

Official Minutes Approved April 7, 2015

Borough of Millstone

Planning Board
Regular Meeting
January 13, 2015

Ms. Piskowski, Board Secretary, called the meeting to order at 7:40 pm. There were three members of the public present.

Ms. Piskowski 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
	Curt Emmich	Christine Fung
	Carl Kestner	Kristen Ross

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

Absent:	Clint Bowers	Alice Dorschner
	Derek Johnson	

Ms. Piskowski introduced Ms. Kristen Ross and Mr. Curt Emmich to the Board as the new class IV members.

Ms. Piskowski called for nominations for Chairperson

On a motion by Mr. Devoti, seconded by Mr. Dixon, Ms. Fung was appointed as Chairwomen for 2015.

Roll Call:	Ayes:	Dixon, Devoti, Emmich, Fung, Kestner, Ross
	Nays:	
	Abstain:	

Ms. Fung called for nominations for Vice-Chairperson

On a motion by Ms. Ross, seconded by Mr. Dixon, Mr. Emmich was appointed as Vice Chairperson for 2015.

Roll Call:	Ayes:	Dixon, Devoti, Emmich, Fung, Kestner, Ross
	Nays:	
	Abstain:	

Ms. Fung called for nominations for Board Secretary.

On a motion by Mr. Emmich, seconded by Mr. Devoti, Mr. Kestner was appointed as Board Secretary for 2015.

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Roll Call: Ayes: Dixon, Devoti, Emmich, Fung, Kestner, Ross
Nays:
Abstain:

Board Resolution 2015-B01 awarding professionals service contracts for Board Attorney, Board Planner and COAH Consultant was read by Ms. Piskowski.

The Board discussed the contracts for the professionals.

On a motion by Ms. Fung, seconded by Mr. Devoti the Board approved the Planning Board Resolution awarding professional services contracts to Mr. Muller, Mr. Van Dyke and Ms. Bishop was adopted.

Roll Call: Ayes: Dixon, Devoti, Emmich, Fung, Kestner, Ross
Nays:
Abstain:

The Board discussed the 2015 meeting schedule, and with an aye vote by all, the schedule, as presented, was adopted.

Roll Call: Ayes: Dixon, Devoti, Emmich, Fung, Kestner, Ross
Nays:
Abstain:

OPEN TO THE PUBLIC

There being no public comment the Board opened and closed the meeting to the public.

VARIANCE APPLICATION

1403 Main Street, Block 7, Lot 3

Mr. Kestner stepped down as he is not eligible to vote on this application because he lives within 200 feet.

Mr. Hurtado submitted the proof of publication to Mr. Muller. Mr. Muller reviewed it and stated that is in order.

Mr. Muller swore in Ms. Kwok and Mr. Hurtado. Mr. Muller explained that Ms. Kwok and Mr. Hurtado were before to Board to request a D-Variance so that their home could be raised to above flood level to meet DEP requirements. A D-Variance is required because the DEP requirement brings the home two feet above the current height allowed by the Ordinance. The variance is needed before FEMA will accept their application for grant funds. He also explained the regulations for voting on a D-variance.

Mr. Hurtado explained they purchased the home with the knowledge that FEMA grant money is available to elevate the home above the flood level. Mr. Devoti informed the Board that NJ DEP will make the final determination of the height that the home needs to be. He further explained how DEP would determine the height level and by doing this it will also decrease the homeowners insurance rates. The Board discussed at what height the application should be approved. Ms. Fung read an email from the Mayor that the home should be elevated 13.4 with the height being 45.4 feet. The resolution will read that the elevation is approved at a height determined by DEP. The Board discussed how homes are raised. Ms. Kwok explained which homes near her property will be raised. The discussion continued. There is a deadline for the variance approval by February by FEMA for their application will be approved.

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On a motion by Ms. Fung, seconded by Mr. Devoti, the Board opened the meeting to the public.

Mr. Kestner, 13 South River Street, expressed his opinion that the Board should approve the application

On a motion by Mr. Devoti, seconded by Mr. Emmich, the closed the meeting to the public.

Mr. Muller summarized the resolution and explained that it will state that the height will be as determined by DEP and the documentation being placed on file.

Ms. Fung stated that she was in favor of saving this historic home.

Mr. Muller explained that he would finalize the resolution and it would be submitted for final Board approval at the February 3, 2015 meeting.

On a motion by Mr. Devoti, seconded by Mr. Kestner, the Board approved the D-Variance for 1403 Main Street, Block 7, Lot 3.

Roll Call: Ayes: Dixon, Devoti, Emmich, Fung, Ross
 Nays:
 Abstain:
 Not Eligible: Kestner

On a motion by Mr. Devoti, seconded by Mr. Dixon, the Board waived the application fee for 1403 Main Street, Block 7, Lot 3.

Roll Call: Ayes: Dixon, Devoti, Emmich, Fung, Ross
 Nays:
 Abstain:
 Not Eligible: Kestner

Mr. Devoti asked why this application was an emergency with a deadline and Mr. Kestner's home still has not been assigned its receiving lot. A discussion ensued. Ms. Fung stated she would contact Council about this issue. The discussion continued about funding.

APPROVAL OF MEETING MINUTES

The Board reviewed the April 1, 2014 and November 11, 2014 meeting minutes.

On a motion by Mr. Devoti, seconded by Mr. Kestner, the Board approved the April 1, 2014 meeting minutes.

Roll Call: Ayes: Dixon, Devoti, Emmich, Fung, Kestner
 Nays:
 Abstain: Emmich, Ross

On a motion by Mr. Devoti, seconded by Mr. Kestner the Board approved the November 11, 2014 meeting minutes.

Roll Call: Ayes: Devoti, Fung, Kestner
 Nays:
 Abstain: Emmich, Ross, Dixon

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A discussion ensued regarding the status of the Environmental ordinance and that Council never returns copies of the signed ordinances for the Boards records.

REVIEW AND VOTE ON PROFESSIONALS' INVOICES

The Board reviewed the invoices submitted by the professionals.

On a motion by Mr. Devoti, seconded by Mr. Dixon, the following invoices submitted by Mr. Muller were approved.

- November 2014 Inv. 11740 General Board Services \$156.00
- December 2014 Inv. 11780 General Board Services \$136.50
- December 2014 Inv 11779 Variance 1403 Main Street ESCROW \$585.00

Roll Call: Ayes: Dixon, Devoti, Fung, Kestner
Nays:
Abstain: Emmich, Ross

On a motion by Mr. Devoti, seconded by Mr. Dixon, the following invoices submitted by Mr. Van Dyke were approved.

- November 2014 Inv 16853 Board Services \$50.00

Roll Call: Ayes: Dixon, Devoti, Fung, Kestner
Nays:
Abstain: Emmich, Ross

REPORTS

Mr. Muller explained the COAH affordable housing obligation and the COAH rules to the new Board members. He also informed the Board that COAH decisions are currently on hold.

Mr. Muller brought up the Historic District Ordinance being revised. However, Council does not think that they need to be updated.

The discussion continued and included the status of the codification of the ordinances. Ms. Fung will ask Council the status of the codification of the ordinances.

Ms. Fung informed the Board that the HRC still has not fixed their lighting. A discussion ensued.

With an aye vote by all the Board agreed to adjourn the meeting at 9:05 pm.

Submitted,



Denise Piszowski
Planning Board Secretary