

Official Minutes Approved July 7, 2013

Borough of Millstone

Planning Board

Regular Meeting

May 7, 2013

Chairwoman Fung called the meeting to order at 7:37 pm. There were eight members of the public present.

Chairwoman Fung 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:

Present:	Dan Devoti	Dan Dixon
	Alice Dorschner	Christine Fung
	Carl Kestner	

Also present: Gerald J. Muller, Esq – Planning Board Attorney
Carter Van Dyke – Planning Board Planner
Denise Piskowski, Board Secretary

Absent:	Clint Bowers	Richard McDermott
	Don Roden	

OPEN TO THE PUBLIC

On a motion by Ms. Dorschner, seconded by Mr. Kestner, the Board opened the meeting to the Public.

Mr. Albert Zima from Woodbridge, NJ stated that he wanted to move to the Borough and asked if sewers were going to be installed. Mr. Van Dyke explained where the Borough was in the process of researching sewers. Ms. Dorschner stated that the Borough is taking the steps to get sewers, but permits would be required and the final determination would be funding. Mr. Van Dyke continued to explain.

On a motion by Mr. Dixon, seconded by Ms. Dorschner, the Board closed the meeting to the Public.

APPLICATION DISCUSSION

HILLSBOROUGH REFORMED CHURCH (HRC), BLOCK 6, LOTS 11 & 12

Ms. Jami LaValva informed the Board that she had an agreement with the HRC regarding the installing of shrubbery along the shared driveway. She stated that privets were planted in October and established juniper shrubs should have been planted. She contacted the HRC and the privet shrubs were removed. The HRC recently planted privets however they are very young, more like sticks, and they do not provide the privacy that they were promised. Ms. LaValva continued to explain and she showed the Board pictures of what the HRC landscaper told her what would be planted and pictures of what was actually planted. The Board reviewed the plans dated 3/22/11 that state that established shrubs were to

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be planted. Mr. Van Dyke explained that during the application process a condition was made that changed the plantings along the driveway area from junipers to privets because of the narrowness of the property division. Mr. Van Dyke explained the shrubbery plans that were approved by the Board and why the changes were made from junipers to privet. The Board also discussed that the privets were to have been approved by Mr. Van Dyke before planting. Ms. Devoti, Councilwoman, asked why the neighbors were not informed that the plantings were changed at a Board meeting. Mr. Muller explained that the Resolution stated that plantings were to be done in accordance with the approval of the Board Planner. Mr. Van Dyke did not approve the plantings that have been planted. Mr. Van Dyke stated that he did approve the privets with the Board's agreement. The HRC representatives stated that Mr. Van Dyke recommended privet which is what they planted. Mr. Van Dyke stated that what is there does not currently meet the requirement and will take about 3 years to provide the expected privacy. Mr. Van Dyke explained that when the Board realized that there was only a 3 foot strip the Board approved the privets because nothing else would fit. Mr. Van Dyke stated that he was not happy with the current installation. Ms. LaValva informed the Board that she has spoken with the HRC many times and the 'spirit' of the discussions was that privacy would be a priority. A discussion ensued.

Mr. Foley, HRC attorney, informed the Board that the church planted what they were approved to plant.

Mr. Muller asked for a clarification about the two different discussions. Reverend Muller had stated that he talked to Ms. LaValva about planting evergreens and Mr. Van Dyke had discussions with Van Cleef regarding privets. Reverend Muller informed the Board that he received the LaValva's input on fencing and other landscaping plans before the work was done. Reverend Muller stated he called Ms. Fung regarding the project and that it has taken longer than expected because of the storms and flooding of the church property. Mr. Muller stated that the nursery used the plans that were approved by the Board. Mr. Devoti asked why the original privets were removed. The Reverend stated that it was because the LaValvas were not happy. Mr. Devoti asked why similar plants were replanted. The Reverend explained that the nursery did not recommend anything else for this area. The nursery asked that Ms. LaValva go to them to look at samples. Mr. Muller stated that the final plantings were supposed to be approved by Mr. Van Dyke. Mr. Muller, Mr. Van Dyke and the Board were unaware that any side discussions were being done with the LaValva. Ms. LaValva stated that they asked for a higher fence and that trees be left, but did not ask for anything else, because they talked to the church in good faith.

Mr. Dixon recommended that all parties involved be informed in writing of any decision made tonight.

Mr. Van Dyke stated that what was planted is substandard. The Board discussed what the solution should be. Mr. Muller summarized that Mr. Van Dyke made a decision about the plantings without the knowledge of the discussions the HRC was having with the LaValva. Mr. Van Dyke stated that if he had known about the discussions he would have made a different decision. Mr. Van Dyke also stated that the plantings that were done were not acceptable and he would not have approved them. The Board continued to defend its decision and discuss what a solution should be. Either increased plantings or better plantings. A discussion ensued. Mr. Van Dyke stated that the HRC should meet the approved plan and have established privets planted. He feels that what was planted is inferior. Carol from the HRC asked if it is possible that larger plants could be gotten from the nursery. Mr. Muller stated that more established privets should have been purchased from the nursery. Mr. Van Dyke asked if the HRC would consider removing privets that they currently have planted along the back of the property and plant them along the driveway. Mr. LaValva stated that these are in the same shape as what is already there. The discussion continued. The Reverend believes that it would be agreeable to the church that privets be moved from the back of the lot. Mr. Devoti stated that there were two

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options, either fill in with additional privets or replant with a better product. A heated discussion ensued. Ms. Fung stated that the privets from the back of the property could not be moved because it is a condition of the Resolution that they remain. She also reaffirmed that what is currently there is substandard.

A discussion on what would be planted and how long it would take to fill in and establish to provide privacy ensued. Mr. Van Dyke informed the HRC that he would provide them with specific specifications for what the Board requires for the privets.

APPROVAL OF MEETING MINUTES

On a motion by Mr. Devoti, seconded by Mr. Kestner the Board approved the March 2 and March 21, 2013 meeting minutes.

REVIEW AND VOTE ON PROFESSIONALS' INVOICES

On a motion by Mr. Devoti, seconded by Mr. Dixon, the Board approved the January, February and March 2013 invoices submitted by Mr. Muller and the February and March 2013 invoices submitted by Mr. Van Dyke.

REPORTS

Mr. Devoti informed the Board that the County sent the subdivision maps with the new lots and deeds.

Mr. Devoti also informed the Board that he spoke to Carolyn Weaver at Birdsall regarding the FEMA Application. She is currently waiting for a signature on the FEMA Grant Agreement. As soon as the grant money is received the landswap can start. A discussion ensued.

Ms. Dorschner reported on the last two Council Meetings

- The Mayor is working with Birdsall to get money for the Borough due to damage done by Superstorm Sandy.
- Larry Pollex, the Borough CFO, stated that there has been erosion in the tax base and taxes will go up slightly for homeowners.
- SHIPO is not amenable to moving historic homes. A discussion ensued.

On a motion by Mr. Devoti, seconded by Mr. Kestner, the Board agreed to adjourn the meeting at 9:42 pm.

Submitted,



Denise Piskowski
Planning Board Secretary