

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
APPROVED PUBLIC MEETING MINUTES
January 20, 2021 – Regular Zoom Meeting

Chairman Herbert called the ***Board of Adjustment regular virtual Zoom meeting*** of January 20, 2021 to order at 7:30 pm. All stood to salute the flag.

NOTICE OF MEETING

Chairman Herbert announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 (“Sunshine Law”) and 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.

This meeting was conducted virtually. All Board member, consultants and staff participated remotely. The public was given an opportunity to participate remotely through the advertised Zoom link or optional phone numbers identified in the public meeting notice. Application documents were made available for inspection at <https://hillsboroughnj.civicclerk.com> at least 10 calendar days prior to this meeting in accordance with the meeting notice.

Applicants and their professionals presented remotely and identified themselves before testifying.

ROLL CALL:

Frank Herbert, <i>Chairman</i> – Present	Frank Valcheck – Present
John Stamler – Present	Jim Wohlmacher – Present
Helen Haines, <i>Vice Chairperson</i> - Present	Jim Vinchur (Alt. 1) – Present
Curtis Suraci – Present	Kelly Compher (Alt. 2) – Present
Philomena Cellilli – Present	

Also in attendance via Zoom: Mark Anderson, Esq., Board Attorney, (Woolson Anderson Peach, P.C.); Robert Yuro, PE, CFM, Board Engineer, (T & M Associates); Patrick Gorman, PP, AICP, Zoning Officer/Assistant Planner/Board Secretary; Fred Kinzler, IT Department; and Tina Restuccia, Court Reporter.

ACCEPTANCE OF MEETING MINUTES

- None

ACCEPTANCE OF RESOLUTIONS

- **Pilgrim River, LLC d/b/a The Avalon at Hillsborough – File BA-20-03**
 - There was a motion and second to approve as written.
 - **Roll Call:** Mr. Herbert – Yes, Mr. Stamler – Yes, Ms. Haines – yes, Ms. Cellilli – yes, Mr. Valcheck - Yes, Mr. Wohlmacher – Yes. Motion carries.

BOARD OF ADJUSTMENT BUSINESS

- **2020 Board of Adjustment Annual Report – Draft**
 - There was a brief discussion on the report.
 - There was a motion to approve as written and it was seconded.
 - All aye, none opposed. Motion carries.

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

- None

PUBLIC HEARING – APPLICATIONS

Harvesters Gospel Center, Inc. – File BA-19-22 - Block 203.10, Lot 30 (*formerly Block 203, Lot 4*)- 490 Hillsborough Road. Applicant seeking preliminary and final major site plan approval; ‘d’ variances; and waivers, to construct an addition on the existing residential dwelling for a church and parsonage, with associated stormwater, parking, lighting, landscaping, and improvements, on Property in the R, Residential Zoning District.

1. Mr. Gorman summarized the history of this application and indicated there was a request to adjourn to March 3, 2021.
2. Mr. O’Grodnick, Applicant’s Attorney, noted that revised plans would be submitted soon.
3. Mr. Moench, Objector’s Attorney, agreed to the March date.
4. Mr. O’Grodnick agreed to adjourn with re-notice.
5. There was a motion to carry the application. It was second. All aye, none opposed. Motion carries.

**Board of Adjustment Meeting
January 20, 2021 – Regular Meeting**

Robert Wagner, Jr. – File BA-20-12 – Block 207.05, Lot 4 (*formerly Block 207.E, Lot 4*) - 7 Strawberry Lane. Applicant seeking 'd(1)' and 'c' bulk variances relief to construct a 24' x 36' two-car detached garage, on Property located in the R, Residential Zone.

1. Mr. Gorman introduced the application.
2. Mr. O'Grodnick, Applicant's Attorney, summarized the variances requested.
3. Mr. Wagner noted his adjourning neighbor has no issue with this application.
4. He also discussed Fire Safety's recommendation for how far to locate a garage away from a house.
5. Mike Ford, PE, PP, Applicant's Planner, was sworn in and his qualifications were accepted by the Board.
6. **Exhibit A-1:** Architectural Elevations of Proposed Garage
7. Mr. Ford testified to the variances requested and noted the proposal complies with the maximum impervious coverage permitted.
8. Mr. Ford testified that the application advances the purposes of the Municipal Land Use Law 40:55D-2.
9. Mr. Ford testified that all neighbors were noticed as required.
10. There was discussion on the depth of the garage.
11. Mr. Wagner clarified about the height of the structure and there is no second story storage.
12. No public questions for Mr. Ford.
13. Bob Wagner, Applicant, was sworn in and his previous testimony was also under oath.
14. No public questions or comments.
15. There was a motion and second to approve with the following conditions: garage will not house more than 2 vehicles, garage will not be used for commercial use, removal of two existing sheds, and drainage plan to be approved by the Board Engineer.
16. **Roll Call:** Mr. Herbert – yes, Mr. Stamler – yes, Ms. Haines – yes, Mr. Suraci – yes, Ms. Cellilli – yes, Mr. Valcheck – yes, Mr. Wohlmacher – yes. Motion carries,

Tzvi & Rochelle Volosov – File BA-20-06 – Block 171, Lot 78 – 446 Long Hill Road. Applicants seeking relief from Conditions of Resolution BA-03-21, and 'c' bulk variance relief to retain existing paved driveway; construct an inground pool with 1,208sf walkway; an 800sf. deck; 292sf. walkway; relocate existing shed; and remove existing fence, on Property in the MZ, Mountain Conservation Zone. (EC Review: 12-14-20)

1. Ms. Cellilli left the meeting at 8:06pm.
2. Mr. Gorman introduced the application.
3. Mr. O'Grodnick, Applicant's Attorney, summarized the history of this property and the request.
4. Mike Ford, PE, PP, Applicant's Engineer, was sworn in and his qualifications were accepted by the Board.
5. Mr. Ford described the existing structures on the property.
6. Mr. Ford testified there will be no tree removal.
7. Mr. Ford testified that the well and septic will not be impacted, the existing drainage pattern is unchanged, and re-grading would be minimized with the use of retaining walls.
8. **Exhibit A-3:** Revised variance plan with conforming shed location
9. There was discussion on the location and need for the shed.
10. Mr. Ford discussed impervious coverage and stormwater runoff.
11. Mr. Ford testified that maintenance of a pool is done via well but there the neighbors are not close enough for this to impact other wells.
12. Mr. Anderson discussed the prior resolution and the shed location.
13. Open to the public.
14. Christine Weingart 484 Long Hill Rd, from the public was advised that this portion is for questions only.
15. No public questions for this witness.
16. Art Bernard, PP, Applicant's Planner, was sworn in and his qualifications were accepted by the Board.
17. Mr. Bernard summarized the existing non-conforming conditions and requested variances.
18. Mr. Bernard discussed the unique shape of the lot and the positive criteria of the proposal.
19. Mr. Bernard testified there is no negative impact on the public good due to the lack of immediate neighbors.
20. Mr. Gorman advised the Board on the purpose of the Mountain Conservation Zone.
21. Mr. Anderson and Mr. Bernard discussed the unusual nature of deed restricted resolution conditions.
22. No public questions for this witness.
23. The Board discussed why the previous approval was conditional on no installing a pool.
24. Mr. O'Grodnick requested an adjournment to allow time to research the conditions.
25. There was a motion and second to continue this application to February 3rd. All aye, none opposed. Motion carries.

**Board of Adjustment Meeting
January 20, 2021**

Jason Scott and Danielle Scott – File BA-20-07 – Block 58, Lot 59 – 107 Taylor Avenue. Applicants seeking 'c' bulk variance relief to retain existing walkway, patio, and sunroom addition, on Property located in the R, Residential Zone. ***Application adjourned from November 04, 2020 Agenda with re-notice.***

1. Mr. Gorman introduced the application.
2. Jason Scott, Property Owner, was sworn in and provided history of the property.
3. There was discussion on the tax assessment of the home.
4. Mr. Scott testified this is a single-family dwelling.
5. There was discussion on the existing drainage.
6. No public questions or comments.
7. There was a motion and second to approve this application as submitted with 21.4% impervious coverage and as a single-family dwelling only.
8. **Roll Call:** Mr. Herbert – yes, Mr. Stamler – yes, Ms. Haines – yes, Mr. Suraci – yes, Mr. Valcheck – yes, Mr. Wohlmacher – yes, Mr. Vinchur – yes. Motion carries.

Jitendra and Rakhi Kothari – File BA-20-10 – Block 207.02, Lot 60 – 12 Steeple Drive. Applicants seeking 'c' bulk variance relief to retain existing walkway and patio adjacent to the dwelling, and construct an inground pool with additional 1,380sf walkway and patio on Property located in the RA, Residential Agricultural Zone.

1. Mr. Gorman introduced the application.
2. Jitendra and Rakhi Kothari, Property Owners, were sworn in and summarized the request.
3. There was discussion on the driveway.
4. There was discussion on the proposed lighting and landscaping, which will be residential in nature.
5. Mr. Kothari testified that the existing drainage slopes towards Davenport Way and will not impact any neighboring properties.
6. No public questions or comments.
7. There was a motion and second to approve this application with the condition of having the grading plan approved by the Board Engineer.
8. **Roll Call:** Mr. Herbert – yes, Mr. Stamler – yes, Ms. Haines – yes, Mr. Suraci – yes, Mr. Valcheck – yes, Mr. Wohlmacher – yes, Mr. Vinchur – yes. Motion carries.

ADJOURNMENT

- There was discussion on upcoming applications.
- The next meeting will be February 3, 2021, held virtually.
- The meeting was adjourned at 10:01pm.

Submitted by: Caitlin Vaz

Reviewed by: Patrick Gorman, AICP, Zoning Official/Assistant Planner/Board of Adjustment Secretary

Approved 06-02-21