

Township of Hillsborough – BOARD OF ADJUSTMENT

APPROVED - Meeting Minutes

September 7, 2022 – 7:00 pm

Chairman Herbert called the September 7, 2022 Board of Adjustment meeting to order at 7:00 pm and led the flag salute.

NOTICE OF MEETING

Chairman Herbert announce 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 web site <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 -	Present	Frank Valcheck -	Present
Helen Haines -	Present	Kelly Compner (<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*; Randall Peach, Esq., *Covering Board Attorney (Woolson Anderson Peach, P.C.)*; Drew Di Sessa, PE, *Board Engineer (Pennoni Engineering)*; Christina Restuccia, CCR, *Covering Board Court Reporter*.

CONSIDERATION OF MEETING MINUTES

- December 1, 2021 Regular Meeting
 - There was a motion by Ms. Haines to approve the minutes, seconded by Mr. Stamler, all were in favor, none opposed; motion carried.
- February 2, 2021 Executive Session
 - There was a motion by Mr. Stamler to approve the minutes, seconded by Mr. Scherer, all were in favor, none opposed; motion carried.
- February 16, 2022 Executive Session
 - There was a motion by Mr. Stamler to approve the minutes, seconded by Mr. Scherer, all were in favor, none opposed; motion carried.
- July 6, 2022 Executive Session
 - There was a motion by Mr. Stamler to approve the minutes, seconded by Vice Chairman Wohlmacher, all were in favor, none opposed; motion carried.

CONSIDERATION OF RESOLUTIONS

- Amit Shah – File: BA-22-01
No comments.
 - Mr. Stamler motioned to approve the resolution with second by Ms. Haines.

Roll Call:

Chairman Herbert -	Yes	Vice Chairman Wohlmacher -	Yes
Mr. Stamler -	Yes	Mr. Valcheck -	Yes

Ms. Haines - Yes

Ms. Compher (*Alt#1*) - Yes

Mr. Scherer (*Alt#2*) - Yes

Motion carries

- **Stephen Hoyt, PE** was approved as an additional Pennoni Associates, Inc. Board of Adjustment Engineer on motion by Ms. Haines, seconded by Mr. Stamler and carried unanimously.

BOARD OF ADJUSTMENT BUSINESS

- Consideration to cancel September 21, 2022 Board of Adjustments meeting.
 - Chairman Herbert states there is no business on the agenda for the September 21, 2022 meeting.
 - Ms. Haines made a motion, seconded by Mr. Stamler, all were in favor, none opposed; motion carried.
- Consideration to approve amendments to the Board of Adjustment January 19, 2022 adopted by-laws.
 - Chairman Herbert states the sub-committee having met prior to the previous meeting has three proposed changes.
 - Ms. Haines addresses 3.1 which they will be voting on, changing the Board of Adjustment Chairperson's term from three years back to five consecutive years which it had been previously.
 - Chairman Herbert and Ms Haines briefly discuss the other possible changes discussed by the subcommittee; amendment 7.2, the ability to cancel a meeting at the last minute, which was tabled for further discussion.
 - Ms. Haines motioned to approve amended Bylaws 3.1, 6.5 and 6.7, with second by Mr. Stamler.

Roll Call:

Chairman Herbert - Yes

Vice Chairman Wohlmacher - Yes

Mr. Stamler - Yes

Mr. Valcheck - Yes

Ms. Haines - Yes

Ms. Compher (*Alt#1*) - Yes

Mr. Scherer (*Alt#2*) - Yes

Motion carries

- Home Occupation recommendation status.
 - Chairman Herbert explained the Board made the Home Occupation recommendation three years ago due to concern residents would be opening business in residential areas, and putting signs up, causing customers to drive through these areas all day thus reducing the residential feel of the areas. Chairman Herbert announces the Township Committee does not feel it is needed at this time and it will be re-evaluated as needed. There is some discussion amount members about the decision.
- Board member preference – how should application documents be shared among the Board members.
 - Chairman Herbert explains now that the township has gone paperless in the application process via their use of Civic Clerk, it seems Board Secretary Marie is doing double duty by posting the application documents to Civic Clerk and emailing copies of the documents to Board members. Is it necessary to still email Board members copies of the documents?
 - There is a brief discussion about what is the difference.
 - Ms. McLaughlin explains when posting documents in Civic Clerk there is an option to automatically send an email alert to the appropriate people versus sending a separate email with attachments.
 - Ms. Haines states as long as they still have the option to request paper copies.

- Chairman Herbert confirms that will always be possible as everything is paperless.
- All members agree this is fine.

BUSINESS FROM THE FLOOR (*Open to public comment for matters not on the agenda*)

- No business from the floor

PUBLIC HEARING - APPLICATIONS

- **Daniel and Jaime Angosto – File BA-22-06– (TOD 11/10/22) Block 203.09 (old 203B) Lot 3-6, Duncan Court, Hillsborough Township.**

Applicant seeking two “c” variances for expanding existing non-conforming side yard setback and exceeding required impervious coverage to construct a front wrap-around porch, replace existing rear covered porch with new rear covered porch, and replace existing front walkway to their existing single-family dwelling, located in the “R” Residential Zone district.

- 1) Jaime and Daniel Angosto are sworn in.
- 2) Ms. Angosto explains why they would like a front porch verse a stoop and why the current rear porch is not sufficient.
- 3) Mr. Stamler asks about where water on their property drains too.
- 4) Ms. Angosto explains the natural slop of the property to the rear.
- 5) Ms. Haines asks Mr. Di Sessa how these changes could impact the property.
- 6) Mr. Di Sessa explains how he thinks it will not have a negative impact.
- 7) There is discussion on the age and history of the development and how long the Angosto’s have lived in the house.
- 8) Ms. Haines ask about the addition of an exterior door.
- 9) Ms. Angosto explains how it will improve the flow inside the house.
- 10) Board members agree they do not need to hear from the architect.
- 11) There is a short discussion on lack of need of a raingarden.
- 12) Chairman Herbert opens the meeting up for public comment.
- 13) No public comment.
- 14) There is a discussion about impervious coverage in the area.
- 15) Mr. Stamler motioned to approve the application with second by Mr. Scherer.

Roll Call:

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

Motion carries.

- **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 District. Carried from the July 6, 2022 agenda without notice. Applicant has requested to be adjourned to the November 2, 2022 agenda with notice.*

- 1) Chairman Herbert announces the application needs to be adjourned to November 2, 2022.
- 2) Chairman Herbert inquires with Ms. McLaughlin if she has any insight as to why the delay again.
- 3) Ms. McLaughlin states it seems the applicants are still waiting on from NJDEP.
- 4) Ms. Haines expresses concern the applicants’ multiple delays is hindering Ms. McLaughlin’s ability to schedule other applicants.
- 5) Ms. McLaughlin explains the status and schedule of the other upcoming applicants.

- 6) There is more discussion regarding the impact of continually carrying over and then the applicant delaying.
- 7) The Romano application is adjourned to November 2, 2022 agenda with notice by way of motion by Ms. Haines, seconded by Mr. Stamler, all were in favor, none opposed. Motion carries unanimously.

ADJOURNMENT

A motion to adjourn was made by Mr. Stamler, seconded by Mr. Scherer. All were in favor, none opposed. The motion carries unanimously.

7:32 pm meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*