

Township of Hillsborough – PLANNING BOARD

Approved Public Meeting Minutes

January 12, 2023

Planning Board Attorney, Eric Bernstein, Esq. called the Planning Board Reorganization Meeting of January 12, 2023 to order at 7:00 pm. The meeting was held in the Courtroom of The Peter J. Biondi Building. All stood for the flag salute.

NOTICE OF MEETING

Mr. Bernstein advised 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 2023 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.

OATH OF OFFICE

Mr. Bernstein administered the Oath of Office to the newly appointed members present:

Seat #1 – Mayor Shawn Lipani (Class I); Seat #2 – Robert Wagner, Jr. (Class II); Seat #3 – Committeeman John Ciccarelli (Class III); Seat #4 – Carl Suraci (Class IV); and Alternate #1 – Bruce Radowitz (Class IV).

ROLL CALL

Mayor Shawn Lipani - Present	Frank DelCore - Present (7:32 pm)
Robert Wagner, Jr - Present	Ron Skobo - Present
Committeeman John Ciccarelli - Present	Kenneth Hesthag - Present
Robert Peason - Present	Bruce Radowitz (Alt #1) - Present
Carl Suraci - Present	Patricia Smith (Alt #2) - Absent
Neil Julian - Present	

Also in attendance: David Kois, PP, AICP, *Township Planning Director*; Eric Bernstein, Esq., *Board Attorney (Eric M. Bernstein & Associates)*; Stephen Hoyt, PE, *Board Engineer (Pennoni Associates)*; Michael Lombardozzi, CSR, CCR, *Board Court Reporter.*; Dylan Tollefson, *Township Videographer (Fuerza Strategy Group)*

ELECTION OF CHAIRMAN

Mr. Bernstein opened nominations for Chairman.

A motion to nominate Carl Suraci was made by Mayor Lipani, seconded by Mr. Peason.

Hearing no other nomination, nominations were closed with a motion; seconded; all in favor.

Mr. Bernstein called for a roll call to elect **Carl Suraci** as the **2023 Planning Board Chairman**.

Roll Call:

Mayor Lipani - Yes	Mr. Suraci - Yes
Mr. Wagner - Yes	Mr. Julian - Yes
Committeeman Ciccarelli - Yes	Mr. Skobo - Yes
Mr. Peason - Yes	Mr. Hesthag - Yes

Motion carries

Mr. Bernstein turned the meeting over to Chairman Suraci.

ELECTION OF VICE CHAIRMAN

Chairman Suraci opened nominations for Vice Chairman.

A motion to nominate Neil Julian was made by Mr. Peason, seconded by Committeeman Ciccarelli.

Hearing no other nomination, nominations were closed with a motion; seconded; all in favor.

Chairman Suraci called for a roll call to elect **Neil Julian** as the **2023 Planning Board Vice Chairman**.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. DelCore -	Yes
Mr. Peason -	Yes	Mr. Skobo -	Yes
Chairman Suraci -	Yes	Mr. Hesthag -	Yes
Mr. Julian -	Yes		

Motion carries

ELECTION OF SECRETARY

Chairman Suraci opened nominations for Secretary.

A motion to nominate Kenneth Hesthag was made by Mayor Lipani, seconded by Mr. Wagner.

Hearing no other nomination, nominations were closed with a motion; seconded; all in favor.

Chairman Suraci called for a roll call to elect **Kenneth Hesthag** as the **2023 Planning Board Secretary**.

Roll Call:

Mayor Lipani -	Yes	Vice Chairman Julian	Yes
Mr. Wagner -	Yes	Committeeman Ciccarelli -	Yes
Mr. Peason -	Yes	Mr. Skobo -	Yes
Chairman Suraci -	Yes	Mr. Hesthag -	Yes

Motion carries

APPOINTMENT OF MASTER PLAN SUBCOMMITTEE

After discussion, Chairman Suraci appointed Committeeman Ciccarelli, Mr. Peason, Mr. DelCore, and himself as those who will serve on the 2023 Master Plan Subcommittee, with Ms. Smith as the alternate member should one of the four will not be able to attend.

The Master Plan Subcommittee is an appointment by the Planning Board Chairman and does not require any further action by the Board.

CONSIDERATION OF RESOLUTIONS

• RESOLUTION SETTING THE SCHEDULE OF MEETINGS

Chairman Suraci called for a motion to adopt as presented.

A motion to approve was made by Mr. Peason, seconded by Secretary Hesthag.

No further comments.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. Skobo -	Yes
Mr. Peason -	Yes	Secretary Hesthag -	Yes
Chairman Suraci -	Yes	Mr. Radowitz -	Yes
Vice Chairman Julian	Yes		

Motion carries

A motion to amend the start time to 7:00 pm and the 2024 Reorganization Meeting to 7:00 pm, starting the regular meeting immediately thereafter was made by Mr. Wagner, seconded by Vice Chairman Julian.

No further comments.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. Skobo -	Yes
Mr. Peason -	Yes	Secretary Hesthag -	Yes
Chairman Suraci -	Yes	Mr. Radowitz -	Yes
Vice Chairman Julian	Yes		

Motion carries

• **RESOLUTIONS ONE THROUGH SIX**

Chairman Suraci called for a motion to adopt as presented.

A motion to approve was made by Mr. Skobo, seconded by Mr. Wagner.

No further comments.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. Skobo -	Yes
Mr. Peason -	Yes	Secretary Hesthag -	Yes
Chairman Suraci -	Yes	Mr. Radowitz -	Yes
Vice Chairman Julian	Yes		

Motion carries

• **RESOLUTION ADOPTING THE RULES OF ORDER**

Mr. Wagner reminds the Board of the previous discussion to adjust meeting times to start at 7:00 pm, last testimony at 9:30 pm and end time at 10:00 pm.

Mr. Bernstein confirms this is what is stated in the packet and states it also extends to the Business Meetings.

A motion to approve was made by Mr. Wagner, seconded by [Committeeman Ciccarelli].

No further comments.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. Skobo -	Yes
Mr. Peason -	Yes	Secretary Hesthag -	Yes
Chairman Suraci -	Yes	Mr. Radowitz -	Yes
Vice Chairman Julian	Yes		

Motion carries

- **RESOLUTIONS EIGHT THROUGH TEN**

Chairman Suraci called for a motion to adopt as presented.

A motion to approve was made by Mr. Skobo seconded by Mr. Peason.

No further comments.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. Skobo -	Yes
Mr. Peason -	Yes	Secretary Hesthag -	Yes
Chairman Suraci -	Yes	Mr. Radowitz -	Yes
Vice Chairman Julian	Yes		

Motion carries

- **RESOLUTION OF ADMINISTRATIVE PROCEDURES**

Mr. Bernstein reviews the time changes previously discussed.

A motion to approve as amended was made by Mr. Wagner, seconded by Mr. Skobo.

No further comments.

Roll Call:

Mayor Lipani -	Yes	Committeeman Ciccarelli -	Yes
Mr. Wagner -	Yes	Mr. Skobo -	Yes
Mr. Peason -	Yes	Secretary Hesthag -	Yes
Chairman Suraci -	Yes	Mr. Radowitz -	Yes
Vice Chairman Julian	Yes		

Motion carries

COMMENTS FROM THE PUBLIC (*public comment for matters not on the agenda*)

Chairman Suraci opens comments from the public for items not on the agenda. Chairman Suraci cautions members of the public that the Board cannot any active applications for reason of prejudice at future meetings.

Niyati Shah – 3 Deer Run

- Ms. Shah expressed concerns regarding increased traffic within and traveling through the township and asked the subcommittee to consider access within the town for the residents traveling in Hillsborough as they review applications.
- Ms. Shah posed the questions, will there be increased police presence to enforce tractor trailer limitations on the roadways and where will the salary increase come from.
- Ms. Shah also spoke about the Regional Greenhouse Gas Initiative, a state effort to meet certain carbon reductions.

Bill Martin – 237 Hillsborough Road

- Mr. Martin asked if the Board is able to provide overhead photos of tractor-trailers turning at the intersection of Willow and Homestead Roads. He expressed concerns regarding the turning radius and has been in communication with a Committee Member but has not received the requested photos.

There is discussion between Chairman Suraci and Mr. Bernstein regarding the Board's jurisdiction on this matter and the availability of such photos. Mr. Bernstein states if it is applicable to an application such photos can be requested via OPRA.

Mayor Lipani states once they have everything complete the photos will be available.

Debbie Lemoore – 238 Amwell Rd.

- Ms. Lemoore begins to express concern about the current traffic conditions on Amwell Road verse what it will be with the addition of a warehouse.

Chairman Suraci informs let Ms. Lemoore that her remarks are related to a current application so they will not be able to comment on the matter at this time.

Susan Gulliford - 7 Hunt Club Road

- Ms. Gulliford expresses concern with the current application process as it relates to the various warehouse applications. She notes applicants seem to rush to file an application though their applications are incomplete thus backing up the system, making it difficult for applicants with properly prepared applications and wasting the time of township volunteers and employees.

Meryl Bisberg - 4 Hickory Hill Road

- Ms. Bisberg asked if it would be possible to publish a list of all the upcoming resolutions to be review with the scheduled date so as to make planning to attend the meetings easier for the public.

Mayor Lipani states at the next Planning Board meeting all the dates will be set.

- Ms. Bisberg points out the public needs to OPRA the Resolutions discussed during Executive Session and asks the discussions be moved to the public sessions.
- Ms. Bisberg brings to the Board's attention that Ordinance 2021-06 amending Chapter 188 of the Hillsborough Township Land Use & Development Code was passed. She states this ordinance relates to affordable housing and reminds the Board there is an obligation to report on the status of all affordable housing activity within the municipality on July 1st of every year. She has been trying for some time to obtain a copy of this report. She asks this newly installed Board to help ensure this information is posted rather than create further need to OPRA.

Mr. Bernstein states this is not a Planning Board obligation but rather a Township obligation which is currently on hold while the township is going through the completion of its compliance application as per the special master in court. Once completed, the governing body will be obligated to put the annual review up.

Nirav Majmudar – 15 Todd Street

- Mr. Majmudar asks if after completion of a development the town does an audit of how many children have enrolled school.

Mr. Bernstein explains the initial number of children a developer suggests an application will produce is an estimate. There is no guarantee under the Municipal Land Use Law requiring that

number to be met. He states any possible requirement would fall under the jurisdiction of the Board of Education.

- Mr. Majmudar asks who is responsible for assessing the taxes on the people in the new development.

Board Members explain the assessment is on the value of the property, not on the number of people living on the property. And that the taxes are paid by the property owner to the Board of Education.

Chairman Suraci calls a brief recess.

Frank DelCore has arrived to the meeting at approximately 7:32 pm.

OATH OF OFFICE

Mr. Bernstein administered the Oath of Office to Seat #7 – Frank DelCore (Class IV):

COMMENTS FROM THE PUBLIC - continues

David Brook – 7 Winding Way

- Mr. Brook presents a metal podium to utilize during the public comment portions. He asks that the Township considering obtaining a more permeant podium and better microphones so the public's voices are heard as well as the applicants.

Maria Janucik – 720 East French Ave., Manville (residence) / 2155 Camplain Road, Hillsborough (property owner)

- Ms. Janucik would like to see transcripts made available to the public.

Mr. Bernstein states verbatim transcripts are provided to his office which in turn provides them to the Planning Board Clerk after which time they are made available on Civic Clerk.

- Ms. Janucik states as of this evening the transcripts for the M&M Hearing have not yet been posted to Civic Clerk.

Mr. Bernstein states verbatim transcripts will be provided when they are provided; they do not come immediately after a meeting. Once his office receives them, they will be handed over to Ms. Padgett accordingly as they have been for some time.

Brian Tarantino - 253 Fairfield Lane

- Mr. Tarantino seconds Ms. Janucik's comments regarding transcripts and states they would be tremendously more useful than the video. He has not been able to find the ones that are posted. He understands they will be available when they are available but would appreciate them when posted.

Mr. DelCore, with regards to commentary on warehouse applications and in an effort to reset expectations, states what the Board is tasked to do legally is to evaluate the application on its merits. The public's input is incredibly valuable in the process but there seems to be the perception that every applicant is an enemy or that the Board is supposed to be in direct opposition to every applicant. That is not how this works. Mr. DelCore explains the Board is

supposed to evaluate an application based upon Planning and Municipal Land Use Laws. The Board works very hard to figure out what is best for the town but has to do that in the context of the law.

Mr. Bernstein states he is concerned based on some of the comments made the public believes these applications all have to go in a certain way. He states they will each go in a direction based on what's put before the Board on each individual application. Mr. Bernstein notes that the Board recently turned down an application which has led to two law suits.

ADJOURNMENT

A motion to adjourn was made by Mr. Skobo, seconded by Secretary Hesthag. Motion carries unanimously.

At approximately 7:55 pm the meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*