

Township of Hillsborough – BOARD OF ADJUSTMENT

APPROVED Meeting Minutes

July 17, 2024 – 7:00 pm

Chairman Herbert called the July 17, 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 2024 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, Chairman	Present - Tom Ramsey
Present - John Stamler	Absent - Jim Wohlmacher, <i>Vice Chairman</i>
Present - Helen Haines	Present - Vivek Rao (<i>Alt#1</i>)
Present - Jarrett Dewelde	Present - Tim Lockburner (<i>Alt#2</i>)
Absent - Peggy Gladstone	

Also in attendance: Marcella McLaughlin, *Assistant Director / Zoning Official / Board Secretary*; Mark Anderson Esq., *Board Attorney (Woolson Anderson Peach, P.C.)*; Mark Mayhew, PE, CME, *Board Engineer (Pennonni Associates)*; Christina Restuccia, CCR, *covering Board Court Reporter*.

CONSIDERATION OF MEETING MINUTES

- **June 5, 2024 regular meeting minutes**
 - There is no further discussion
 - Ms. Haines motioned to approve the minutes as written, seconded by Mr. Dewelde, all were in favor, none opposed, motion carries.

CONSIDERATION OF RESOLUTIONS

- **Bina and Brijesh Patel – BA-23-19**
 - There is no further discussion.
 - Ms. Haines motioned to approve, seconded by Mr. Ramsey.

Roll Call:

Yes - Ms. Haines	Yes - Mr. Rao (<i>Alt. #1</i>)
Yes - Mr. Dewelde	Yes - Mr. Lockburner (<i>Alt. #2</i>)
Yes - Mr. Ramsey	Yes - Chairman Herbert

Motion carries

- **Irv Cyzner – BA-21-20 (2024 Extension)**
 - There is no further discussion.
 - Mr. Stamler motioned to approve, seconded by Ms. Haines

Roll Call:

Yes - Mr. Stamler	Yes - Mr. Ramsey
Yes - Ms. Haines	Yes - Chairman Herbert
Yes - Mr. Dewelde	

Motion carries

- **Amended Resolution – PSE&G co. (Gas M&R Station) – BA-23-22**

- There is no further discussion.
- Mr. Stamler motioned to approve, seconded by Ms. Haines.

Roll Call:

Yes - Mr. Stamler	Yes - Mr. Ramsey
Yes - Ms. Haines	Yes - Chairman Herbert
Yes - Mr. Dewelde	

Motion carries

- **Hillsborough Crossing, LLC – BA-23-25**

- There is no further discussion.
- Ms. Haines motioned to approve, seconded by Mr. Dewelde.

Roll Call:

Yes - Ms. Haines	Yes - Mr. Rao (<i>Alt. #1</i>)
Yes - Mr. Dewelde	Yes - Mr. Lockburner (<i>Alt. #2</i>)
Yes - Mr. Ramsey	Yes - Chairman Herbert

Motion carries

- **Anthony and Lisa Germana – BA-24-03**

- There is no further discussion.
- Mr. Stamler motioned to approve, seconded by Mr. Dewelde.

Roll Call:

Yes - Mr. Stamler	Yes - Mr. Ramsey
Yes - Ms. Haines	Yes - Chairman Herbert
Yes - Mr. Dewelde	

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

- **Chick-Fil-A - BA- -24-05** (TOD 9/12/24) Block 152.03 (previously Block 152), Lot 14 (previously Lot 36A) - 296 Route 206 (corner of Triangle Road and Route 206). Applicant seeks "c" bulk and "d" use variances to construct a 6,100- sf. Chick-fil-A, a quick service restaurant with dual drive-through lanes on the current "Exxon" gas service station location, which consists of four service bays and 8 fueling stations on property located in the OLC/Office Light Commercial Zone District. **7/10/24 - Applicant requested to be adjourned to the September 18, 2024, agenda with re-notice.**

- 1) Chairman Herbert states the applicant have request to adjourn to a new date, possibly September 18. 2024 but the applicant cannot yet confirm they will be ready and may need to extend further.

- **Geoffrey and Kathleen Schwint - BA-24-02** - (TOD: 09/30/24 Ext.) - Block 151.05, Lot 2 - 25 Fine Road. Applicant seeking two “c” bulk variances for side yard and front yard (corner lot) waivers to construct an in-ground swimming pool on property located in the “AH” Zone/Affordable Housing District. *Applicant’ carried from the June 5, 2024, agenda without further notice.*

- 1) 7:06 pm start of hearing
- 2) **Geoffrey Schwint** summarized the application, the Planning Board hearing and the reasons for the request.
- 3) Mr. Stamler asks about the plan for a privacy barrier on one side.
- 4) Mr. Schwint states they may be putting in a fence which will be outside the easement, a six-foot solid fence.
- 5) Mr. Mayhew states the revised plans dated June 14, 2024, relocated the pool outside of the 10-foot maintenance easement which matches their recommendations so they have no further comments.
- 6) Chairman Herbert opens to public comments.
- 7) There are no public comments.
- 8) There is no further discussion from the Board
- 9) Mr. Stamler motioned to approve, seconded by Mr. Dewelde.

Roll Call:

Yes - Mr. Stamler
Yes - Ms. Haines
Yes - Mr. Dewelde

Yes - Mr. Ramsey
Yes - Mr. Rao (*Alt. #1*)
Yes - Mr. Lockburner (*Atl. #2*)
Yes - Chairman Herbert

Motion carries

Chairman Herbert reminds the next meeting will be September 4, 2024.

Ms. McLaughlin gives a brief summary of applications on the agenda for September.

ADJOURNMENT

A motion to adjourn was made by Mr. Stamler, seconded by Mr. Ramsey. Motion carried unanimously.

7:12 pm meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*