Township of Hillsborough – PLANNING BOARD
Approved Public Meeting Minutes

February 1, 2024

Chairman Carl Suraci called the Planning Board Regular Public Meeting of February 1, 2024, to order at 7:03 pm. 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

Present -	Committeeman Shawn Lipani, *Mayor's Designee*	*Absent* -	Frank DelCore
Present -	Robert Wagner, Jr	Present -	Ron Skobo
Present -	Deputy Mayor John Ciccarelli	Present -	**Patricia Smith, *Secretary***
Present -	**Robert Peason, *Vice Chairman***	Present -	Bruce Radowitz (*Alt. #1*)
Present -	**Carl Suraci, *Chairman***		Vacant *(Alt. #2)*
	Vacant (seat #6)		

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

CONSIDERATION OF MEETING MINUTES

- **None**

CONSIDERATION OF RESOULTIONS

- **None**

PLANNING BOARD BUSINESS

- None

CONSIDERATION OF ORDINANCES

- **None**

BUSINESS FROM THE FLOOR *(public comment for matters not on the agenda)*
Chairman Suraci opens to comments from the public. He reminds of the rules, comments only no questions (there will be an additional period for questions), no comments regarding warehousing direct or indirect*, and there is a five-minute limit per person. He asks that each person state their name and address for the record.
(*warehouse-related comments and questions should be expressed during the designated public hearing portion of the meeting)

None

APPLICATIONS – PUBLIC HEARING

- Weston RD, LLC (Guastella) – File 22-PB-03-MSPV (TOD: 02-15-24) - Block 185, Lot 1 – Weston Road. Applicant seeking preliminary and final major site plan approval; 'c' bulk variances; and waivers, to construct a 130,418 square foot warehouse building with associated parking and loading, walkways, trash dumpster enclosure area, landscaping and lighting, utilities, stormwater management, and site improvements, on Property located in the I-1, Light Industrial District and in the Airport Hazard Zone Area Overlay District. (EC Review: 10-24-22) *(Mtg. history: 11-10-22; 01-12-23 – NO testimony – for scheduling only; 02-02-23; 03-23-23; 05-04-23; 05-11-23; 06-01-23; 06-08-23; 07-06-23; 10-12-23). Revised plans/ reports/ documents submitted 03-10-23; further revised plans/reports/documents received 04-21-23; further revised plans/reports/documents received 10-02-23.* ***Application continued from October 12, 2023 without further notice.***

    1. **Michael O'Grodnick**, attorney for the applicant, introduces himself, summarizes the application, states it's current status and reviews previous and current witnesses lists.
    2. Mr. O'Grodnick defers to Mr. Bernstein for next steps regarding Objector's request to address the legal jurisdictional issue.
    3. **Mike Sinkevich**, attorney for the Objector, introduces himself and the Objectors status.
    4. Mr. Bernstein explains the legal jurisdictional issue, states he has not yet prepared formal legal opinion but will be advising the Board that the matter should go forward with the application.
    5. There is a discussion between Mr. Bernstein and Mr. Sinkevich about supplementing the record.
    6. **Michael Ford,** engineer for the applicant, is sworn in and states his educational and professional background.
    7. Mr. Ford updates the Board on the changes made since the last meeting which include but are not limited to landscaping enhancements, stormwater management changes, water quality measures, and stormwater quantity.
    8. Mr. Ford states he believes the applicant met standards and listened to concerns and made substantial progress on meeting concerns.
    9. Mr. Mayhew questions pertaining to the Soil Log exhibit.
    10. Mr. Ford discusses the use of the term 'refusal', basin drainage, infiltration rate, and volume runoff.
    11. Vice Chairman Peason asks about Soil Log tests that were listed as having failed.
    12. Mr. Sinkevich asks questions pertaining to the dates of the testing for the Soil Log, the reduced drainage area and rainfall standards.
    13. Mr. Ford explains 100-year-storm standards and delay discharges.
    14. A ten-minute recess is taken, reconvening at 8:40 pm.

15. There is a motion and second to open to public question. All were in favor, none opposed. Motion carried.
16. **Willliam Brites**, 46 Thornton St., asks for a definition of "100-year-storm".
17. Mr. Ford explains what constitutes a 100-year-storm.
18. Mr. Sinkevich interjects realizing Mr. Brites is a new resident of the HOA he is representing and informs him he has to direct his questions to him or the HOA representative and not the Board.
19. **Maria Janucik**, 720 East Frech Ave., Manville (residence) / 2155 Camplain Road, Hillsborough (property owner),
20. Ms. Janucik asks if they encountered difficulties regulating stormwater due to the wetlands on site.
21. Mr. Ford states they have avoided the wetlands area by not developing it and he states work in those areas would require NJDEP approval. He explains the freshwater wetlands limits have been approved by NJDEP; the minimal disturbance to the area is identified on the plan and complies with NJDEP standards and has a NJDEP permit.
22. Ms. Janucik asks questions regarding the drainage pipes along Weston Rd.
23. **Manville Mayor, Richard Onderko**, 325 North Main Street, Manville.
24. Mayor Onderko asks for clarification if the changes proposed will help to reduce flooding.
25. Mr. Ford explains the stormwater regulations and how they are being met.
26. There are no further questions from the public.
27. Mr. O'Grodnick has no further witnesses.
28. **Jordan Asch** discusses the jurisdictional issue and why the time of application does not apply here.
29. Mr. O'Grodnick offers a rebuttal which includes offering examples of Towns upholding Time of Decisions under similar circumstances.
30. Mr. Bernstein offers his thoughts on the Time of Decision rule.
31. Date for the next meeting is discussed. Mr. Bernstein makes a statement about future meetings that will have multiple applications.
32. Mr. Sinkevich calls his first witness.
33. **Paul Gleitz** is sworn in. Mr. Gleitz states his qualifications and experience as a Licensed Planner.
34. Mr. Gleitz provides a summary of his revised Planning Report, submitted October 2, 2023. His summary includes but is not limited to stating he believes this site should not be approved because it does not meet the use definition, does not comport with the existing pattern of small industrial facilities, does not protect public health, safety and welfare, and applicant has not submitted sufficient proof necessary for variance in design waiver relief. He reviews the negative impacts of the variance, the I-1 Zones, discusses Ordinance 2022-08, warehouse commerce and the rise of e-commerce, and reviews his lot-by-lot analysis of the Zones.
35. 10:27 pm it was established Mr. Gleitz was not finished and would need additional time. There is a discussion regarding the date of the next meeting and Time of Decision.
36. Mr. Skobo motions to continue this hearing without further notice to Thursday, April 24, with TOD extended to April 30, 2024, seconded by Vice Chairman Peason.

    Roll Call:

Yes -	Committeeman Lipani	Yes -	Chairman Suraci
Yes -	Mr. Wagner	Yes -	Mr. Skobo
Yes -	Deputy Mayor Ciccarelli	Yes -	Ms. Smith
Yes -	Vice Chairman Peason	Yes -	Mr. Radowitz (*Alt. #1)*

Motion carries

ADJOURNMENT

A motion to adjourn was made by Mr. Skobo, seconded by Vice Chairman Peason. Motion carries unanimously.
10:35 pm meeting is adjourned.

Submitted by Robyn Bittle-Abramo
Recording Secretary