

Hillsborough Township Board of Adjustment
APPROVED Meeting Minutes
April 6, 2022

Chairman Herbert called the Board of Adjustment meeting of April 6, 2022 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 2022 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.

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	Frank Valcheck - Present
John Stamler - Present	Jim Wohlmacher, Vice Chairman - Present
Helen Haines - Present	Kelly Compher (Alt. #1) - Present
Vacant seat #4 - Present	Scott Scherer (Alt. #2) - Absent
Philomena Cellilli - Present	

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

CONSIDERATION OF MEETING MINUTES

- **February 16, 2022 Regular Meeting**
 - There was a motion to approve the minutes as written, seconded, all were in favor, none opposed; motion carries.

CONSIDERATION OF RESOLUTIONS

- **Global Investors, In. – BA-21-13**
 - A motion to approve as written was made by Mr. Valcheck, seconded by Vice Chairman Wohlmacher

ROLL CALL

Chairman Herbert - Yes	Vice Chairman Wohlmacher - Yes
Mr. Valcheck - Yes	Ms. Compher (Alt. #1) - Yes

Motion carries

BOARD OF ADJUSTMENT BUSINESS

- Home Occupation Ordinance Review –
 - Mr. Stamler asked for an update
Mr. Kois stated it is actively under review by township attorney.
 - Mr. Kois explains for the record the Board of Adjustment does an annual report which includes recommendations for various activities happening. A number of years ago there was a recommendation for the Board to look into the Home Occupation Ordinance.
 - Concern was expressed over the inability to meet target dates in the past four years and the possible need for a project manager.
 - Mr. Kois will do his best to push it forward.

BUSINESS FROM THE FLOOR

- None

PUBLIC HEARING - APPLICATIONS

- **Salvatore and Bernice Romano** (*application originally submitted under William / Gourley*) – **File BA-21-16 (TOD 02-28-22 Ext)** – Block 8, Lot 19.03 – 3 Sycamore Lane. Applicants seeking 'c' bulk variances, and waiver from proposed disturbance within the Hillsborough Township Stream Corridor, to construct a new single-family dwelling, garage, and associated improvements, on Property in the AG, Agricultural Zone. (BOA Agenda: 11-03-21). **Application requested at the February 2, 2022 meeting (not scheduled) to be adjourned to the April 6, 2022 agenda WITH notice.**

- 1) Applicant requested to move to the May 4, 2022 meeting, without notice since notice was given for April 6th meeting.
- 2) A motion to approve moving application to May 4, 2022 meeting without notice was made by Chairman Herbert, seconded by Mr. Wohlmacher. All were in favor, none opposed; Motion approved.

Board of Adjustment Approved Meeting Minutes
April 6, 2022 -

- **Amit and Mona Shah – File BA-22-01 (TOD 07/1/22)** – Block 207.01, Lot 107.02 – 5 Jamieson Way.
Applicants seeking ‘c’ bulk variances for waiver of proposed 22.8% impervious coverage, where 15% is allowed, and currently 17.6% exists to construct an in-ground pool, spa, retaining walls, associated patio, reconstruction and expansion of existing front walkway, expansion of driveway with pavers on both sides and construct two pillars at entrance of driveway on property in the “R”, Residential Zone.
Participants: Amit Shah, Applicant.
 - 1) Applicant brought additional documents.
 - 2) Mr. Stamler asked if existing work was permitted and how applicant came to have 17.6% impervious coverage where 15% is allowed?
Applicant confirmed they had permits for all previous work that had been done.
Ms. McLaughlin offered the township reports reflect the total for the 2016 permits was 6,663 sq. ft, 15.23% which was approved despite exceeding 15% limit but the survey shows the surveyor calculated it to 17.6%. Ms. McLaughlin cannot explain how this total was reached.
 - 3) Ms. Compner asked if patio is larger than what was originally approved.
 - 4) Mr. Kois - The zoning officer confirmed 15.23% was approved but it is unclear why it was approved over the limit. And they are deducing 17.6% is what was actually constructed.
 - 5) Mr. Kois – states the township has not, traditionally, counted the pool surface as part of impervious coverage.
 - 6) Discussion continues to clarify and understand the impervious coverage calculation.
 - 7) The board expressed concerns about the existing impervious coverage and the proposed increase.
 - 8) Mr. Shah – Their builder and engineer can provide a storm water management system plan at his request. He also states during the summer storm (Ida) they did not flood which they attribute storm water management system under the property which they were told, at purchase of the home, the original builder of the development was required to install.
 - 9) There was a discussion regarding the process of approving rain garden designs and maintenance plan.
 - 10) **Motion:** A motion was made by Chairman Herbert to adjourn the application, without notice, to June 1, 2022 meeting where the applicant will present a rain garden plan, a maintenance schedule for the garden and a document stating the property deed will be updated to include the maintenance of the rain garden, seconded by Mrs. Haines.
 - 11) Motion approved.
- **Nassau Dog Daycare – File BA-21-01 (TOD 02-28-22)** – Block 202, Lot 15.01 – 200 Willow Road (formerly 300 Township Line Rd),
Applicant is seeking “d” use and “c” bulk variances to demolish existing barn, construct a 4,289 square foot kennel and reconstruct an existing 864 square foot garage. The existing single-family dwelling is to remain, on property in the “AG”, Agricultural Zone. Application carried from the February 2, 2022 agenda without notice.
Participants: James E. Stahl, Esq.; Hannah Teiser, applicant; Betsy Dolan, PE, applicant’s engineer/planner; Christopher Nusser applicant’s engineer
 - 1) **Betsy Dolan** is sworn in and states her qualifications
 - 2) Board accepts her qualifications.
 - 3) Ms. Dolan summarizes the report on parking and traffic estimates based on comparison of other canine resorts. The conclusion of the report is no negative impact to the adjacent roadway system.
 - 4) Mrs. Haines asks if there is any change to the parking demand in the winter months or changes in the traffic flow.
 - 5) Ms. Dolan estimates there is not.
 - 6) Vice Chairman Wohlmacher asks if they foresee issues with the driving being on a 90-degree bend
 - 7) Ms. Dolan states as long as sight lines remain clear there should be no issue.
 - 8) Board members express concerns with existing bushes and low-hanging tree branches at the end of the driveway being problematic for sightlines. They would like to see them trimmed and or removed.
 - 9) Chairman Herbert opens questioning to the public.
 - 10) **Susan Gulliford, 7 Hunt Club Road** – asks will changes to the sign help prevent someone driving south on Willow Rd from accidentally entering into the driveway rather than following the bend? She has seen this happen in the past causing motorist to then back out of the driveway into the s-bend.
 - 11) Ms. Dolan – Anticipates the extra signage will help make a driver more aware of what is around the bend plus with a newly paved driveway, the Board’s requested changes to the driveway width and clearing the brush around it will help with the visibility.
 - 12) Ms. Gulliford is concerned the changes to the driveway area will make it look more like a section of road then like a driveway thus cause more accidental entry by motorists. Could a median with reflector be a better option to prevent this?
 - 13) Ms. Dolan explains the other visual road cues to help motorists understand the direction the road is going. Chairman Herbert explains they had previously discussed shifting the driveway placement which resulted in worse outcomes.
 - 14) No further questions from the public for Betsy Dolan.
 - 15) **Christopher Nusser, Engineer with Engineering & Land Planning Associates Inc.** is sworn in and states his credentials.
 - 16) The Board accepts his qualifications.
 - 17) Mr. Nusser summarizes the proposed site plan, overview of project, and variances requested. Mr. Nusser also explains how the proposed changes can benefit the business and property and believes there is no substantial detriment to the property or surrounding community with this project.

Board of Adjustment Approved Meeting Minutes
April 6, 2022 -

- 18) Mr. Anderson asks if as a planner Mr. Nusser thinks having two separate uses on the property could pose a problem.
- 19) Mr. Nusser does not see a problem with the business and private residence of the business being on the same property.
- 20) Chairman Herbert opens to questioning to the public.
- 21) No questions from the public
- 22) **Hannah Teiser**, applicant still under oath, is brought back to the stand to answer questions regarding intent with the house on the property and overnight staffing in the facility. Ms. Teiser testifies she intends to live in the house on the property and run the doggy-daycare business. She also clarifies there will be one overnight employee, or herself, when necessary to monitor dogs being boarded overnight. All employees of her business will have dog first aid/CPR training in case of emergency, access to the local 24-hour animal hospital plus she will be at the house. The overnight employee is not required to stay awake all night and a cot, not a bed, will be provided.
- 23) No more questions from the board.
- 24) Chairman Herbert opens to public comment.
- 25) **Sam Conard**, 240 Township Line Rd, is sworn in.
- 26) Mr. Conard states he owns the property next to the property and is grateful to Ms. Teiser for purchasing the property which had been an eyesore and supports the business proposal.
- 27) No further public comment.
- 28) **Motion:** Mr. Stamler motions to approve the application with conditions discussed by Board: one over-night employee, or the owner, in the facility to stay with the dogs is permitted, at end of the driveway remove and/or trim the bush and trees so as to improve visibility leaving the driveway, sign modification, house to remain single-family and with owner of the business and a NOx box as requested by the fire marshal and to approve D1, two bulk, all variance listed on narrative and existing non-conforming conditions.
Motion seconded by Ms. Haines. There is no further discussion of the motion

ROLL CALL

Chairman Herbert -	Yes	Mr. Valcheck -	Yes
John Stamler -	Yes	Vice Chairman Wohlmacher -	Yes
Ms. Haines -	Yes	Ms. Compher (Alt. #1) -	Yes
Ms. Cellilli -	Yes		

Motion carries

ADJOURNMENT

A motion to adjourn was made by Ms. Cellilli, seconded by Ms. Haines. All were in favor.

The meeting adjourned at 8:41 pm

Submitted by: Robyn Bittle-Abramo
Recording Secretary