

Township of Hillsborough – BOARD OF ADJUSTMENT

APPROVED - Meeting Minutes

June 1, 2022 – 7:00 pm

Chairman Herbert called the June 1, 2022 Board of Adjustment meeting to order and led the flag salute.

NOTICE OF MEETING

Chairman Herbert announced the 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 <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, <i>Chairman</i> -	Present	Jim Wohlmacher, <i>Vice Chairman</i> -	Present
John Stamler -	Absent	Frank Valcheck -	Present
Helen Haines -	Present	Kelly Compher (<i>Alt#1</i>)-	Present
Seat #4	<i>vacant</i>	Scott Scherer (<i>Alt#2</i>) -	Present
Philomena Cellilli -	Absent		

Also in attendance: Marcella McLaughlin, *Zoning Officer/Co-Board Secretary*; Drew Di Sessa, PE, *Board Engineer (Pennoni Engineering)*; Mark Anderson Esq., *Board Attorney (Woolson Anderson Peach, P.C.)*; Christina Restuccia, CCR, *Covering Board Court Reporter*.

CONSIDERATION OF MEETING MINUTES

- No minutes for consideration.

CONSIDERATION OF RESOLUTIONS

- **Nassau Dog Daycare – File: BA-21-01**
 - No comment or discussion from the Board.

Motion: Mr. Wohlmacher motioned to approve the resolution, seconded by Ms. Haines.

Roll Call:

Chairman Herbert -	Yes	Vice Chairman Wohlmacher -	Yes
Ms. Haines -	Yes	Mr. Valcheck -	Yes
		Ms. Compher (<i>Alt#1</i>)-	Yes

Motion carries

BOARD OF ADJUSTMENT BUSINESS

- None

BUSINESS FROM THE FLOOR

- Chairman Herbert opens the floor to the public.
- 1) **Meryl Bisberg**, 4 Hickory Hill Rd speaks in regards to the Homestead Road LLC application for building two warehouses and demolishing all existing structures discussed at the May 12th Planning Board meeting. Ms. Bisberg states the property is in the TECD Transitional Economic Development District and being built on spec. Ms. Bisberg expressed concern that despite the applicant testifying they are in compliance with the zone, operations details for the warehouses were not discussed and worries these details and their impacts on the community are not being considered.
- 2) Chairman Herbert explains the Township Committee adopts the zoning ordinances. The Board of Adjustments does not create the ordinances so the Board has no comments on the matter.
- 3) No further comments from the public.

PUBLIC HEARING - APPLICATIONS

- **Amit and Mona Shah- File: BA-22-01 (TOD 7/1/22)** Block 207.01, Lot 107.02 – 5 Jamieson Way. Applicants are seeking 'c' bulk variance for waiver for 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. *(Continued from 04/26/22)*

Participant: Amit Shah, applicant/property owner

- 1) Chairman Herbert reminds Mr. Shah his swearing in from the previous meeting still stands.
- 2) Mr. Shah summarizes the changes they have made which includes adding in a rain garden and reducing the impervious coverage to 21.3%.
- 3) Mr. Di Sessa finds the sizing of the rain garden and changes to the impervious coverage are acceptable but asks the calculations be properly labeled with property identification and signed and sealed by the engineer.
- 4) Discussion regarding details of the rain garden.
- 5) Chairman Herbert opens to public comment.
- 6) No comments from the public. Public comment closed.
- 7) **Motion:** Ms. Haines motions to approve the existing impervious of 17.6 without mitigation and proposed 21.3% impervious coverage with raingarden mitigating difference from 17.6% to 21.3% with the plans to be reviewed by Mr. Di Sessa plus the previous recommendations, and deed restriction, seconded by Mr. Sherer.

8)

Roll Call:

Chairman Herbert -	Yes	Vice Chairman Wohlmacher -	Yes
Ms. Haines -	Yes	Mr. Valcheck -	Yes
Mr. Scherer (Alt#2) -	Yes	Ms. Compher (Alt#1)-	Yes

Motion carries

- 8) General discussion on rain gardens and impervious coverage.

- **856 Hillsborough, LLC (c/o John Chafos)- File: BA-21-11 (TOD 7/29/22)**

Block 177, Lot 24.02/C0001 – 856 Route 206, Unit A, Hillsborough Township. Applicant is seeking "D" use variance to convert the existing 2nd floor office areas into residential apartments, on property located in the 'C-1', Neighborhood Shopping Center Zone.

- 1) Mr. Anderson, Board Attorney, explains an issue with notification not accurately stating what the application is requesting.
- 2) **Motion:** Ms. Haines motions to carry to the July 6, 2022 meeting, seconded by Ms. Compher. Motion carries unanimously.

- **Salvatore and Bernice Romano – File: BA-21-16 (application originally submitted under William/Gourley)-(TOD 7/30/22 Ext)** – Block 8, Lot 19.03 – 3 Sycamore Lane, Hillsborough Township. 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)*

- 1) Chairman Herbert explains the applicant took their updated site plan to the Environmental Commission who pointed out the compensating area was in a flood zone. Applicant needs time to update the site plan again.
- 2) A discussion was had regarding the amended application to add son's lot to the application.
- 3) **Motion:** Mr. Wohlmacher motions to carry to the July 6, 2022 meeting without notice, seconded by Ms. Haines. Motion carries unanimously.

- **Irv Cyzner – File: BA-21-20 – (TOD 7/15/22)** – Block 11, Lots 44, 44.01 and 44.02 – Amwell Road and Mill Lane. Applicant is seeking “d” use and “c” bulk variances and minor subdivision approval for three existing lots to be reconfigured into two building lots 44.03 along Mill Lane and Amwell Road requesting access for both lots from Mill Lane. Both dwellings to be serviced by public water on property in the AG, Agricultural Zone.
 - 1) Chairman Herbert explains the applicant’s request to carry to a future meeting with notice.
 - 2) **Motion:** Ms. Compher motions to carry to a meeting date to be determined with notice, seconded by Mr. Scherer. Motion carries unanimously.

ADJOURNMENT

A motion to adjourn was made by Ms. Haines, seconded by Mr. Valcheck. Motion carries unanimously.

Approximately 7:47 pm the meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*