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Borough of Millstone

Planning Board
Special Meeting
October 19, 2009

Chairman Dorschner called the meeting to order at 7:29 pm. There were eight members of the public present.

Chairman Dorschner 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 Hillsborough Beacon and 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	Keith Dorschner
	Christine Fung	Carl Kestner
	Rebecca Newman	Jessica Pyatt

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

Absent:	Carol Halm	Richard McDermott
	Don Roden	

Borough Council opened their meeting.

Mr. Dorschner asked Mr. Muller to explain to the Board and Council what the Board would be voting on. Mr. Muller explained that he would be handing out exhibits for consideration on the Van Cleef Mediation Agreement and the TND Ordinance. He explained what the exhibits contained and what the Board would be considering. Mr. Offen explained briefly what the Van Cleef mediation agreement contains, and explained that section 2.11 offers two alternatives for the Borough to meet their COAH obligation. Mr. Offen also explained what each plan contains and the differences between the two. Mr. Offen informed the Board and Council what would happen if COAH does not accept either of these plans. Mr. Offen continued to explain the pertinent sections of the mediation agreement. Mr. Offen informed the Board that he will recommend that Council reintroduce the TND Ordinance.

Ms. Fung asked for an explanation on the tax abatement plans and the differences between the two. Mr. Offen explained that there would be a reduced property tax on the affordable units based on their affordable value and the group homes could be tax exempt if they are generating no income. Mr. Devoti asked for a further explained of the reduced property tax. Ms. Fung also asked which zoning plan these properties would be under. Mr. Muller and Mr. Offen explained that it would be under a 2-acre zoning. A discussion ensued. Ms. Fung then asked about the 'mutual obligation' regarding eminent domain and the sewers and water lines. Mr. Muller and Mr. Offen explained.

Mr. Offen explained that the agreement would need to be signed by Board and Council and the TND Ordinance would need to be adopted by the Board with a recommendation to Council for adoption.

Mr. Muller explained the TND Ordinance that was to be considered for adoption by the Board. Mr. Muller explained the changes. Mr. Offen clarified that there are currently 10 zoning classes. Mr. Offen suggested that the Board act first and if they were inclined, to recommend the ordinance for approval by Council. He also recommended that the Board first approve the mediation agreement.

On a motion by Ms. Newman, seconded by Ms. Pyatt, and with an aye vote by all the Board voted to accept the mediation agreement with changes and exhibits as presented by Mr. Muller and Mr. Offen.

On a motion by Mr. Dorschner, seconded by Ms. Pyatt, and with an aye vote by all the Board voted to accept the TND Ordinance as presented by Mr. Muller and Mr. Offen.

Council then voted to accept the mediation agreement

On a motion by Mr. Dorschner, seconded by Mr. Devoti, the Board agreed to adjourn the meeting at 8:05 pm/.

Submitted,
Denise Piszkowski
Planning Board Secretary