

HILLSBOROUGH TOWNSHIP PLANNING BOARD

APPROVED PUBLIC MEETING MINUTES

March 11, 2021

Chairman Carl Suraci called the Planning Board public meeting of March 11, 2021 to order at 7:34 p.m., announcing: This meeting will be conducted virtually. All Board members, staff and consultants will be participating remotely. The public will be given an opportunity to participate remotely through the advertised Zoom link or optional phone number identified in the public meeting notice. Members of the public should use the “raise hand” feature in Zoom, or *9 if participating by telephone, to indicate you would like to be recognized to speak.

Meeting and application documents have been made available at <https://hillsboroughnj.civicclerk.com/> in accordance with the public meeting notice. Applicants will be presenting remotely and will identify themselves before testifying.

SALUTE TO THE FLAG

All recited the Pledge of Allegiance.

ANNOUNCEMENT OF MEETING NOTICE

This meeting has been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 (“Sunshine Law”). Notice of the 2021 Annual Meeting Schedule has been provided to the officially designated newspapers, the Township Clerk, posted on the bulletin board at the Hillsborough Township Municipal Complex, and posted to the Township’s Website.

Additional notice has been provided to communicate that this meeting is being conducted according to the Governor’s Executive Orders and pursuant to P.L. 2020,c.11, which allows for meetings to be conducted electronically; and pursuant to the local Finance notices recently established in the State of New Jersey.

ROLL CALL

Board Members (*“Present” indicates participating remotely*):

Mayor Shawn Lipani – Absent

Robert Wagner, Jr. - Absent

Deputy Mayor Frank DelCore - Present

Robert Peason – Present

Carl Suraci, Chairman – Present

Neil Julian, Vice Chairman – Present

Nathan Santaromita – Present

Ron Skobo – Present

Kenneth Hesthag, Secretary – Present

John Ciccarella (Alt. #1) – Present

Curt Emmich (Alt. #2) – Absent

Board / Township Professionals participating remotely: David K. Maski, PP, AICP, Township Planning Director; Eric Bernstein, Esq., Board Attorney (Eric M. Bernstein & Associates); Michael Lombardozzi, CSR, Board Court Reporter; and Fred Kinzler, Technology Staff.

CONSIDERATION OF MEETING MINUTES

None

CONSIDERATION OF RESOLUTIONS

None

PLANNING BOARD BUSINESS

None

BUSINESS FROM THE FLOOR (*For Matters Not on the Agenda*)

Susan Gulliford – Hunt Club Road

- Ms. Gulliford asked for an update on the migratory bird discussion for the CP East Brunswick application.

Vice Chairman commented on the challenge made to the Act regarding the cutting season, which could reverse the current Act.

Mr. Bernstein advised he was aware Mr. Stewart and Ms. Walters had come to an agreement on the language in question, which will be incorporated into the resolution.

Maria Janucik – Manville resident and Hillsborough Township property owner

- Ms. Janucik asked for more information related to the CP East Brunswick application.

Mr. Bernstein noted the attorney for the Bottle King property is Mr. Stewart. He again stated Mr. Stewart and Ms. Walters had come to an agreement on the language in question.

Ms. Janucik asked if the Hillsborough 206 Holdings, LLC application had been approved, and if a Developer’s Agreement had been executed.

PLANNING BOARD MEETING MINUTES
March 11, 2021

Mr. Bernstein advised the matter of a Developer's Agreement is for the Township Committee.

Mr. Maski said the application had been approved about one year ago and that the resolution had been memorialized.

Ms. Janucik asked who creates a zone change.

Mr. Maski said the Township Committee is the body that adopts ordinances.

Ms. Janucik asked who actually creates the ordinance.

Mr. Bernstein responded, sometimes the Township Planner; sometimes the Board Attorney; and other times the Township Attorney, depending on the matter.

Ms. Janucik asked about notice for a zone change ordinance.

Mr. Bernstein stated the matter was not for the Planning Board, but for the Township Committee.

After several related questions were answered regarding the procedure for a zone change, Deputy Mayor DelCore requested Ms. Janucik reach out to the Administrative Office to further address her questions.

Chairman Suraci said if and when the Planning Board is involved, the ordinance will be on the Board's agenda.

CONSIDERATION OF ORDINANCES

None

APPLICATIONS

- **JSM at Hillsborough, LLC – File 20-PB-09-MSPV** (TOD: 04-30-21) – Block 155.01, Lot 66 & Lot 67 (formerly Block 155, Lots 66 & 67) – 390 Route 206, and (vacant land) Andria Avenue. Applicant seeking preliminary and final major site plan approval; 'c' bulk variances; and waivers, to merge Lots 66 and 67 to construct a mixed-use development consisting of a 3-story, 118-unit multifamily building to the rear of the site (Lot 66 portion); and renovate two existing commercial buildings and construct a drive-through restaurant on the front portion of the Property (Lot 67 portion), with associated parking, lighting, landscaping, utilities, stormwater and improvements, on Property in the Mixed-Use inclusionary Overlay District within the GA, Gateway 'A' Zone, and in the ASD, Architectural and Site Design Overlay District. (EC Review: 11-09-20) (*Previous hearing: December 17, 2020*) (*Application previously adjourned from February 11, 2021 agenda to March 11, 2021 without further notice*). *APPLICANT REQUESTING TO BE ADJOURNED TO MAY 06, 2021 WITHOUT FURTHER NOTICE. Time of Decision provided through June 30, 2021.*

The applicant's attorney, Douglas Wolfson, Esq. of The Weingarten Law Firm, representing the applicant, stated Mr. Bernstein and the Planning Office had been notified earlier of the request to adjourn the application hearing to the May 06, 2021 agenda without further notice. JSM is trying to make changes to accommodate changes in the bedroom mix, in the elevations, and in the parking, taking into consideration all of the comments provide by the Board and professionals. An extension of time has already been provided to the Board Clerk, through June 30, 2021, in the event the application did not conclude at the May 06 meeting.

No comments from the Board or professionals.

Open to the public.

No questions from the public.

Close public.

Chairman Suraci asked the date of the last hearing.

Mr. Maski said the application was before the Board December 02.

Chairman Suraci commented on the lack of public participating.

Mr. Wolfson spoke favorably about the proposal.

Chairman Suraci asked Board members if the request for no further notice was acceptable. He asked for a motion.

A motion to accept the extension through June 30, 2021 and adjourn/carry the application to May 06, 2021 without further notice was made by Mr. Skobo, seconded by Mr. Peason.

PLANNING BOARD MEETING MINUTES
March 11, 2021

Roll Call: Mr. Ciccarelli - yes; Mr. Peason – yes; Mr. Santaromita – yes; Mr. Skobo – yes; Secretary Hesthag – yes; Deputy Mayor DelCore – yes; Vice Chairman Julian – yes; Chairman Suraci – yes. Motion carries.
Mr. Wolfson thanked the Board.

Mr. Maski noted there was no business scheduled to the March 25 meeting.

A motion to cancel the March 25, 2021 business meeting was made by Mr. Peason, seconded by Secretary Hesthag.

Roll Call: Mr. Ciccarelli - yes; Mr. Peason – yes; Mr. Santaromita – yes; Mr. Skobo – yes; Secretary Hesthag – yes; Deputy Mayor DelCore – yes; Vice Chairman Julian – yes; Chairman Suraci – yes. Motion carries.

Chairman Suraci reminded the Board the April 01 meeting had already been canceled at a previous meeting. The next meeting is scheduled for April 08.

ADJOURNMENT

A motion to adjourn was made and seconded. All were in favor; motion carries.

The meeting adjourned at 7:56 p.m.

Submitted by: Debora Padgett, Planning Board Clerk