MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT
MINUTES
June 25, 2025

The Millstone Township Zoning Board of Adjustment regular meeting was called to order by Chairman Mostyn on Wednesday, June 25, 2025 at 7:30 p.m. in the Municipal Meeting Room, 215 Millstone Rd., Millstone Township, NJ 08535. Notice of this meeting was provided in accordance with the Open Public Meetings Law.

Secretary Sims read the Open Public Meetings Act Statement.

There was a salute to the Flag and an observance of a moment of silence offered for those serving and those who have served our country in the past.

Roll call for the below members was called:

Present:	Chairman Mostyn, Mr. Cadigan, Mr. Ferrara and Mr. Lambros.
Absent:	Vice-Chairman Barthelmes, Ms. Arpaia, Mr. Sinha and Mr. Borgese (Alt. I); one vacant seat (Alt. 2).
Attending:	Greg Vella, Esq.; Matt Shafai, PE, PP, Board Engineer; McKinley Mertz, PP, AICP, Board Planner; Angela Buonantuono, Court Reporter for Applicant; and Danielle Sims, Board Secretary.

PUBLIC COMMENTS:

Chairman Mostyn opened the meeting up to members the public for comments on matters not before the Board. With no members of the public coming forward, Chairman Mostyn closed the public comments session.

MINUTES:

Minutes from April 23, 2025

The Board received the minutes in advance of the meeting for their review. With no comments from the Board, Mr. Ferrara made a motion to adopt the Minutes from April 23, 2025, which was seconded by Mr. Lambros. The Minutes were adopted on a roll call vote: Chairman Mostyn, Mr. Cadigan and Mr. Lambros: Approved, 4-0.

RESOLUTION(S):

None.

APPLICATION(S) – not done in order of agenda.

Brian and Holli Alster
Block 45, Lot 5.15 – 20 Young Terrace
Variance Application # Z25-03
Bulk variance relief for installation of an existing 20' x 20' pool house (20' x 10' interior with a 30 s.f. half bath and kitchenette plus 20' x 10' roof overhang) and fenced in exterior shower area within the front yard of the property, a corner lot. Applicant previously received variance relief (Z14-04) to allow the construction of a pool within the front yard area and to allow for 54" fencing within the front yard area and black chain link fence within the tree line in the front yard.

Attorney Vella reviewed the notice package in advance of the meeting and confirmed that it was in proper form, so the Board has jurisdiction to hear the application.

Mr. Kenneth Pape, Esq. appeared on behalf of the applicant.

The following witnesses were sworn in and are under oath:

Matt Shafai, PE, PP – Board Engineer
M. McKinley Mertz, PP, AICP – Board Planner
Brian Alster – Applicant
Lorali Totten, PE, PP – Applicant's Engineer and Planner

Also attending:

Angela Buonantuono – Court Reporter for Applicant

The following exhibits were marked in evidence:

APPLICANT'S EXHIBITS

A-1 Jurisdictional Notice (Proof of Service)
A-2 Application, Checklist(s) and Administrative Forms
A-3 Prior Resolution Z14-04 of approval, memorialized 8/27/2014
A-4 Pool House Elevations, prepared by Stolzfus Structures, undated
A-5 Pool House Floor Plan sketch, unknown source, undated
A-6 Exterior Photos of Pool House (taken from realtor's website), undated
A-7 Four (4) interior photos of Pool House, unknown source, undated
A-8 Survey of Property, one (1) sheet, prepared by Morgan Engineering & Surveying, dated 4/15/25
A-9 Aerial Plan, one (1) sheet, prepared by Crest Engineering, dated 5/12/25
A-10 Variance Sketch, one (1) sheet, prepared by Crest Engineering, dated 5/12/25
A-11 Septic approval from Monmouth County Board of Health dated October 14, 2021
A-12 Two Photos - One from Hope Drive and one from Young Tennis of pool house
A-13 Picture of black fence installed on Hope Drive side of pool (front yard)
A-14 Front yard setback vs Front Yard Exhibit, prepared by Crest Engineering, dated 6/25/25
A-15 Picture of front of pool house

BOARD'S EXHIBITS

ZB-1 Engineer's Review dated 6/13/25
ZB-2 Planner's Review dated 6/23/25

Kenneth Pape, Esq. explained that this is an application to gain approvals for a pool house that was constructed without any prior approvals or permits. The pool house is a total of 400 s.f., with 200 s.f. enclosed and the remaining 200 s.f. open air overhang area.

Mr. Brian Alster was sworn in. Mr. Pape introduced Exhibits A-11 through A-13. Mr. Alster confirmed that the inside of the pool house contains a counter, a sink and a fridge, as well as a half bath. The bathroom is 30 s.f., which is larger than 22 s.f. permitted in an accessory structure. Mr. Alster confirmed that they have complied with the conditions of the resolution of approval for the pool, which was granted approval in 2014. He stated there is sufficient screening from the roadway.

Ms. Lorali Totten was sworn in. Ms. Totten has appeared before the Zoning Board on many occasions and her credentials were accepted as a professional licensed Engineer and Planner. Ms. Totten introduced additional exhibit A-14, showing the setback on the property. Ms. Totten

explained that the pool house is 115’ setback from Hope Drive, which is more than twice the required front yard setback, but due to the location of the existing home being so far setback, the structure is considered in the front yard, being between the home and the roadway. Mr. Pape stated there is only hi-hat down lights on the exterior portion of the pool house and the building is winterized, as it is not climate controlled. Variance relief is required for the non-permitted wet bar sink, the larger convenience bathroom and the structure within the front yard.

The Board discussed what may be permitted in a typical pool house. Board Secretary Sims advised that the Land Use office is working on an ordinance update to address pool houses.

The Board asked the applicant about why the applicant didn’t think he would need to obtain approvals for the pool house, when they came to the Board for the pool within the front yard setback less than a year earlier.

The Board had no further comments. Chairman Mostyn opened the matter to the public.

With no members of the public coming forward, Chairman Mostyn closed this to the public.

Attorney Vella reviewed the conditions of the Board, including only a sink and a refrigerator in the structure and a half bath, no shower in the bathroom. The applicant would have to continue to comply with the conditions of the previous variance approval for the pool, including maintaining the screened area.

Attorney Vella stated he received a phone call from the applicant’s attorney in advance, requesting that the Board prepare a resolution and allow the Board to memorialize the resolution, upon review of the Board and Board Secretary. This way the applicant would not have to wait until the following month to close on the sale of the home. While not typical, the Board authorized this request.

Mr. Lambros made a motion to approve the application for variance relief with the conditions put on record; which was seconded by Mr. Ferrara. The Board approved application ZB25-03 on a roll call vote in favor: Chairman Mostyn, Mr. Cadigan, Mr. Ferrara and Mr. Lambros.; none opposed. Approved 4-0.

The Board took a short recess.

The Estate of Fay Hom – Frank Hom and Wickie Hom
Block 17, Lot 10.01 – 25 Millstone Rd.
Block 23, Lot 2.02
Preliminary Major Site Plan and Use Variance Application # Z23-10
Proposal to construct two warehouse buildings (total approx. 360,000 s.f.) incl. office space on a 78.33 +/- acre lot (Block 17, Lot 10.10 – PCD zone). The application requires 'd' variance relief for building height 10' or 10% greater and for maximum useable FAR, and bulk variance relief. Block 23 Lot 2.02 (8.33-acres) is located on the opposite side of Millstone Rd. Previous hearings: 10/17/24, 1/2/25 and 3/26/25 (not heard).

This is a continued application. Attorney Vella reviewed the notice package in advance of the meeting and confirmed that it was in proper form, so the Board continues to have jurisdiction to hear the application.

Attorney Kenneth Pape appeared on behalf of the applicant. With only 4 Board members and this being a use variance, the applicant asked that the matter be carried to the September 24, 2025 Zoning Board meeting without further notice, to avoid further conflicts with summer vacations. The applicant granted an extension of time to act through the end of October.

The applicant provided a verbal extension of time to act through the end of October 2025 and will follow up with written confirmation.

It was announced that at the applicant's request, the application would be adjourned and placed on the September 24, 2025 Zoning Board of Adjustment Agenda. The meeting will be held in this same location. No additional notice will be provided.

Mark Borowsky
Block 48, Lot 35 – 14 Stoney Brook Drive
Variance Application # Z25-01
Proposal to install a 23.6kW ground mounted solar array, consisting of 40 panels and 2 inverters. Total area of array is approximately 1,180 s.f.; whereas §35-4-9.8C2b only allows for 900 s.f. in area. Applicant is also seeking relief for 25' rear yard setback, where 40' is required.

Attorney Vella reviewed the notice package in advance of the meeting and confirmed that it was in proper form, so the Board can take jurisdiction to hear the application.

Mr. Mark Borowsky appeared as the applicant.

The following witnesses were sworn in and are under oath:

Matt Shafai, PE, PP – Board Engineer
M. McKinley Mertz, PP, AICP – Board Planner
Mark Borowsky – Applicant
Bill Hoey – CEO of NJ Solar, Applicant's Solar Contractor

The following exhibits were marked in evidence:

APPLICANT'S EXHIBITS

A-1 Jurisdictional Notice (Proof of Service)
A-2 Application, Checklist(s) and Administrative Forms
A-3 Zoning Denial of the Municipal Zoning Officer, dated 10/4/2024
A-4 Plan of Survey, prepared by Brunswick West, Inc., dated 7/15/2024
A-5 Aerial Image, prepared by New Jersey Solar Panel, LLC, dated 1/29/2025
A-6 Bulk Variance Plan, prepared by Scope Engineering, Inc., dated 4/8/2025, revised 5/21/2025
A-7 Solar Plan set, prepared by Scope Engineering, Inc., eight (8) sheets, dated 4/8/2025

BOARD'S EXHIBITS

ZB-1 Engineer's Review dated 6/2/25
ZB-2 Planner's Review dated 6/19/25

Mr. Mark Borowsky was sworn in as the applicant.

Mr. Bill Hoey was sworn in on behalf of the proposed solar company. He stated he is seeking to install a ground mounted solar array on a portion of the property that is screened to support the needs of the home. The applicant stated the area is heavily screened. He stated they are seeking a ground mounted system to get them to 100% usage, since the roof mount system would only accommodate an estimated 85% of usage. He stated the applicant has only been in the home for a few months, so they are estimating the amount of expected usage.

Engineer Shafai stated that there is a preserved area in conservation on the adjoining lot to the rear of the property, which appears to be about 100' in depth.

Mr. Bill Hoey stated that they have received approved from the power company, First Energy. He stated that they used a formula to calculate the proposed usage. The power company does not allow residential properties to design a system greater than the usage.

Planner Mertz inquired about the proposed screening species. She suggested plantings that are year round screening. Engineer Shafai suggested they should be no less than 8' in height. He noted the proposed screening area is approximately 70' away.

The Board inquired if the existing trees may affect the productivity of the array. Mr. Borowsky stated it may slightly reduce the energy input.

Mr. Hoey stated that they do what is called "net zero" to allow the owner to bank any excess energy to be used during times of high usage. Mr. Hoey stated that there will be no reflection from the proposed array.

Planner Mertz confirmed that two variances are required. One for the array size of 1,180 s.f. whereas 900 s.f. is permitted and that the array is required to be 40' setback; whereas the applicant is proposing to construct the system only 25' away. She does not see any negative impact based on the specific site conditions.

Engineer Shafai reviewed the comments from his review memo. He suggested a surveyor stake out the area to confirm it is placed in the proper location and would require an as-built survey. The landscaped trees buffering, both existing and proposed, should be maintained.

The Board had no further comments. Chairman Mostyn opened the matter to the public. With no members of the public coming forward, Chairman Mostyn closed the matter to the public.

Chairman Mostyn stated that the setback variance makes sense to allow the adjacent property owner a greater setback to their property and the encroachment is towards a preserved area that will be sufficiently screened. Mr. Lambros stated the array helps to promote the green infrastructure initiatives in the Township's Master Plan.

Attorney Vella reviewed the conditions discussed. Mr. Lambros made a motion to approve the application for variance relief with the conditions put on record; which was seconded by Mr. Cadigan. The Board approved application ZB25-01 on a roll call vote in favor: Chairman Mostyn, Mr. Cadigan, Mr. Ferrara and Mr. Lambros.; none opposed. Approved 4-0.

EXECUTIVE SESSION:

None.

BOARD DISCUSSION:

None.

There were no other business matters up for discussion.

ADJOURNMENT:

With no further business, Chairman Mostyn adjourned the meeting.

Respectfully submitted,

Danielle B. Sims, Board Secretary