

Township of Hillsborough – PLANNING BOARD

Approved Public Meeting Minutes

January 12, 2023

Chairman Carl Suraci called the Planning Board Regular Public Meeting of January 12, 2023, to order at approximately 8:59 p.m. The meeting was held in the Courtroom of The Peter J. Biondi Building. All stood for the flag salute.

NOTICE OF MEETING

Chairman Suraci 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 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.

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

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

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

CONSIDERATION OF MEETING MINUTES

- **November 3, 2022** regular meeting minutes were reviewed.

Mr. Bernstein announced which members were eligible to vote.

A motion to approve as written was made by Mr. Peason, seconded by Mr. Skobo. No comments.

Roll Call:

Mr. Peason - Yes	Vice Chairman Julian - Yes
Mr. Skobo - Yes	Chairman Suraci - Yes
Mayor Lipani - Yes	

Motion carries

- **November 10, 2022** regular meeting minutes were reviewed.

Mr. Bernstein announced which members were eligible to vote.

A motion to approve as written was made by Mr. Peason, seconded by Mayor Lipani. No comments.

Roll Call:

Mr. Peason - Yes	Vice Chairman Julian - Yes
Mayor Lipani - Yes	Chairman Suraci - Yes

Motion carries

- **December 1, 2022** regular meeting minutes were reviewed.

Mr. Bernstein announced which members were eligible to vote.

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

No comments.

Roll Call:

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

Motion carries

CONSIDERATION OF RESOLUTIONS

- **M&M Realty Partners at Hillsborough LLC (West Tract) – 22-PB-16-MSV**

Chairman Suraci asks Mr. Bernstein for comment.

Mr. Bernstein they are satisfied with the resolution in the current situation and believe it follows the transcripts and testimony before and the conditions set forth in.

Mr. Bernstein announces the members eligible to vote.

A motion to approve as written was made by Mr. Skobo, seconded by Secretary Hesthag.

Roll Call:

Mr. Wagner -	Yes	Secretary Hesthag -	Yes
Mr. Peason -	Yes	Mayor Lipani -	Yes
Mr. DelCore -	Yes	Vice Chairman Julian -	Yes
Mr. Skobo -	Yes	Chairman Suraci -	Yes

Motion carries

APPLICATIONS – 2023 SCHEDULING DATES

Mr. Bernstein reviews the dates with the Board. He states there may be other applications on the nights discussed not related to current pending warehouse applications.

1. **Homestead 279 LLC – File 22-PB-05-S/MSPV** (TOD: 01-31-23 w/Ext.) - Block 200.02, Lot 12 (formerly Block 200.B, Lot 28) – 279 Homestead Road. Applicant seeking minor subdivision approval; preliminary and final major site plan approval; ‘c’ bulk variances; and waivers. *Application adjourned from November 03, 2022 without further notice.*

Mr. Bernstein announces the Time of Decision has been extended to June 30, 2023 and the application will be heard on **February 9, 2023 at 7:00 p.m.** or soon-there-after, and the matter may be continued to be heard on **March 9 and May 11, 2023 without further notice.**

There is a motion to approve the dates with notice and TOD as discussed by Mayor Lipani, seconded by Mr. Skobo.

No comments

Mr. Lombardozzi asks Mr. Ciccarelli if he will be abstaining.

Mr. Ciccarelli confirms.

Roll Call:

Mr. Wagner -	Yes	Mr. Radowitz (Alt. #1) -	Abstain
Mr. Peason -	Yes	Committeeman Ciccarelli -	Abstain
Mr. DelCore -	Yes	Mayor Lipani -	Yes
Mr. Skobo -	Yes	Vice Chairman Julian -	Yes
Mr. Hesthag -		Chairman Suraci -	Yes

Motion carries

2. **1170 Millstone LLC (REDCOM) – File 22-PB-09-MSPV** – (TOD: 02-28-23 w/Ext.) – Block 183.01, Lot 40 – 1170 Millstone River Road. Applicant seeking preliminary and final major site plan approval; ‘c’ bulk variances; and waivers. *Application adjourned from December 01, 2022 with notice prior to the hearing date assigned.*

Mr. Bernstein announces this application is currently on hold and the date will be determined at a future date. No further noticed needs to be given beyond this meeting except to accept the Time of Decision extension.

There is a motion to approve the dates and TOD as discussed by Mr. Peason, seconded by Secretary Hesthag.

No comments

Roll Call:

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

Motion carries

3. **Weston RD, LLC (Guastella) – File 22-PB-03-MSPV** (TOD: 01-31-23 w/Ext.) - Block 185, Lot 1 – Weston Road. Applicant seeking preliminary and final major site plan approval; ‘c’ bulk variances; and waivers. *Application carried from November 10, 2022 without further notice to January 12, 2023 for assignment of the 2023 SCHEDULING DATE (only) for the continued hearing.*

Mr. Bernstein announces the Time of Decision has been extended to June 30, 2023 and the application will be heard on **May 4, 2023 at 7:00 p.m.**, or soon-there-after, **without further notice.**

There is a motion to approve the dates and TOD as discussed by Secretary Hesthag, seconded by Committeeman Ciccarelli.

No comments

Roll Call:

Mr. Wagner -	Yes	Committeeman Ciccarelli -	Yes
Mr. Peason -	Yes	Mayor Lipani -	Yes
Mr. DelCore -	Yes	Vice Chairman Julian -	Yes

Mr. Skobo - Yes
Chairman Suraci - Yes
Mr. Hesthag - Yes
Motion carries

4. **Jennifer Bryson (PRL) – File 22-PB-S** – (TOD: 03-01-23 w/Ext.) – Block 169, Lots 3 & 3.01 – Wertsville Road & 145 Wertsville Road. Applicant seeking minor subdivision /lot line adjustment and waivers. *Application carried from December 08, 2022 without further notice.*

Mr. Bernstein announces the application will be heard on **February 2, 2023 at 7:00 p.m.**, or soon-there-after, **without further notice**. An extension is not need on the TOD.
No further action needs to be taken.

5. **Homestead Road, LLC – File 21-PB-25-MS/MSPV** – (TOD: 01-31-23 w/Ext.) - Block 200.10, Lots 32 & 33 – 203 Homestead Road and 189 Homestead Road. Applicant seeking preliminary and final major subdivision approval (determined to be a minor subdivision); preliminary and final major site plan approval; ‘c’ bulk variances; and waivers. *Application carried from December 08, 2022 without further notice.*

Mr. Bernstein announces the Time of Decision has been extended to June 30, 2023 and the application will be heard on **March 2, 2023 at 7:00 p.m.**, or soon there-after, and the matter may be continued to be heard on **April 6, 2023 with notice**.

There is a motion to approve the dates and TOD as discussed by Mr. Peason, seconded by Secretary Hesthag.

No comments

Roll Call:

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

Motion carries

Chairman Suraci calls a five-minute recess.

Chairman Suraci calls the meeting back into session.

Mr. Bernstein states an update the **Weston Rd, LLC (Guastella) File 22-PB-03-MSPV** application needs to be memorialized by the Board. The new dates will be February 2nd and May 4th, 2023.

Mayor Lipani motions to approve meeting dates of February 2nd and May 4th, 2023, with notice, for the **Weston Rd, LLC (Guastella) File 22-PB-03-MSPV** application, seconded by Secretary Hesthag.
No comments

Roll Call:

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

Motion carries

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

Chairman Suraci opens comments from the public; asks public to state their name and address and reminds there is a five-minute limit per person. He suggests the Board present the Guidelines to help the public better understand procedures.

Craig Berlin – 1 Allshouse Street

- Mr. Berlin states he is disappointed the New Jersey Guidelines regarding warehouses was not better utilized in meetings thus far.
- Mr. Berlin asks if the Guidelines have been cited.

Mr. Bernstein states they have not been cited because no one who would potentially cite them has yet to present before the Board. Mr. Bernstein continues reminding the Guidelines are guideline recommendations from the State Planning Commission and there has been no action taken by any official body in the state of NJ making them binding on any municipal land board, planning, zoning or land use. He states they are for consideration, but they are not binding, nor can they be the final determining factor for the Board until either the Governor puts them into effect or the Legislature adopts them.

Thuy Anh Le – 4 Ivy Lane

- Ms. Le states she would like to ask general questions since this is the first meeting of the year and explains the public cares about the town, would like to encourage the Board to consider certain things and would like to better understand what the Board can and cannot do.
- Ms. Le asks after two flood-related deaths from Hurricane Ida and increasingly severe floods in recent years what are the Planning Board's goals and objectives as they relate to reviewing existing Hillsborough ordinances and zoning.

Mr. Bernstein states the Planning Board has no impact. He explains governing body deals with the ordinances and the Planning Board addresses them as they are put into place, separate and apart from the creation of the Master Plans.

- Ms. Le asks if the Township Committee would be the appropriate place for her question.

Mr. Bernstein confirms.

Mayor Lipani states there are some regulations the Governor did not enact and so planning for them would not be productive until laws are set in place.

- Ms. Le asks while each warehouse may meet the current impervious surface requirements for each application, has the Board evaluated the impact of all the proposed warehouse applications along with the other developments or projects the township has had over the past few years.

Mr. Bernstein advises the Board not answer this question and explains the Board has to review the applications in a quasi-judicial manner based on each and every application.

- Ms. Le asks who evaluates the totality.

Mr. Bernstein interrupts stating the New Jersey Department of Environmental Protection and the Governor. He explains the state has been waiting a year for the Governor to promulgate the set of emergency regulations. Once this is done the DEP will evaluate, implement and give guidance as to what to do about stormwater.

Rich Gahrman – 53 Winding Way

- Mr. Gahrman asks if the Board can explain the recent resolution regarding posting documents 10 days prior to a meeting.

Mr. Bernstein states the resolutions adopted by the Planning Board requires, when a Planner is going to testify, the Planner's Report be provided at least 10 days in advance of his/her appearance before the Board so as the Board and public can be aware of the potential testimony.

Niyati Shah – 3 Deer Run

- Ms. Shah states she feels the litmus test for completed applications should be a little bit higher and she begins to explain why.

Mr. DelCore and Mr. Bernstein interject.

Mr. Bernstein explains there is a completeness checklist and requirements under the Land Use Law that must be met before the Planning Department determines if an application is complete. It is not uncommon for people to submit reports and then change them or submit revised reports throughout an application. Mr. Bernstein states the fact that applications seem to go on interminably or seem to be incomplete is part of the process. There are very few applications that go through in one meeting. It is also not uncommon for applicants, Board professionals or the Board attorney to be asked to provide additional material that may change the entire situation of an application. Applications will not be determined as incomplete because there are changes as it goes along.

Mr. Bernstein continues explaining the Community Impact Statements.

There is continued discussion about application completeness and the standard and quality.

Bob Lysyj – 37 Onka Drive

- Mr. Lysyj asks if a comprehensive traffic study has been done on all the projects.

Chairman Suraci states it is his understanding the traffic studies do encompass the surrounding areas.

Mayor Lipani explains the applicant's traffic study professionals measure all the traffic existing on the road then overlay what their impact would be on the existing traffic.

There is a discussion about town wide traffic studies.

Mr. DelCore assures Mr. Lysyj they do consider surrounding traffic.

- Mr. Lysyj asks how much weight the traffic study carries when considering an application.

Chairman Suraci states traffic studies in general can carry a lot of weight and assures applicants do have to take traffic from other projects into consideration.

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

- Ms. Janucik addresses a letter to Chairman Suraci from Environmental Commission Chairman Folli regarding fabricated stormwater data.

Chairman Suraci reminds Ms. Janucik the Environmental Commission is an advisory board of which the Planning Board takes their reports into consideration which will be utilized in the cross-examination of the applicant.

- Ms. Janucik continues to question the issue.

Chairman Suraci asks Ms. Janucik to stop, reminding her that this is regards to an active application of which they cannot currently comment on.

- Ms. Janucik questions the availability of the verbatim transcript.

Chairman Suraci explains the process of the creation, review and approval of transcripts.

- Ms. Janucik asks if there is a requirement for transcripts of public hearings as per Municipal Land Use Law.

Mr. Bernstein states it is in the Township Code per his request 23 years ago but the Municipal Land Use Law does not require verbatim transcripts for anything.

- Ms. Janucik states she did not agree with the Boards decision to allow an unspecified applicant to move forward with their application when face with the question of whether something is being done legally under Municipal Land Use Law.

Mr. Bernstein states for the benefit of the public it is not uncommon for the Board to tell an applicant they believe there is a legal issue and it is the applicant's decision to move forward and take the risk. Ultimately a judge will make a determination if it comes before them. He reminds applicants are not bound by the Boards opinions.

Chairman Suraci states it is almost 9:00 pm and closes public comment.

APPLICATIONS – PUBLIC HEARING

- **303 Amwell LLC (JMJ4ABEEL LLC) – File 21-PB-17-MSPV** – (TOD: 01-31-23 w/ Ext.) - Block 198, Lot 2.03 (formerly Lot 2.B) – 303 Amwell Road (f/k/a as 301 Amwell Road). Applicant seeking preliminary and final major site plan approval; 'c' bulk variance; and waivers, to construct and 85,348 square foot warehouse, with associated stormwater management, parking, light and improvements, on Property in the CDZ, Corporate Development Zone. (EC Review: 08-15-22) *Revised document/plans/reports submitted 12-22-22. **Application continued from September 08, 2022 WITH renote.***

Participating: Michael O'Grodnick, Esq., Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher, P.A.; John Manilio, PE of ManTERRA Design LLC (Civil Engineer); Douglas Polyniak, PE of Dolan & Dean Consulting Engineers, LLC (Traffic Engineer); John McDonough, PE of John McDonough Associates, LLC; Roberto Martinez, RA, Redcom Design & Construction LLC (Architect.); and Nick Braco, PP/LLA and Greg Redington, PE of Redcom Design & Construction LLC, Applicant Representatives.

Objector: Craig Berlin

Michael O'Grodnick, Esq., attorney for the applicant introduces himself and the application. He clarifies this application is for an industrial building, not a warehouse.

Committeeman Ciccarelli announces that he recuses himself and leaves the meeting room.

Mr. O'Grodnick continues describing the application.

Craig Berlin interjects and states for the record he is present as an objector.

Mr. O'Grodnick continues with his description. He states as a result of the comments from the Board at the September 8, 2022 hearing there has been a substantial redesign of the project. Mr. O'Grodnick reviews the redesigns which includes but is not limited to elimination of variance for a relief, redesign to fully comply with tree mitigation requirement and elimination variance, elimination of design waivers with respect to parking aisle width and parking space dimensions, adjustment to sign and lighting design waivers, elimination of waiver relief regarding pipeline access and elimination of all variance and fully confirming with CDZ standards.

Mr. O'Grodnick reviews his witness list and introduces his first witness.

Mr. Bernstein points out Mr. O'Grodnick left out one issue, the opinion given by the Zoning Officer, Marcella McLaughlin, on December 29, 2022 which was provided to the Board, Mr. O'Grodnick and is posted on Civic Clerk. Mr. Bernstein summarizes the opinion saying warehousing is not a permitted use within this zone; it is not permitted or a conditional use which in turn means the Planning Board has no jurisdiction to hear this application. If the applicant wants to build a warehouse in this zone a Use Variance will be required thus falling under the jurisdiction of the Zoning Board to hear the application. This poses the question of whether or not this application should move forward in front of the Planning Board this evening.

Mr. O'Grodnick states the applicant intends to construct a building that is fully conforming with the zoning. He states light industrial is permitted conditional use and the applicant meets all the standards of conditional use. However, due to recent township reinterpretation of Permitted Uses

in the CDZ there is some ambiguity with respect to the definition of light industrial. Mr. O'Grodnick states they do tend to move forward with the application before the Planning Board but realizes a discussion regarding Permitted Uses under Light Industrial is need.

Chairman Suraci states it seems jurisdiction needs to be determined.

Mr. Bernstein offers Mr. Berlin an opportunity to speak on the issue as the recognized objector.

Mr. Berlin speaks in favor of following the Zoning Officers recommendation. He also speaks to the numerous times the word 'warehouse' is used to reference the building across all documents in the application.

Mr. O'Grodnick states for the record the Planning memorandum under the Use Standards interprets the Permitted Uses in the CDZ to include the Warehousing Use.

Mr. Berlin reminds the traffic studies were done based on and presented as a warehouse.

Mr. O'Grodnick on December 28, 2022 the Township reversed their interpretation.

Mr. Bernstein states Ms. McLaughlin has rendered a Zoning Officer's opinion pursuant to the Municipal Land Use Law which the applicant does not concur with, therefore there are four options before the Board. One option is to file an appeal of the Zoning Officer's Determination before the Zoning Board pursuant to NJSA 40:55D-70 sub A within 20 days after her decision. Option two is Mr. O'Grodnick's client can ask for this application to be continued to a date subsequent where the Board attempts to work out the issue of a possible conforming application. Option three is the Board can decide they concur with Ms. McLaughlin's determination and therefore believe there is no jurisdiction before this Board. Option four is to withdraw the application voluntarily and submit a conforming application in accordance with Ms. McLaughlin's option in conjunction with conversations the Planning Department going forward.

Chairman Suraci confirms with Mr. Bernstein the Zoning Officer's Determination is officially part of the record. He gives Mr. Kois the opportunity to comment.

Mr. Kois states upon taking on the application as Interim Planning Director wanted to make sure the Zoning Officer had an opportunity to evaluate the application and make a determination which the Municipal Land Use Law gives her jurisdiction to do. He continues Ms. McLaughlin's memo stands on its own and does offer administrative remedies. He notes the way the Hillsborough Township Zoning Ordinance is designed, as many are, when uses are not permitted they are prohibited.

Chairman Suraci states it is his understanding multiple sources were used when determining definition and asks how, as an industry practice, is the source considered.

Mr. Kois explains a common practice for a Zoning Officer is to use the common definition and he respects the opinion the township's Zoning Official rendered. He states all Zoning Officials are trained to and practice the principle 'to doubt is to deny' and there are opportunities for an applicant to seek relief.

Mr. O'Grodnick states he strongly disagrees with Ms. McLaughlin definition and reads her definition into the record. He also does not agree with the four options Mr. Bernstein gave. Mr. O'Grodnick states they are comfortable preceding as a Light Industrial Use and believe they work through this application by discussing similar Uses, parameters on the Use that would provide a reasonable definition of Light Industrial. Mr. O'Grodnick states they do not want to start over; he does not feel it is appropriate to withdrawal the application and suggests it be amended on the record and work towards giving testimony what would give sufficient examples of Light Industrial Use.

Mayor Lipani asks if they have a tenant or business for this property.

Mr. O'Grodnick states they have potential tenants but due to the length of time the approval process and build takes they do not have a contracted tenant.

Mayor Lipani states he understands the situation but believes it will be difficult for the Board to determine Use without a tenant therefore they would have to evaluate it on what it is perceived to be potentially and points out the building is a big open box.

Mr. O'Grodnick asks to have his first witness sworn in to provide some information.

Mr. Bernstein tells the Board he is concerned this testimony is not going to give them any more understanding of jurisdiction. He reminds the Board the fact this application is now variance free does not make it approvable, it makes it simply means it does not require variances and limits the Planners testimony.

Mr. Bernstein states if Mr. O'Grodnick believes if there is a way to address the item at hand without the Board coming to decision on jurisdiction at this time, one option is for the application to be continued to a future date to see what can be resolved. He states this application as it appears before them is not Light Industrial.

There is discussion regarding how to proceed.

Chairman Suraci asks Mr. Bernstein if the Board gives the first witness a few minutes to answer some of the key questions will that be considered an acknowledgement of jurisdiction.

Mr. Bernstein states he is concerned it does not matter as it is the application that governs, not the desire of the interpretation.

Mr. Berlin requests a five-minute recess.

Chairman Suraci calls for a 20-minute recess.

Chairman Suraci reconvenes the meeting.

Chairman Suraci states the Board is not comfortable with being jurisdiction and is not willing to take the risk of suggested jurisdiction by letting the first witness speak at this time. Chairman Suraci give Mr. O'Grodnick two options being to appeal the Zoning Officers interpretation in front of the Zoning Board or carry this hearing so as to have more private discussions with Mr. Bernstein with regards to the Light Industrial Use situation.

Mr. O'Grodnick asks what would be a potential return date before the Board.

Mr. Bernstein states Mr. O'Grodnick has a fair amount of control of the date as he is on much of the upcoming schedule and asks if he would like to put it off 90 days till April.

Mr. O'Grodnick begins to ask if the applicant agrees voluntarily

Mr. Bernstein states he does not believe any voluntary agreement this Board has jurisdiction is necessarily binding on this Board or removes the possible appeal issue of whether or not this Board had jurisdiction.

Mr. O'Grodnick asks if the applicant voluntarily agrees to remove warehousing as a principle use then this Board would have jurisdiction as Light Industrial Use.

Mr. Bernstein states it is quite possible depending on what the application is but it is not before this Board at this moment; it is a warehouse application that is currently before the Board. He states if Mr. O'Grodnick's client wants to have the Board reconsider this application amended with a different Use then postpone tonight's hearing, carry for a period of time, see what they can come up with and come back before the Board.

Mr. O'Grodnick agrees that is appropriate.

Mr. Bernstein states Mr. O'Grodnick is back before the Board on April 6th, on another application, so hopefully he will be able to update the Board or have an amended application. He asks if Mr. O'Grodnick's client would agree to extend the Time of Decision to April 30th.

Mr. O'Grodnick asks if the township intends to undertake a definition of Light Industrial or is it looking to proceed with that ambiguity.

Mr. Bernstein states he believes the township is looking to explore all potential options.

Mr. Berlin asks if there is enough information to take a vote. It is his belief the Board does not have jurisdiction to come to a decision on this.

Mr. Bernstein states the Board has the jurisdiction if Mr. O'Grodnick's client agrees to continue this application in its current form depending on whether or not there is an amended plan.

Mr. O'Grodnick states they are comfortable with requesting an adjournment to allow the applicant to amend the application to a permitted Light Industrial Use and to work with Mr. Kois and Mr. Bernstein to define Light Industrial.

Mr. Bernstein states for purposes of this application.

Mr. Berlin asks for clarification on what constitutes 'working with the Planning Board'.

Mr. Bernstein explains it means the applicant working with the township professionals vis-a-vie whether or not there is an application which may fall within the definition that applies to this Zone and this property. It does not bind anyone.

Chairman Suraci asks Mr. O'Grodnick if he would like to carry this to April 6th and extend the Time of Decision to April 30, 2023.

Mr. O'Grodnick says yes.

There is a discussion regarding the schedule of matters also on April 6, 2023 meeting agenda.

Vice Chairman Julian asks if this matter is still going before the Environmental Commission later this month.

Mr. O'Grodnick states they are schedule before the EC for February 24, 2023. This is a revised date, so EC is able to do a site-walk to look at the isolated wetlands as well as the debris.

Mr. Bernstein clarifies the current TOD is June 30, 2023 so there is no need to extend it currently.

Chairman Suraci explains for the public there will not be notice with this application.

Mayor Lipani motions to carry this application to April 6, 2023 without notice, seconded by Mr. Wagner.

No comments

Roll Call:

Mr. Wagner - Yes

Mr. Radowitz (*Alt. #1*) - Yes

Mr. Peason - Yes

Mayor Lipani - Yes

Mr. DelCore - Yes

Vice Chairman Julian - Yes

Mr. Skobo - Yes

Chairman Suraci - Yes

Mr. Hesthag - Yes

Motion carries

PLANNING BOARD BUSINESS

• **Review of Draft 2022 Planning Board Annual Report**

Mr. Kois asks if the Board has any questions on the draft.

Chairman Suraci states it is a comprehensive report.

Mayor Lipani agrees stating it was one of the busiest years with not only the number of applications but the complexity of the applications. He extends his gratitude to Mr. Kois and his staff.

Mayor Lipani asks if the report will be put on to Civic Clerk.

Mr. Kois confirms as it is a public record.

Mayor Lipani motions to adopt the report, seconded by Secretary Hesthag.

No comments

Roll Call:

Mr. Wagner - Yes

Mr. Radowitz (*Alt. #1*) - Yes

Mr. Peason- *Abstain*

Mayor Lipani - Yes

Mr. DelCore - Yes

Vice Chairman Julian - Yes

Mr. Skobo - Yes
Mr. Hesthag - Yes

Chairman Suraci - Yes

Motion carries

- **January 26, 2023 Business Meeting**

Chairman Suraci states there is no business for the January 26th meeting, so he suggests it be canceled.

There is a motion to cancel the January 26th Business Meeting by Mayor Lipani, seconded by Secretary Hesthag. All were in favor, none opposed. Motion carried.

ADJOURNMENT

A motion to adjourn was made by Mayor Lipani, seconded by Vice Chairman Julian. Motion carries unanimously.

Meeting adjourned at 9:55 pm.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*