

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
APPROVED PUBLIC MEETING MINUTES
September 22, 2021

Chairman Herbert called the Board of Adjustment meeting of September 1, 2021 to order at 7:00 pm. All stood to Salute the Flag.

NOTICE OF MEETING

Chairman Herbert announced, 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 Township's Website, and available at the Hillsborough Township Municipal Complex. **Further notice has been provided to the same that as of July 01, 2021, the remainder of 2021 Board of Adjustment meetings will be held in person at the Peter J. Biondi Building. Live virtual participation will no longer be available.**

Application documents have been made available on the Township's website at <https://hillsboroughnj.civicclerk.com/>. Complete applications files are available in the Planning and Zoning Department for inspection, in accordance with the public meeting notice.

ROLL CALL:

Frank Herbert, *Chairman* – Present
John Stamler – Present
Helen Haines, *Vice Chairperson* – Present
Curtis Suraci – Absent
Philomena Cellilli – Absent

Frank Valcheck – Present
Jim Wohlmacher – Present
Vacant (Alt. 1)
Kelly Compher (Alt. 2) – Present

Also in attendance: Mark Anderson, Esq., Board Attorney, (Woolson Anderson Peach, P.C.); Drew DiSessa, PE, Board Engineer (Pennoni Engineering); David Kois, PP, AICP, Deputy Zoning Official, and Interim Board Secretary; and Christina Restuccia, CCR, Covering Board Court Reporter.

CONSIDERATION OF MEETING MINUTES

- None

CONSIDERATION OF RESOLUTIONS

- Niles and Leigh Johnson – File BA-21-08
 - Vice Chairperson Haines made a motion to approve the resolution as written, seconded by Mr. Valcheck. **Roll Call:** Mr. Valcheck – yes, Ms. Compher – yes, Vice Chairperson Haines – yes, Chairman Herbert – yes; motion carries.

BOARD OF ADJUSTMENT BUSINESS

- None

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

- Pattian Kletz of 500 Hillsborough Road noted her concerns about drainage related to her septic system.
- Chairman Herbert indicated that he has brought those concerns to the Township Committee.

PUBLIC HEARING - APPLICATIONS

- **Outfront Media, LLC – File BA-21-10** (TOD 10-8-21) – Block 65, Lots 19 & 20 – 151 Route 206 & Route 206. Applicants seeking "d" and "c" bulk variances and waivers to remove existing billboards and construct a new single pole double-faced LED multi-message billboard on Property in the HS, Highway Service Zone. **Application adjourned from September 1, 2021 Agenda without further notice.**
 - 1) Mr. Kois introduced the application.
 - 2) Mr. Louis L. D'Aminio, Esq. of Price, Meese Shulman & D'Arminio addressed that lots 19 and 20 as an operation of law, have been merged. However, the applicant would be willing to accept as a condition of approval that the lots be merged formally by deed.
 - 3) Mr. D'Aminio proceeded to summarize the application.
 - 4) Mr. Jon Antal, General Manager of New Jersey, Outfront Media was sworn in.
 - 5) Exhibit A-1: Aerial Map
 - 6) Mr. Antal explained the proposal indicating that they have records dating back to 1956 that Outfront and its predecessor companies have operated the present billboards since then.
 - 7) Mr. Antal indicated that the application complies with NJDOT requirements, present and future planned expansion of Route 206. It was noted that the billboard sign face is designed to move in order to comply with the future planned road expansion.

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- 8) Mr. Antal explained NJDOT requirements in great detail, including the restrictions such as a minimum of eight seconds between the changing of the sign and prohibitions on flashing or the appearance of the sign moving.
- 9) Exhibit A-2: Outdoor Advertising Permit
- 10) Mr. Antal noted that as a condition of approval, the State Permit (76800) would be required to be updated.
- 11) The board asked a variety of questions related to the changing of the sign face.
- 12) Mr. Antal commented that the brightness of the sign changes based on ambient light as the billboard has sensors located on it.
- 13) Exhibit A-3: Emergency Messaging (multiple pages)
- 14) Exhibit A-4: Public Service Announcements (multiple pages)
- 15) Exhibit A-5: Municipal Announcements (multiple pages)
- 16) Mr. Anderson directed the board to remove the pages that had testimonial letters and strike them from the permeant exhibits.
- 17) Mr. Antal described the benefits of digital billboards including timely and relevant public information. A discussion proceeded on this topic.
- 18) Mr. Antal explained that there is a prohibition on locating another digital billboard sign within 3,000 linear feet .He also noted that 14'X48' is the standard size of digital billboards.
- 19) The applicant agreed to submit in writing as to the commitments from Outfront Media to Hillsborough Township related to exhibits A-3, A-4, and A-5.
- 20) Exhibit A-6: Local Emergency Services LED Multi-Message Sign Protocol "A" (multiple pages)
- 21) Exhibit A-7: Local Municipal Use LED Multi-Message Sign Protocol "B"
- 22) No public questions.
- 23) A short break was held from 8:32 PM to 8:43 PM.
- 24) Mr. D'Aminio indicated that instead of moving onto the next witness that they would like to discuss with the board all of their potential concerns related to the billboard.
- 25) The board discussed a variety of concerns, including but limited to size, height, proximity to tunnel entrance and potential distractions to drivers.
- 26) The need for an area of visibility impact for the board to gauge the overall off-site impact to the surrounding area was noted. Furthermore, the need for an independent billboard expert who can address public safety as it relates to the local area including parks, and businesses was discussed.
- 27) Vice Chairperson Haines made a motion to find independent billboard expert, seconded by Mr. Stamler. All were in favor, none opposed; motion carries.
- 28) Mr. Stamler made a motion to carry the application to November 3, 2021 without further notice, seconded by Vice Chairperson Haines. All were in favor, none opposed; motion carries.

ADJOURNMENT

- The next meeting will be September 22, 2021.
- The meeting was adjourned at 9:20 p.m.

Respectfully submitted by: David Kois, PP, AICP, Deputy Zoning Official, and Interim Board Secretary