MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT
MINUTES
March 25, 2026

The Millstone Township Zoning Board of Adjustment regular meeting was called to order by Vice-Chairman Barthelmes on Wednesday, March 25, 2026 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.

Mr. Lambros 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.

OATHS OF OFFICE: Michael Borgese (Alt. I) Ending December 31, 2027 (2-years)

Mr. Borgese was sworn in for his two-year term in advance of the meeting.

Roll call for the below members was called:

Present: Vice-Chairman Barthelmes, Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros, Mr. Sinha and Mr. Borgese (Alt. I).

Absent: Chairman Mostyn; one vacant seat (Alt. 2).

Attending: Greg Vella, Esq., Board Attorney; Matt Shafai, PE, PP, Board Engineer and Planner; and Danielle Sims, Board Secretary.

Vice-Chairman Barthelmes was seated as temporary Chairperson. Mr. Borgese was seated for Mr. Mostyn.

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 February 25, 2026

The Minutes were carried to the next meeting.

RESOLUTION(S):

Resolution ZB2026-08 Annual Report of the Millstone Township Zoning Board of Adjustment
Review of decisions made by the Zoning Board of Adjustment in 2025.

The review of the Annual Report was deferred to the next meeting.

Daniel Merkel & Lilly Mark
Block 59, Lot 2.01 – 8 Burnt Tavern Rd.
Use and Bulk Variance Approval # Z24-14

Resolution Z24-14 was carried to the next meeting.

APPLICATION(S):

CONTINUED HEARING
JCP&L – Jersey Central Power & Light Company
JCP&L Clean Energy Corridor Upgrades
Blocks: various, Lots: various – see attached
Use Variance, Preliminary & Final Major Site Plan Application # Z25-04
Soil Removal/Fill Application Z25-04-SR
Proposed project spans across 81 lots along a six+ mile stretch of an existing transmission line corridor. JCP&L proposes to replace existing lattice towers with new steel monopoles on concrete foundations. This proposal has been modified to now consist of 39 new structures comprising of 44 steel monopoles. All proposed corridor work will occur within JCP&L's existing utility easement (180' wide and varies); however, portions of the existing corridor are currently wooded and will need to be cleared to allow for full use of the existing easement rights. Structure heights for the new monopoles will vary ranging from approximately 62' tall 197'. The applicant is also seeking a Soil Removal/Fill Approval from the Board for the associated work. Hearing dates: 1/28/26, 3/25/26 (carried without further notice).

This hearing was carried to this meeting without any further notice. Mr. Vella, Esq. confirmed in advance of the meeting that the Board continues to have jurisdiction to hear the application.

Board members Arpaia, Ferrara and Borgese have all reviewed the application documents, transcript and video of the previous hearing and have signed the applicable certification to be eligible to act on this application.

The following witnesses were sworn in and are under oath:

Matt Shafai, PE, PP – Board Engineer
M. McKinley Mertz, PP, AICP – Board Planner
Lawrence Horzempa, PE – First Energy General Manager of Planning
Gregory Brown – Transmission Line Engineer
Jeffrey Morris – Boswell Engineering
Amy Jones – DuBois Environmental Specialist
Pam Dopart – EMF Expert

The following exhibits were previously marked in evidence and include newly marked exhibits:

APPLICANT'S EXHIBITS

A-1 Jurisdictional Notice (Proof of Service)
A-2 Application, Checklist(s) and Administrative Forms
A-3 Outside Agency Approvals
A-4 Sample Before and After Renderings (view looking west-northwest from Millstone Rd.-South of Perrineville Rd.), 1 page, undated
A-5 Threatened and Endangered Species Report, dated July 2025, prepared by DuBois & Associates
A-6 Environmental Impact Statement, dated July 2025, prepared by DuBois & Associates
A-7 Millstone Township Easements for each of the affected properties
A-8 Overall Aerial Location Map, one (1) sheet, dated 7/14/25, prepared by Boswell Engineering
A-9 Tree Survey Summary and Maps, dated 11/25/24, prepared by DuBois & Associates
A-10 Soil Erosion and Sediment Control Plan, twenty-three (23) sheets, dated 4/21/25, prepared by Langan Engineering

A-11 Preliminary and Final Major Site Plan & Variance, forty-three (43) sheets, dated 7/28/25, prepared by Boswell Engineering
A-12 Right-of-Way Surveys, twenty-six (26) sheets, dated 7/11/25, prepared by Langan Engineering
A-13 Sample #2 Before and After Renderings (view looking west-northwest from Millstone Rd.-South of Perrineville Rd., 1 page, undated
A-14 Structure Height Summary, one (1) sheet, dated 2/3/26, source unknown

BOARD'S EXHIBITS

ZB-1 Completeness Determination granted by Zoning Board on November 13, 2025
ZB-2 Engineering & Planning Review dated 11/20/25
ZB-3 LTE Review dated 1/12/26
ZB-4 Environmental Commission and Shade Tree (joint) Review dated 11/20/25

OBJECTOR'S EXHIBITS

O-1 Letter to Mayor Ferro, Zoning Board and Legal Counsel, dated March 25, 2025 (?), from David Egli, 31 Back Bone Hill Rd.

Mr. Benjamin Nadell, Esq. appeared on behalf of the applicant. The application is in support with the New Jersey Clean Energy Corridor project. The project spans Monmouth, Mercer, Ocean and Middlesex Counties. They have secured approvals from Freehold Township, Jackson, Howell, Lakewood, East Windsor and Borough of Roosevelt.

He provided a summary of the previous hearing before the Board. Since the last hearing, Mr. Nadell explained the application has been reduced from 44 new structures to 39 new structures.

Gregory Brown, still under oath, explained that the minor modifications were made in an effort to not have to replace certain structures, they reevaluated to not impact some of the existing structures. It is in a unique area and there are proposed wood structures at a lower height, in order to fit underneath the higher structures. They were supposed to be steel structures at 78' and they will now be 63' in height and made of wood, this is related to one specific circuit. This is an existing 230 kv line with short spans that intersects. These specific structures on this location will be in a horizontal configuration. It they were to put any more structures in a horizontal configuration; they would require additional right-of-way.

Jeffrey Morris, PE, PLS, PP, was sworn in and provided his credentials as a licensed engineer. The Board accepted him as a professional engineer. Mr. Morris addressed the Board's Engineering and Planning review memo. The project consists of steel monopoles, replacing the existing lattice towers. The project will begin by the site being cleared for access points with matting and access roads and then the lattice towers can be removed. The concrete will be poured, and curing will take 4-6 weeks. The monopoles will be brought in in pieces. The project will take about 18 months to complete, with each structure taking about six months.

Mr. Morris stated that the East Windsor substation work has begun. There will be some work on the Smithburg substation as well, then they will be able to begin on the towers. The upgrades to the substations are directly tied into this project. There will be no disruption to the service to the municipality during the construction phase. There is always a "leg" active.

There will be gravel that will be used as "matting" as part of the soil controls. Mr. Lambros confirmed that the contractor would be liable for any damage caused during construction. Engineer Shafai confirmed that a performance bond would be required for the developer.

Planner Mertz confirmed that there are two cellular antennas on the existing lattice towers, which will be removed. There will be another application in the future for a new cell tower to accommodate the relocation of these antennas.

Mr. Morris explained the proposed hours during the course of construction would be six days per week (no Sundays) from 7 am to 6 pm.

The applicant is seeking a waiver from providing a conservation easement and installing easement monuments in the areas typically required to be placed into a conservation easement due to this being a linear project. Attorney Vella confirmed that the applicant only has an easement on the properties and it is not fair to the homeowners, who may not want the conservation easements on their property. It would be very difficult to require all eighty-one (81) property owners to agree to place the conservation easement on each property. The Board agreed that it would be difficult to require this since there are so many property owners and agreed that this requirement is reasonable to grant a waiver.

There are six dwelling units and a barn that are within 200' of the structures. All of these buildings are outside of the existing easement.

- Structure #12 (page 7 of site plan) Block 9, Lot 9.16 (135') – 1055 Windsor Rd.
- Structure #30 (page 22 of site plan) Block 39.01 Lot 39 (113") – 244 Millstone Rd.
- Structure #30 (page 22 of site plan), Block 39.01 Lot 39.02 (144') – 246 Millstone Rd.
- Structure #43 (page 32 of site plan), Block 45, Lot 4.19 (141') – 10 Mink Hollow Rd.
- Structure #44 (page 32 of site), Block 45.01, Lot 1 (141') – 8 Tin Peddler
- Structure #52B (page 40 of site plan), Block 63 Lot 8 (102') – 31 Stage Coach Rd.

Attorney Vella inquired if they would be able to shift these structures further away from the houses. Mr. Brown stated that due to the terrain and other site restraints, they may alter the height of the structures. The design was done to optimize the area and keep them generally in-line. It doesn't make the design impossible, but he would have to look into it.

Mr. Lambros asked how many structures are in the other towns and how many private property lots are affected by the project. If the monopoles are over 200', the applicant is required to go to the FAA for approval.

Mr. Morris stated that there are no signs proposed as part of this application. The poles are galvanized. There have been instances where it was requested that they install the poles and paint them brown, for aesthetics.

Pamela Dopart was sworn in. She is an environmental and health scientist and is appearing as an environmental and EMF specialist. She has a background in exposure and epidemiology and has worked in the field of electromagnetics for eight years. Ms. Dopart provided her credentials, and the Board accepted her as an expert in her field. Ms. Dopart explained how EMF is around most in everyday life. Distance has a play in the level of electric fields. Fields are blocked by objects, including fences, structures, etc. She determined that there are no adverse health effects. In her opinion, the added voltage does not have any health impact. The strongest field will be directly under the line but will continue to drop. Because of the rapid decrease, it will become close to the level of background exposure in a typical home. There are general recommended levels. They look to the recommended health standard. The exposure levels under these transmission lines are significantly below these generally accepted levels. 2,000

milligauss (unit of measurement of magnetic fields) is the accepted level for one of the sources. Attorney Vella inquired what the specific data is for the proposed line. Based on her experience, she can say that standing under a line, the exposure is under the maximum exposure. She explained that the exposure does not build up or accumulate over time. The only confirmed health effects of EMF exposure are short term temporary effects such as tingling on the skin or flashing of light. There are no recognized health effects such as cancer. Ms. Arpaia stated that she thought we were going to hear expert testimony on this project, not on available general data. She is not sure this is the right professional for this. Mr. Nadell stated that Ms. Dopart is the JCP&L professional and her testimony is based on the generally recognized standards.

Mr. Barthelmes opened the matter to the public for questions and comments.

Mr. David Egle of 31 Back Bone Hill was sworn in. He provided a letter, which was marked O-1. He stated took at reading at reading at 90' within the easement. He stated there is a risk of leukemia, where white blood cells go up, referencing a study in Sweden, particularly in children. Attorney Vella stated he is interpreting someone else's study.

James Wiater of 36 Back Bone Hill Rd. was sworn in. He stated that he has the easement on his property. He stated that he reviewed the JCP&L website and the Clean Energy Corridor project is not only JCP&L projects and they all do not all contain the 500 kv line. Mr. Wiater stated he has a fence and driveway and inquired how they would access the property. He stated they would have to come across his property to access the easement. The access road for Verizon is on his property. Mr. Morris stated they will only be using the easement. Attorney Vella stated that the easement language will describe their access. Mr. Morris stated that if they have to traverse and damage his driveway, they would have to repair it.

Mr. Thomas Devine of 329 Lost Rd. (B39.01, L13.01) inquired if there was a lay down area. Mr. Morris explained the laydown area is located in Freehold. Mr. Devine inquired if they will be using hydraulic cranes. Mr. Morris stated yes. Mr. Devine inquired if they would use a "diaper" to prevent any spillage of hydraulic fluid. Mr. Morris stated they do not have a contractor but can requests this. Mr. Devien asked about the depth because they are on well water.

Mr. Frank Scotto of 125 Stage Coach Rd. was sworn in. He inquired about the drilling. He stated that Millstone is based with sand and sound travels in sand, so the vibration/sound will travel. He stated there are two eagles that are in the tower across the street from him and asked what was going to happen to the eagles. Mr. Nadell stated that this professional has not yet testified. Mr. Lambros inquired if he has experienced the displacement of wildlife in. Mr. Scotto stated that he has in the "great swamps".

Mr. Gerald Leonard of 8 Doctor's Creek was sworn in. He stated that he has not heard nay discussion about the financial impact on property values of the land due to the towers. He stated the power goes through Millstone but does not help the local problems with distribution. He said most of the houses in the area have generators.

Debbie Deville of 16 Hope Dr. was sworn in. She is a licensed realtor and believes there is a 25% depreciation of value on a house. She has the easement on her property and would not sign off on a conservation easement on her property. She is concerned about the EMF levels and requests that JCP&L perform a before and after EMF study. Mr. Nadell said he would speak to JCP&L representatives. Ms. Deville also inquired about the noise from the new 500kv lines. Mr. Brown stated the sound can be up to 50 decimals. They have performed a sound analysis,

but not a sound study. Mr. Brown stated that the lines are 25' from center and at worst case scenario, can swing up to 40'. There is a 5' buffer, which is how you get the 90' measurement. A potential drop zone was described to be along the direction of the line, less likely to be across the line. Mr. Brown stated the strength of the poles is equal in all directions and is built to withstand 102 mph winds. The monopoles are designed for the area.

Christopher Diehl of 39 Back Bone Hille Rd. was sworn in. He stated that there are many aircraft flying over his area. His house is at a higher elevation in town and is concerned about the aircraft and if the tower would be required to have a light. Mr. Brown stated that the height is based on the ground elevation, not based on sea level and they submitted all the structures and none of them require lighting with the FAA. He would like a copy of his easement.

Allen Gold of 48 Carrs Tavern Rd. was sworn in. He stated that he plays golf under the power lines at Charleston Spring (Golf Course) and hears the power lines. At the course, they cleared trees near the 8th hole and was told they were removed by the power company. He inquired about the trees to be removed. Mr. Nadell confirmed that 2,060 trees will be removed, but this witness has not yet testified.

Tara Trimarche of 7 Doctors Creek (Block 45, Lot 11.08) was sworn in. She would like to know exactly what kind of tower will be near her house. She is a real estate agent and said that the value of the homes in these areas negatively affect the price of the homes, so the bigger lines will have a greater impact on the value of the home. She currently only sees the tower in the winter, but with a taller tower, she may see it year-round. This is a rural community and inquired what improvements benefit the Millstone Community. Mr. Horzempa explained that the general benefits. Ms. Trimarche inquired if her issue without power outages will improve with the proposed project. Mr. Horzempa explained that sometimes a person can lose power on one phase where a neighbor may be on a different phase. He stated that the power outage issue is a distribution issue. Mr. Morris stated that Structure #45 is near Ms. Trimarche's house.

Dan Murphy of 38 Carraige Way was sworn in. He inquired how many footings per tower. Mr. Brown stated that there is one footing per structure. He asked if there were any studies on the aquifers. Mr. Morris stated that each well is required to have 100' of casing and no study was done. He further inquired about the EMF. Mr. Horzempa previously stated that this project is under Phil Murphy's executive order. He confirmed it was a directive to the BPU to create an energy master plan. Mr. Ferrara inquired about the feasibility of an underground line. It seems like JCP&L is taking the easy path. The Board inquired if it can be put underground. Mr. Horzempa stated it is more expensive to trench and run the lines underground than it is to run above ground, in his experience. He stated there are also other impacts. This would require a large trench to be dug, at least 20' deep, which after installed would be covered in concrete. If there were an issue with the underground line, everything would have to be dug up, making it more complicated to fix and take much longer to repair. Mr. Ferrara noted that a gas line is currently being run in Manalapan, all underground. Mr. Nadell stated that the poles are designed to be able to replace the 230kv lines and replace with a second 500 kv line. Mr. Murphy stated that the entire transmission line affects the entire community. He feels like the entire project keeps changing and there is no benefit to the residents of Millstone. Mr. Nadell does not agree with the statement that Mr. Horzempa's testimony is conflicting.

Bruce Wolf of 125 Back Bone Hill Rd. was sworn in. He is a longtime resident and was on the Shade Tree Committee. He believes everything that is proposed is at the detriment of the Town.

William Fredricks of 78 Stage Coach Rd. was sworn in. He has a tower on his property and he is a tree farmer. He inquired why the proposed monopole is being moved twelve feet closer and will lose an acre of hardwood on his tree farm. Mr. Brown stated that the project was designed to go in the center of the easement. Mr. Fredricks stated that he sells firewood and maintains the area. Mr. Brown confirmed that the existing towers are not in the center of the easement and the proposed towers are shifted to the center.

Due to the late hour, and as Mr. Barthelmes previously explained, they will be closing the meeting. Any members of the public will be given an opportunity to be heard at the following meeting.

Attorney Vella stated that the application will be carried to the May 27, 2026 Zoning Board meeting at 7:30 pm in this same location without any further notice. This matter will not be heard at the April 2026 meeting. Mr. Nadell confirmed they would provide an extension of time.

BOARD DISCUSSION:

None.

ADJOURNMENT:

With no other matters on the agenda, Mr. Ferrara made a motion to close the meeting, which was seconded by Ms. Arpaia. Vice-Chairman Barthelmes adjourned the meeting.

Respectfully submitted,

Danielle B. Sims, Board Secretary