## Township of Hillsborough – PLANNING BOARD
## Approved Public Meeting Minutes

# February 6, 2025

Chairman Carl Suraci called the Planning Board Regular Public Meeting of February 6, 2025, to order at 7:09. 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 2025 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.portal.civicclerk.com/ . Complete applications files are available in the Planning and Zoning Department for inspection, in accordance with the public meeting notice.

**ROLL CALL**

| | | | |
|---|---|---|---|
| *Absent* - | Mayor John Ciccarelli | Present - | Bruce Radowitz |
| *Absent* - | Robert Wagner, Jr | Present - | Angelo Vitale |
| *Absent* - | Committeeman Shawn Lipani | Present - | Patricia Smith, *Secretary* |
| Present - | Robert Peason, *Vice Chairman* | Present - | Surajit Deb (*Alt. #1*) |
| Present - | Carl Suraci, *Chairman* | *Absent* - | Jason Smith *(Alt. #2)* |
| Present - | Jason Flagg | | |

Also in attendance: David Kois, PP, AICP, *Township Planning Director*; Samantha Ball, *Assistant Planner / Sustainability Program Manager*; Eric Bernstein, Esq., *Board Attorney (Eric M. Bernstein & Associates)*; Mark Mayhew, PE, CME, *Board Engineer (Pennoni Associates)*; Michael Lombardozzi, CSR, CCR, *Board Court Reporter;* Alex Pallis, *Township Videographer (Fuerza Strategy Group)*

**OATH OF OFFICE TO NEWLY APPOINTED MEMBERS**

Mr. Bernstein administered the Oath of Office to members absent from the January reorganization meeting:

**Alternate # 1 – Surajit Deb,** (Class IV),

**CONSIDERATION OF MEETING MINUTES**

- **December 12, 2024** regular meeting minutes were reviewed.

  A motion to approve as written was made by Vice Chairman Peason, seconded by Ms. Smith.
  There are no further comments from the Board.
  Mr. Bernstein states the members eligible to vote on this matter.

  **Roll Call:**
  Yes - Ms. Smith, Secretary
  Yes - Vice Chairman Peason
  Yes - Chairman Suraci
  Motion carries

**CONSIDERATION OF RESOLUTIONS**

- **None**

**PLANNING BOARD BUSINESS**

- **2024 Board of Adjustment Annual Report, Adopted January 15, 2025**
  Mr. Kois states this is a summary of all the Board of Adjustments actions and a courtesy copy they share with the Planning Board.

**CONSIDERATION OF ORDINANCES**

- **Ordinance 2025-02** - An Ordinance Amending Chapter 188 "Land Use and Development", Article I "Title; Purpose; Definitions", Section 188-3 "Words and Terms Defined" and Article V "Districts and Standards", Section 188-107.1 "LI Light Industrial District" of the Code of the Township of Hillsborough, Somerset County, New Jersey

Mr. Kois states the Township Committee has referred this ordinance to the Board for formal comment regarding consistency with the Township Master Plan and any other matter the Board considers appropriate. The ordinance was introduced at the January 28, 2025, Township Committee meeting. He gives explanation of the ordinance and reminds this is connect to a settlement between the Township of Hillsborough and Larken Entities.

Chairman Suraci adds that it does not change anything that is not already there.

Mr. Kois confirms stating the intention was to create a use in terms of the size and scale of the use that is currently there and nothing more intense.

Mr. Bernstein explains the options for actions to take. He states all members are eligible to vote on this matter.

A motion to concur with details laid out by Mr. Bernstein is made by Mr. Radowitz and seconded by Mr. Vitale.

**Roll Call:**

| | | | |
|---|---|---|---|
| Yes - | Mr. Flagg | Yes - | Ms. Smith, Secretary |
| Yes - | Mr. Vitale | Yes - | Vice Chairman Peason |
| Yes - | Mr. Radowitz | Yes - | Chairman Suraci |
| Yes - | Mr. Deb *(Alt. #1)* | | |

Motion carries

**BUSINESS FROM THE FLOOR** *(public comment for matters not on the agenda)*
Chairman Suraci opens to comments from the public.

**None**

**APPLICATIONS – PUBLIC HEARING**

- **Somerset County Senior Wellness Center (Pavilion) – File 25-PB-01-INF** – Block 149.08, Lot 92 – 339 South Branch Road. Applicant seeking informal review by the Planning Board pursuant to N.J.S.A. 40:55D-31(a) to construct a 24-foot by 34-foot accessory structure (pavilion) with electric; ADA compliant sidewalks; landscaping and associated grading and drainage, on Property located in the R, Residential Zone.

  *Participating: Marina Stinely, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC representing the County of Somerset; Matthew Loper, PE, County Engineer; and Adam Slutsky, PE, Assistant County Engineer.*

  1. 7:18 pm start of hearing.
  2. **Marina Stinely**, attorney for the applicant, introduces herself, summarizes the application and states the purpose of the applicant's request.
  3. **Adam Slutsky** is sworn in and states his professional background. The Board accepts him.
  4. Mr. Slutsky discusses the current senior center and its functionality. He discusses how the application will improve the current center.
  5. Mr. Slutsky discusses the size, material, proposed landscaping and storm water management.
  6. Mr. Stinely asks him to discuss the Board engineer's report.
  7. Mr. Slutsky states he believes they can comply with most of the recommendations though are concerned with the storm water recommendation. He explains that the existing facility has a sump pump with high water in the area and are not convinced installing a dry well will serve a productive purpose.
  8. Mr. Stinely asks if third parties will be permitted to rent the pavilion.
  9. Mr. Slutsky explains it will only be for the Senior Center.
  10. Mr. Slutsky discusses the sidewalk between the existing building and proposed pavilion.
  11. Mr. Mayhew asks questions pertaining to storm water management.
  12. Mr. Kois has no questions.
  13. Mr. Bernstein reminds this is an informal request as the County does not need a formal resolutions.
  14. A motion to approve the application as submitted was made by Mr. Peason, seconded by Mr. Deb.

      **Roll Call:**

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      |---|---|---|---|
      | Yes - | Mr. Flagg | Yes - | Ms. Smith, Secretary |
      | Yes - | Mr. Vitale | Yes - | Vice Chairman Peason |
      | Yes - | Mr. Radowitz | Yes - | Chairman Suraci |
      | Yes - | Mr. Deb *(Alt. #1)* | | |

      Motion carries
  15. 7:29 pm end of hearing.

- **TEEVEE, LLC - File 23-PB-02-MSV** – (TOD: 03-31-25 with Ext.) - Block 143, Lots 24.01 & 25 - Valley Road & 183 Valley Road. Applicant to consolidate two lots (house demolished) and seeking Preliminary and Final Major Subdivision Approval; 'c' bulk variances; and waivers, to subdivide approximately 5.483 acres into three SFD lots to be services by public sewer and well, with a private roadway, driveways, storm water, utilities, and associated improvements, on Property located in the R, Residential Zone. (EC Review: 09-23-24) ***Application continued from December 05, 2024 without further notice.***

*<u>Participating for the Applicant</u>: Erica Edwards, Esq. of Erica Edwards, Esq. Law Offices LLC; Frank W. Farrell, PE, CME of Grotto Engineering Associates, LLC; and Vijay Vyas of TEEVEE, LLC, Applicant*

1. 7:29 pm start of hearing
2. Mr. Bernstein states for the purpose of the record he has a Certification by Absent Board Member Examination of Record Eligibility to Vote for Mr. Flagg for the December 5, 2024, meeting therefore he is eligible to participate vote.
3. **Erica Edwards** introduces herself and calls their engineer back for additional testimony.
4. **Frank Farrell** is sworn in and states his educational and professional qualifications remain the same since the previous hearing.
5. Mr. Farrell states will be discussing the water services for the two lots that front on Valley Road. He explains they connected with NJ American Water and confirmed they can provide water service so long as the lot fronts on a public roadway.
6. Mr. Farrell introduces Exhibit A-10, Revised Utility Plan.
7. Mr. Bernstein instructs him to submit the full-sized copy to Mr. Kois at the end of the meeting and have reduced-size copies into his office by noon tomorrow.
8. Mr. Farrell discusses the plan pointing out the water service areas.
9. Mr. Mayhew requests enough time for his office to review construction details with conditional approval. He states as it stands that he does not see any reason to take exception to this solution.
10. Mr. Kois asks for clarification of previous mention of the stream corridor.
11. Mr. Farrell states it is not visible on current plan and brings up a different page. He points out where the buffer is and states they are still encroaching but performing the averaging.
12. Mr. Kois suggests giving the future residence the best opportunity to do things in their back yards and encourage compliance.
13. Mr. Farrell agrees and opines as to where some of those features may be.
14. Mr. Mayhew would like to further protect the buffer and easement. He and Mr. Farrell how best to accomplish this.
15. Mr. Radowitz asks why the third lot will not be hooking up to public water.
16. Mr. Farrell explains why it does not need to.
17. Mr. Kois explains the Township Code which allows the Board of Health to require a home to hook up to public water if their well test does not meet required levels.
18. Mr. Radowitz wonders on the cost effective nature as to having the utility structure in place in case it is needed.
19. Mr. Mayhew explains why the second and third lots cannot share the same water line.
20. There is a discussion as to if a water line should be put in pre-emptively.
21. There is a motion and second to open to public question for this witness; all are in favor, motion carries. There are no questions from the public.
22. **Paul Ricci,** professional planner, is sworn in and states his educational and professional background. He is accepted by the Board.
23. Mr. Ricci summarizes his report dated January 20, 2025 and states he believes the applicant does have a hardship. He discusses the multiple uses on one lot.
24. Mr. Kois has no questions.

25. Mr. Mayhew asks for clarification for driveway uses was stated as two but may actually be three.
26. Mr. Ricci asks Mr. Farrell to address the question.
27. Mr. Kois expresses concern about impervious coverage.
28. Chairman Suraci opens to public questions. There are none.
29. Ms. Edwards states that is the end of the testimony.
30. Mr. Bernstein asks Ms. Edwards for the purpose of the record if her client agrees to make any and all affordable housing contributions in accordance with the trust fund requirements.
31. Ms. Edwards confirms.
32. Chairman Suraci opens to final public comment. There is none. There is a motion and second to close to public comment. All are in favor, motion carries.
33. There is a motion by Mr. Deb to approve with any and all conditions agreed upon, seconded by Ms. Smith.
    **Roll Call:**

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    |---|---|---|---|
    | Yes - | Mr. Flagg | Yes - | Ms. Smith, Secretary |
    | Yes - | Mr. Vitale | Yes - | Vice Chairman Peason |
    | Yes - | Mr. Radowitz | Yes - | Chairman Suraci |
    | Yes - | Mr. Deb *(Alt. #1)* | | |

    Motion carries
34. 8:07 pm end of hearing.

Chairman Suraci reminds of February 13, 2025, meeting.

Mr. Bernstein confirms there is an application on the agenda. He speaks to members who are working through reviewing meetings they were not present for.

Mr. Bernstein explains he will need a short Executive Session with Chairman Suraci, Vice Chairman Peason, Ms. Smith, Committeeman Lipani and Mr. Wagner after next week's meeting. Mr. Mayhew and Mr. Kois will also be included in the meeting.

## ADJOURNMENT

A motion to adjourn was made by Mr. Radowitz, seconded by Mr. Deb. Motion carries unanimously.
8:10 pm meeting is adjourned.

*Submitted by Robyn Bittle-Abramo*
*Recording Secretary*