

2024 ANNUAL REPORT

of the

MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT

This Annual Report covers the Board's actions from January 1, 2024, through December 31, 2024. During this time span, the Millstone Township Zoning Board of Adjustment (Zoning Board) conducted eight (8) regular meetings and one (1) special meeting.

The Zoning Board rendered decisions on the merits for ten (10) applications. There were eight (8) approvals, two (2) denials and one (1) withdrawn application.

Many applications included more than one variance request as reflected below in Table 1. A summary of each application is set forth in this report.

The Zoning Board reviews applications with an eye toward reducing the intensity and quantity of variances by working with applicants to develop improved designs. Through this process, the number of variances that are initially requested is often reduced.

TABLE 1: VARIANCES IN EACH ZONING DISTRICTS *APPROVED-2024*

TYPE →	Lot Width	Useable Area and undersized lot area	Ext of time	Setback Front/ Side Rear Yard	Accessory Structure Exceeds 900 sq ft	Height of fence or location of fence	Lot Cov.	Use Variance	Steep Slopes
ZONE ↓									
BP									1
HC								1	
RUP		2						1	
R-80				1	2				
R-130				2	1				
Totals		2		3	3			2	1

2024 SUMMARY

The following is a summary of variances approvals, denials and withdrawals for 2024.

APPROVALS

APPLICANT: YELLOW JACKET GENERAL CONTRACTORS
BLOCK 23, LOT 25.02
APPLICATION #: Z 24-06

Applicants received approval from the Zoning Board of Adjustment to Adjustment to construct a single-family dwelling on the subject property, which requires the following relief:

1. Variance from Useable Development Area requirement, which requires a minimum of 1 acre of useable development, where the lot is only .93 acres (40,684 Sq. Ft.) exist, and only 37,907 Sq. Ft. is usable.
2. Variance from minimum lot area requirement, which requires a minimum lot area of 2 acres, where the lot is only .93 acres exists.

APPLICANT: GREGG PESCIOTTA
BLOCK 31.01, LOT 13
APPLICATION #: Z23-09

Applicant received approval from the Zoning Board of Adjustment to retain a 595 sq. ft. detached garage/shed, which was built without permits. The application requires the following relief:

1. Rear Yard Setback Variance which requires a 20-foot rear yard setback, where 17.3 feet is proposed.

**APPLICANT: JONATHAN TIERNEY
BLOCK 50, LOT 11
APPLICATION #: Z 23-11**

Applicants received approval from the Zoning Board of Adjustment to install ground mounted solar system on the subject property, which requires the following relief:

1. Variance from Section 4.9-3, which restricts accessory structures to not more than 900 sq. ft., where each of the solar array will be 1,575 sq. ft.

**APPLICANT: DAVID WASENDA
BLOCK 16.01, LOT 1
APPLICATION: # Z08-02**

Applicants received approval from the Zoning Board of Adjustment to use part of the building for pickleball courts.

1. Use Variance (“D” Variance). Applicant proposes to use part of the proposed building for pickleball courts. A “Pickleball Courts” or similar uses are not permitted uses in the “BP” Zone nor permitted conditional uses.

**APPLICANT: THOMAS RABBIT
BLOCK 39.01, LOT 19.21
APPLICATION #:Z24-05**

Applicants received approval from the Zoning Board of Adjustment to construct a detached 1,000 sq. ft. detached garage. As a result, the applicant requires the following relief:

1. Variance from Section 4-9.11, which permits a maximum accessory structure of 900 sq. ft., where the applicant proposes 1,000 sq. ft.

2. Variance from Section 11-24.3, which prohibits disturbing steep slopes over 15%, where applicant proposes 32%.

APPLICANT: RAYMOND AND DOREEN POLHEMUS
BLOCK 36 - LOT 3.01 & 6
APPLICATION #: Z24-09

Applicants received approval from the Zoning Board of Adjustment to construct a 16 foot by 24 foot “lean to” addition to the barn accessory structure. As a result, the applicant requires the following relief:

1. Variance from Section 4-9.11, which permits a maximum of 2000 sq. ft. for all structures, where the applicant proposes two structures totaling 2,621 sq. ft.
2. Variance from Section 35-4-9.11, which permits a maximum accessory structure of 1000 sq. ft. The garage is 1,360 sq. ft. (existing condition) and the barn will be 1,261 sq. ft.
3. Side Yard Setback Variance, where a minimum of 15 ft. is required, where the existing garage is 9.6 feet. (existing condition)

APPLICANT: JOSEPH STRICKLAND
BLOCK 49, LOT 20.08
APPLICATION #: Z24-11

Applicants received approval from the Zoning Board of Adjustment to install approximately 530 sq. ft. of solar panels on the roof of the existing home, which requires the following relief:

1. Minimum front yard setback, which requires a setback of 40 ft. from center of roadway, where 34.4 ft. is proposed.

**APPLICANT: YELLOW JACKET GENERAL CONTRACTORS
BLOCK 23, LOT 25.02
APPLICATION #: Z24-06**

Applicants received approval from the Zoning Board of Adjustment to construct a single family dwelling on the subject property, which requires the following relief:

1. Variance from Useable Development Area requirement, which requires a minimum of 1 acre of useable development, where the lot is only .93 acres (40,684 Sq. Ft.) exist, and only 37,907 Sq. Ft. is usable.
2. Variance from minimum lot area requirement, which requires a minimum lot area of 2 acres, where the lot is only .93 acres exists.

DENIALS

**APPLICANT: WINDING BROOK FARMS, LLC
BLOCK 39.01, LOT 6
APPLICATION: Z 24-03**

Applicants were denied approval by the Zoning Board of Adjustment to permit the commercial use, commercial storage of vehicles, equipment, products associated with the tree service business and a commercial storage container on the lot, which is located in RU-P Rural Zone, which does not permit commercial uses. The applicant requires a D-1 Use Variance for the proposed Commercial Uses in the RU-P Zone

**APPLICANT: MICHAEL HOLZER
BLOCK 43, LOT 16.02
APPLICATION: Z 24-01**

Applicants were denied approval by the Zoning Board of Adjustment to construct a 3,500 square foot, one story pole barn for the processing and production of “Hard Cider” with tasting room, on-site marketing and hosting of commercial events. The production, selling and marketing of “cider” and hosting commercial events are not permitted in the RU-P Zone. The applicant requires a D-1 Use Variance for the proposed Commercial Uses in the RU-P Zone

WITHDRAWALS

**APPLICANT: MILLSTONE PROPERTY COMPANY, LLC
BLOCK 35, LOT 16.01 & 17
APPLICATION # Z23-05**


The applicant applied to the Zoning Board of Adjustment to construct an approximate 21,960 sq. ft. fieldhouse/indoor recreation center. The applicant withdrew their application.

RECOMMENDATIONS

The Zoning Board is not making any recommendations this year for any modifications or new Land Use Development Ordinances.

BE IT FURTHER RESOLVED, that the Board Secretary is hereby authorized and directed to send a certified copy of the Board of Adjustment 2024 Annual Report to the Township Clerk and the Township Committee and the Planning Board. The Secretary shall further post a copy of the 2024 Annual Report on the Township Web Site.

5/28/2025
DATED



PATRICK MOSTYN, CHAIRMAN
Zoning Board of Adjustment
Township of Millstone

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Board of Adjustment Annual Report adopted by the Zoning Board of the Township of Millstone at a meeting held on May 28, 2025



DANIELLE B. SIMS, SECRETARY
Zoning Board of Adjustment
Township of Millstone

The vote on the Motion to approve the 2024 Annual Report:

Motion: Mr. Lambros.
Second: Mr. Cadigan.

Roll Call:

Approve: Ms. Arpaia, Mr. Cadigan, Mr. Ferrara, Mr. Lambros, Mr. Sinha and Mr. Borgese.
Oppose: None.
Abstain: None.
Absent: Chairman Mostyn and Vice-Chairman Barthelmes.