soil import. Matt estimated it would be about a hundred trucks. One hundred trucks equal how many business days of activity. Mr. Ploskonka stated it would be 1-2 weeks maximum. Engineer Shafai responded 2-3 days but one week is a good number, only accessing state highway and not any local roads.

Richard Stone asked Mr. Ploskonka to discuss the design of the septic fields. Mr. Ploskonka stated the septic designs were designed with the septic regulations of the State of New Jersey. It also goes to the Monmouth County Health Department which approves the plan. The plan is still awaiting approval from MCHD.

Ms. Stacey Curtis inquired about loading docks. Mr. Ploskonka stated that only box truck deliveries like UPS, would access the site and there is no need for loading docks.

Richard Stone introduced Mr. Scott Kennel, of McDonough & Rea Associates, Inc., who was sworn in, provided his credential as a licensed traffic engineer and was accepted by the Board as a professional Traffic Engineer.

Richard Stone inquired about the proposed parking space in the middle of the plan. Mr. Scott Kennel states with his expert opinion that the one parking space in the center can be eliminated. Twenty-six parking spaces for 4,100 sq. ft. retail building is more than adequate. Retail usually requests 5 parking spaces per 1,000 sq. ft. He recommends with the fast turnover of the trucks in and out with no long delay in the parking lot, this parking spot be removed for better site circulation.

Richard Stone states that would need a single variance for the elimination of the parking space that would be included in the catch all category.

Engineer Shafai suggested to leave stripped parking spot to determine each parking space instead of big open space in the center.

Richard Stone said they would comply with whatever Mr. Shafai recommends.

Attorney Steib swears in Mr. James Higgins who provided his credentials as a licensed planner in New Jersey and noticed by the Supreme Court as an expert in the field of planning. The Board accepted Mr. as a professional licensed Planner.

Mr. Higgins states that this application requires C variances for undersized lot size, lot width, Lot depth, wetlands, buffer areas, side yard setbacks and parking spaces. In his opinion, the proposed setbacks are reasonable.

Ms. Pat Butch questioned the setbacks and expressed concern of salt on the roads in the winter coming into the wetlands. Engineer Shafai said the setback is okay and there is no concern of that entering the wetlands. Applicant is getting DOT approval for access.

Ms. Pat Butch questioned the location of the dumpster and handicap spaces and stated concern with snow removal. Mr. Ploskonka stated he would move two handicap parking spaces in front

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of the entrance doorway to the building. Ms. Pat Butch inquired about the Shade Tree Commission request for adding berms. Mr. Ploskonka was unsure if a berm could be put in because of the storm sewer.

Mr. Pado had concern about the ground water runoff in the back. Mr. Ploskonka stated the water runoff would be caught in the discharge in the rear. Engineer Shafai assured that Freehold Soil and DEP would inspect the elevation and water runoff and would have to be approved by them.

Ms. McKinley Mertz has no issues with the location for the planning end.

Mr. Scott Kennel stated that 22-26 parking spaces is adequate for the proposed use and location. He said the traffic report data shows this location to function safely. Mr. Ploskonka requested to leave the 26 parking spaces as purposed.

Attorney Steib swore in Mr. Michael Winkler, a registered architect in New Jersey since 1998, has his own business since 2001 and has a bachelor's degree in architecture from the New Jersey Institute of Technology. Richard Stone said Mr. Winkler is the applicant's architect. Chairman Newman accepts Mr. Michael Winkler to proceed. Mr. Michael Winkler described the architecture and design of the liquor store. Chairman Newman asks the board and Ms. Mertz Mertz if they have questions.

Ms. McKinley Mertz just requested the applicant seek approval of the sign.

Mr. Michael Winkler assured the emergency exit is in the rear of the building.

Chairman Newman opened up questions from the public. Mr. Shree Jacob Yomesh of 54 Windsor Road Manalapan New Jersey was sworn in. He owns the property east of the subject site (next door) and has concerns of the septic location. He stated that his septic field and the proposed septic field plan for the liquor store would be too close to one another. Mr. Ploskonka assures the septic system is consistent with the septic regulations and will need to be approved by MCHD. He said it would be unfair for his client to change his locate of the septic. Engineer Shafai states that the septic systems are always approved by the Monmouth County Health Department. It is up to MCHD to approve the location of the both septic locations and not the township.

Deputy Mayor Grbelja showed concern that even though Millstone has no control of the septic systems location, it does give an eye opener for maybe a potential problem with the septic systems on Route 33.

Attorney Steib suggested that only Monmouth County Health Department can determine this problem and not the applicant and Mr. Yomesh.

Mr. Robert Forman of 379 Woodville Road Millstone, New Jersey, was sworn in. His house is behind the locate of the applicant. Mr. Robert Forman asked if the direct discharge of runoff water into the ditch. His understanding with all residential construction should have a recharge system. Mr. Ploskonka states that he is still pending on the approval from the Freehold Soil and DEP for their approval which includes the recharging system.

Chairman Newman explained to Mr. Forman that he would receive something from the State of New Jersey DEP because he is within 200 ft. from the location. At that time Mr. Forman can address his concern to the state.

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With no other members of the public that came forward, Chairman Newman closes the matter to the public.

Richard Stone gave his closing statement about the property.

Chairman Newman added in reference to charging stations for vehicles. Any approval the board does consider must show concern with compliance with any electrical charging stations laws which are in effect today. Mr. Ploskonka stated that if the law does require this, that he would comply.

There were no further questions or comments from the Board. Chairman Newman asked if any Board member would like to make a motion.

Attorney Steib states that the conditions he suggest is under the Shafai review letter regarding grading and drainage. Also, to comply with the new state regulations regarding vehicle charging stations. There are to be no tractor trailer deliveries to the loading space area. The location of the ADA parking spaces are to be moved near the entry door. Roofs that are flat to increase to 26.6 ft. Approvals would be required from the Board of Health for the proposed septic system. Applicant agrees to give notice to adjacent property owners the upon filing the DEP application.

Chairman Newman motion to approve the application, subject to the conditions put on record and addressing the comments in the professional review memos. There is no second motion.

Mr. Pado does not approve application. Ms. Oxley does not approve application. Impact on the neighbors with unknown approvals from DEP and MCHD.

Deputy Mayor Grbelja said there are standards that the township must comply with and there are concerns with the wetlands near the site. She thinks the Board should have a better look at this.

Richard Stone suggested to adjourn this application for additional review.

Attorney Steib stated that if the board adjourns this case to allow the applicant to consider amendments, a motion has to be made to withdraw the motion or otherwise a vote must be made.

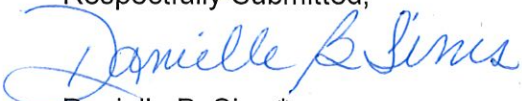
Mr. Pado stands with his motion. Ms. Oxley stands with her motion.

Chairman Newman said they have to take a vote.

Mr. Pado and Ms. Oxley stated they are withdrawing their motions.

Attorney Steib that the application will be carried to the December 8, 2021 Planning Board meeting, without any further notice.

Respectfully Submitted,



Danielle B. Sims\*  
Board Secretary

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