

Township of Hillsborough – BOARD OF ADJUSTMENT

APPROVED Meeting Minutes

April 3, 2024 – 7:00 pm

Chairman Herbert called the April 3, 2024 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 2023 Annual Meeting Schedule and additional meeting dates have 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

Present - Frank Herbert,	Present - Tom Ramsey
Chairman	
Present - John Stamler	Present - Jim Wohlmacher, Vice Chairman
Absent - Helen Haines	Present - Vivek Rao (Alt#1)
Absent - Jarrett Dewelde	Present - Tim Lockburner (Alt#2)
Present - Peggy Gladstone	

Also in attendance: Marcella McLaughlin, Assistant Planning Director / Zoning Official / Board Secretary; Mark Anderson Esq., Board Attorney (Woolson Anderson Peach, P.C.); Mark Mayhew, PE, CME, Board Engineer (Pennoni Associates); Michael Lombardozzi, CCR Board Court Reporter.

CONSIDERATION OF MEETING MINUTES

- **February 21, 2024**, regular meeting/reorganization meeting
 - Mr. Stamler motioned to approve the minutes as written, seconded by Mr. Ramsey, all were in favor, none opposed; motion carried.

CONSIDERATION OF RESOLUTIONS

- **PSE&G Co. (Gas M&R Station) – BA-23-22**
No further discussion.
Mr. Stamler motions to approve, seconded by Vice Chairman Wohlmacher

Roll Call:

Yes - Mr. Stamler	Yes - Mr. Ramsey
Yes - Ms. Gladstone	Yes - Vice Chairman Wohlmacher
	Yes - Chairman Herbert

Motion carried.

- **Apple Montessori Schools, LLC – BA-23-24**
No further discussion
Vice Chairman Wohlmacher motions to approve, seconded by Mr. Ramsey

Roll Call:

Yes - Ms. Gladstone	Yes - Mr. Rao
Yes - Mr. Ramsey	Yes - Vice Chairman Wohlmacher
	Yes - Chairman Herbert

Motion carries.

BOARD OF ADJUSTMENT BUSINESS

- **None**

BUSINESS FROM THE FLOOR

(Open to public comment for matters not on the agenda)

- **None**

PUBLIC HEARING – APPLICATIONS

- **Hillsborough Crossings, LLC - BA-23-25** (TOD 05/21/24) - Block 178, Lot 18.01 (previously lots 17.01 & 18) - 692 Route 206, Hillsborough Township. Applicant seeking “d” use variance to increase previously approved variance for 10 one-bedroom units (BA-18-13) to 11 one-bedroom units on property located in the GA, Gateway A District. On March 28, 2024, Legal Notice was deemed insufficient by the Board Attorney. Applicant to be rescheduled with re-notice May 1, 2024.

Participants: Kevin H. Morse, Esq, Kevin H. Morse, LLC. – applicant’s attorney.

- 1) Chairman Herbert states the application is being carried to May 1, 2024.
 - 2) Ms. McLaughlin explains Mr. Anderson deemed the notice received was insufficient.
- **Pankaj & Kirkतिकुमारी Amin – BA24-01 (TOD 06/06/24)** - Block 145, Lot 4 (previously Lot 34.01) – 2 Valis Road, Hillsborough Township. Applicant seeking “c” bulk variance for impervious coverage - were 12.0% is existing, 10% is permitted and 11.9% is proposed associated with the construction of a carport over existing driveway pavers and remove existing gazebo (85.3 sf.), on property located in the RS, Rural/Suburban Zone District
 - 1) Mr. Cipparulo summarizes the application and calls his engineer as witness.
 - 2) **Thomas Decker** is sworn in. Mr. Decker describes his educational and professional background and qualifications.
 - 3) The Board accepts Mr. Decker as an engineering professional.
 - 4) Mr. Decker explains why they are requesting a lot coverage variance, describes the property and what is proposed which includes a carport over the existing paver driveway.
 - 5) Mr. Stamler asks where water will be running off the carport will run off to.
 - 6) Mr. Decker states water will run off onto the driveway and continue to the street. He states it will not create additional runoff as it is placing impervious surface over impervious surface. He explains the new NJ DEP regulation and Township ordinance which differentiate between motor vehicle surface and non-motor vehicle surface. He states the carport will be taking motor vehicle surface.
 - 7) Mr. Stamler asks if having the water runoff into the grass is a possibility.
 - 8) Mr. Decker states they did not think it would be necessary to divert to the grass as the quantity of water is going to be the same.
 - 9) Mr. Stamler expresses concern over the potential amount of water running to the road and again suggests directing the run off to the grass.
 - 10) Mr. Decker says they can look into it.
 - 11) Mr. Mayhew suggests the west-side of the A-frame have a downspout which punches through the Belgium block at the curb.

- 12) Mr. Decker states they can review the option. He states he is unsure where the grass drains to and is concerned it may drain to the driveway.
- 13) There is discussion amongst the Board, Mr. Anderson and Mr. Decker, about drainage concerns, topography and possible options including but not limited to running downspouts.
- 14) Vice Chairman Wohlmacher states he agrees with Mr. Decker's concern regarding running downspouts over paving and asks about a drywell option in the area of the gazebo.
- 15) Mr. Decker states it is a possibility.
- 16) Mr. Stamler suggests creating a water mitigation plan to be approved by Mr. Anderson.
- 17) Mr. Decker states they could agree to this.
- 18) Ms. McLaughlin asks for clarification as to if the goal is to remediate the carport's overage or remediate the 2% over the 10%.
- 19) Vice Chairman Wohlmacher states it is his understanding they are looking to mitigate the carport runoff.
- 20) Chairman Herbert opens to public questions. There are none.
- 21) Mr. Stamler motions to approve the application with the condition a water mitigation plan is created for the carport area and subject to Mr. Mayhew's approval, seconded by Vice Chairman Wohlmacher.

Roll Call:

Yes - Mr. Stamler	Yes - Mr. Rao
Yes - Ms. Gladstone	Yes - Vice Chairman Wohlmacher
Yes - Mr. Ramsey	Yes - Chairman Herbert
	Yes - Mr. Lockburner

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Motion carried.

ADJOURNMENT

A motion to adjourn was made by Mr. Stamler, seconded by Vice Chairman Wohlmacher. Motion carried unanimously.

7:32 pm meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*