# Borough of Millstone

Planning Board
Regular Meeting
November 24, 2009

Official Minutes
Approved January 11, 2010

Chairman Dorschner called the meeting to order at 7:32 pm. There were four 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 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:

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| Present: | Dan Devoti | Keith Dorschner |
| | Christine Fung | Carl Kestner |
| | Richard McDermott | Rebecca Newman |
| | Jessica Pyatt | |

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

Absent: Don Roden

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

**OPEN TO THE PUBLIC:**

Joan Schuttner, 30 Maple Terrace, Ms. Schuttner informed the Board that she gave $1,200 to the Board for a variance application and wanted to know if there were any funds to be refunded. Mr. Devoti stated that he would research this and let her know.

Ms. Orton, HDC, informed the Board that members of the HDC attended a workshop in Madison New Jersey given by the National Alliance of Preservation Commissions from Athens, Georgia. She gave the Board an overview of the topics covered. Ms. Orton also informed the Board that the redevelopment plan was reviewed by the HDC and they have some concerns about the parking allocated behind the liquor store. A discussion ensued.

*On a motion by Mr. Dorschner, seconded by Mr. McDermott, the Board closed the meeting to the Public.*

**APPROVAL OF MEETING MINUTES**

*On a motion by Ms. Newman, seconded by Mr. Devoti, the Board approved the October 19, 2009 meeting minutes. Mr. McDermott abstained.*

*On a motion by Ms. Newman, seconded by Mr. Devoti, the Board approved the October 24, 2009 meeting minutes. Ms. Pyatt abstained.*

**REVIEW AND VOTE ON PROFESSIONALS' INVOICES**
The Board discussed the invoices submitted by the professionals. Ms. Newman asked when the Van Cleef work was going to be completed. Mr. Muller explained that COAH would be approving the Fair Share plan for the Borough at the December 9, 2009 meeting and then the mediation would be completed and future invoicing for Van Cleef would be paid out of escrow. Ms. Newman then asked if the amount of fees could be reduced or better structured. Mr. Muller responded that he would discuss this with her after the meeting.

Mr. Devoti informed the Board that he received an application from Van Cleef with a payment for their escrow account. A discussion ensued about the application.

The Board also discussed how to have a better accounting system for escrow accounts. The Board discussed options. Ms. Newman stated that she would keep an accounting of the escrow accounts going forward.

*On a motion by Mr. Dorschner, seconded by Ms. Fung, the Board approved the October 2009 invoices submitted by Mr. Van Dyke and the September and October 2009 invoices submitted by Mr. Muller.*

**DISCUSSION**
Ms. Reynolds informed the Board of the status of obtaining sewers for the Borough.

Mr. Van Dyke asked about the status of the draft ordinance changing the Rzem tract to open space. Mr. Muller stated that he would contact Mr. Offen.

Mr. Van Dyke reviewed the draft of the Redevelopment Plan with the Board (attached) and explained the differences in the options. The Board discussed the Plan and the options.

The Board expressed that the plan for the 'inn' should be scaled down.

*On a motion by Mr. Dorschner, seconded by Mr. Devoti, the Board opened the meeting to the Public.*

**OPEN TO THE PUBLIC:**
Comments on the Redevelopment Plan were made by residents.

Nina Psihoules, 7 South River Street, asked what would happen if homes are not approve for relocation or if the homes do win approval for relocation with a requirement that the owners need to contribute funds for the relocation but cannot afford to contribute. Ms. Reynolds informed her that there are no guarantees that FEMA will provide funds for the relocation or that the state historic office will give funds. Applications can be made for elevation grants if funds are not made available, but there are no guarantees. Mr. Van Dyke informed her that no one would be forced to relocate. A discussion ensued.

Ms. Orton, HDC, asked for a copy of the draft plan for the HDC to review. Mr. Van Dyke informed Ms. Orton that the final plan would be presented to the HDC. A discussion ensued.

*On a motion by Mr. Dorschner, seconded Mr. Devoti, the Board closed the meeting to the Public.*

Ms. Pyatt suggested that the Board put off the review of the design requirements listed in the Redevelopment Plan until the next meeting, Mr. McDermott and Ms. Fung agreed.

Mr. Muller asked if anyone would like to attend the 12/9/09 COAH meeting to let him know.

FEMA has asked that the Borough reapply with smaller pieces of the plans as discussed at the October 27, 2009 meeting.

**REPORTS**

**Dan Devoti, Zoning Officer**

Mr. Devoti reported that he was in the house at 11 Amwell Road also known as the Dickinson house with the building inspector at the invitation of the pastor of the Reformed Church adjacent to the house. The addition at the back of the home has collapsed. The building inspector thinks the whole house needs to be demolished as he stated it is unsafe, Mr. Devoti disagrees and feels that the home could be saved. Mr. Devoti stated that he didn't go to the second floor because the stairs seemed unsafe but that the walls seem to be in good shape. The congregation of the Reformed Church at 1 Amwell Road wants to buy the property with the intention of creating a parking lot as has been informally. A discussion ensued.

Mr. Devoti informed the Board that he had researched the ordinances regarding 2-family homes and the original ordinance was established in 1953 and allowed 2-family homes on a property. The ordinance was changed in 1964 to only allow 1-family homes on a property. A discussion ensued.

Ms. Fung asked about a potential conflict of interest regarding the possibility of the Reformed church approaching the Planning Board for variances on 11 Amwell Road property. She identified herself and other board members and Historic District Commission members who are members of or who have family members who are members of the Reformed Church. Mr. Muller stated that they would have to recuse themselves from any applications filed.

Ms. Newman informed the Board that she heard that someone is living in the barn on the Rzem property. Mr. Devoti stated that he could not legally go onto the property without permission. A discussion ensued.

*With an aye vote by all the Board agreed to adjourn the meeting at 10:24pm.*

Submitted,

Denise Piszkowski
Planning Board Secretary