

Township of Hillsborough – PLANNING BOARD

Approved Public Meeting Minutes

July 10, 2025

Chairman Carl Suraci called the Planning Board Public Meeting of July 10, 2025, to order at 7:09 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 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

Present - Mayor John Ciccarelli	Absent - Bruce Radowitz
Present - Robert Wagner, Jr	Absent - Angelo Vitale
Present - Committeeman Shawn Lipani	Present - Patricia Smith, <i>Secretary</i>
Present - Robert Peason, <i>Vice Chairman</i>	Absent - Surajit Deb (<i>Alt. #1</i>)
Present - Carl Suraci, <i>Chairman</i>	Absent - Jason Smith (<i>Alt. #2</i>)
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)*; Natalia R. Angeli, Esq.

CONSIDERATION OF MEETING MINUTES

- **May 8, 2025** meeting minutes were reviewed.

Committeeman Lipani motions to approve as written, seconded by Ms. Smith.

There were no further comments.

Roll Call:

Yes - Mr. Wagner	Yes - Committeeman Lipani
Yes - Mr. Flagg	Yes - Mayor Ciccarelli
Yes - Ms. Smith	Yes - Vice Chairman Peason
	Yes - Chairman Suraci

Motion carries

- **June 5, 2025** meeting minutes were reviewed.

Mr. Wagner motions to approve as written, seconded by Ms. Smith.

Mr. Bernstein states Mayor Ciccarelli is not eligible to vote.

Roll Call:

Yes - Mr. Wagner	Yes - Committeeman Lipani
Yes - Mr. Flagg	Yes - Vice Chairman Peason
Yes - Ms. Smith, <i>Secretary</i>	Yes - Chairman Suraci

Motion carries

CONSIDERATION OF RESOLUTIONS

- **Somerset County Improvement Authority (Solar Array) – File 25-PB-09-INF**

Mr. Bernstein states which Board members are eligible to vote on the matter.

Mr. Wagner motions to approve, seconded by Ms. Smith.

Roll Call:

Yes - Mr. Wagner	Yes - Committeeman Lipani
Yes - Mr. Flagg	Yes - Vice Chairman Peason
Yes - Ms. Smith, Secretary	

Motion carries

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)

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

- Ms. Janucik shares the certified letter dated June 2, 2025 from Environmental Technology Inc. (ETI) she and her husband received as Hillsborough property owners. She states the letter is in regard to an application for freshwater wetlands letter of interpretation line verification extension with M&M at Camplain Road LLC listed as the applicant. Included with the letter was an 11 x 17 wetlands mapping plan for Block 86 Lot 21. Ms. Janucik points out this property had been subdivided around 2019 and purchased by Hillsborough Township for affordable housing. She summarizes the status of the properties for the past few years. She inquires as to how M&M obtained approval for building on this property.

Chairman Suraci states this is not the appropriate forum for this discusses and suggests she makes and appointment with Planning Department.

- Ms. Janucik states she had brought this matter to the Township Committee who suggested she present it to the Planning Board. She expresses her concern about the matter.

There are no further comments from the public.

Chairman Suraci asks Mr. Bernstein to confirm when the Board should move to an Executive Session.

Mr. Bernstein states after the Homestead Road LLC application.

APPLICATIONS – PUBLIC HEARING

- **Homestead Road, LLC – File 21-PB-25-MS/MSP(V)** – (TOD: 07-31-25 w/Ext.) - Block 200.10, Lots 32 & 33 – 203 Homestead Road and 189 Homestead Road. Applicant seeking preliminary and final major subdivision approval (determined a minor subdivision); preliminary and final major site plan approval; ‘c’ bulk variances; and waivers, to consolidate the two lots and then subdivide into two reconfigured lots; and demolish all existing structures to construct two warehouse/office buildings, with associated stormwater, parking, and site improvements, on Property in the TECD, Transitional Economic Development District. Applicant, no longer seeking ‘c’ bulk variances. Last revised plans/reports/documents received 08-08-24. (EC Review: 03-28-22) ***Application continued from June 05, 2025, without further notice.***

PB Meeting Agenda Dates: 05-12-22; 07-07-22; 10-06-22 adjourned; 12-08-22; 01-12-23 – no testimony – for scheduling only; 03-02-23; 04-06-23 – canceled, rescheduled to 04-13-23; 04-13-23; 05-25-23; 06-22-23; 09-07-23; 09-14-23; 12-14-23; 01-11-24; 01-25-24; 03-07-24; 04-11-24; 07-11-24; 09-12-24; 11-07-24; 12-12-24; 02-13-25; 03-13-25; 04-03-25 (no testimony); 05-08-25; 06-05-25.

1. 7:25 pm start of hearing.
2. **Craig Gianetti**, attorney for the applicant, introduces himself.
3. The Objectors introduce themselves; **Mike Pisauero** - Director of the Watershed Institute, **Scott Gross** - representative of LCAT, **Brian Tarantino** – representative of SWAT, **John Lanahan**, and **Laurie Cleveland** – representative of the Sourland Conservancy Board of Trustees.
4. Mr. Bernstein reminds the public portion of this application is done and they are now entering the closing arguments starting with the Objectors.
5. Mr. Pisauero begins his closing arguments by thanking the Board members, Township professionals, experts and the members of the public who have participated in the process. He states that given all the testimony and facts presented the Board must deny the application. Mr. Pisauero discusses the importance of three main issues; 1 – the application does not comply with storm water requirements, 2 – the application does not comply with the requirements of the TEC zone and 3 – the application does not comply with the Township’s stream corridor ordinance. He concludes his closing arguments by reiterating that the stormwater plan is not compliant and states while other agencies may have found it, the Board is obligated as the reviewer, as the approver to determine whether it does – if stormwater fails, if it does not work, flooding will get worse and one of the purposes is to protect our residents and communities. He urges the Board to vote no.
6. Mr. Gross reads his closing statement into the record. He states he has lived-in and raised a family in Hillsborough for the past 31 years and discuss what initially attraction to them to Hillsborough - its lack of local highways and lack of easy access to highways which made Hillsborough a “relatively quiet destination and not just another stop on the NJ interstate highway system”. He discusses speaking with other residents as non-compliant warehouse applications began flooding in, how one of their main concerns were traffic and its impact and thus formed Local Citizens Against Traffic (LCAT) and registered the group as a formal objector to the application. He discusses the traffic expert, Kenneth Houseman, LCAT brought in and questioning of witnesses to specifically address traffic issues. He summarizes findings and conclusions drawn in the areas of traffic counts, effects of traffic on local roads, noise and pollution. He summarizes by stating the applicants traffic impact analysis and supplemental data do not adequately predict the effects of warehouse traffic on local roadways during peak times, the number of truck trips or the resulting impact. He reminds the warehouse’s use is only speculative thus making

the number of truck trips unknown and there was no noise or pollution study presented. He states the impact of the proposed warehouses on traffic, noise and air pollution were poorly addressed and potentially much greater than indicated by the applicant and so the Planning Board should deny this application. Mr. Gross concludes by saying the Planning Board process has outlined numerous deficiencies in this application process and there has a multitude of support for the Board to deny it. He states throughout the entire hearing process the applicant and their experts have failed to demonstrate adequate support in the following areas; rail lines, pipe lines, roadways, stormwater management, pedestrian considerations, buffers, subdivision appropriateness, traffic, noise and air pollution and when given opportunity to cure these issues the applicant chose to proceed at risk and still failed to provide support that the application should be approved. Mr. Gross reminds how long the hearing process has been and discusses the lack of respect it shows on the part of the applicant for the Board and public and their valuable resources. He asks the Board to deny the application.

7. Mr. Tarantino from Stop Warehouses and Trucking (SWAT) begins his closing statement by thanking the Board for the opportunity to participate in the process as an Objector and have their voices heard. He discusses the purpose of SWAT which includes the community's serious concerns over the development of giant warehouse near residential neighborhoods. He states they are specifically focused on the real impact the proposals will have on the health and safety of their children, their elderly and their neighborhoods overall. He discusses SWAT's support within the community and its grassroots petition collecting signatures of citizens who oppose the warehouse development. He reads into the record the petition's statement of purpose. Mr. Tarantino discusses the "six fatal flaws" with the application, the numerous omissions with the application, and the ways the development would impact Hillsborough. The "six fatal flaws" Mr. Tarantino discusses include: 1 – lack of specific facility operator, 2 – the subdivision, 3 – ownership, 4 – the stream buffer, 5 – TECD compliance, and 6 – truck terminal. He discusses the applicant's treatment of residents, community groups and meeting participants, lack of interest in collaborating with neighbors and lack of effort to connect with SWAT and other objectors to discuss concerns, equitable solutions to issues and/or possible mitigations. In closing Mr. Tarantino states they are fighting to preserve the Hillsborough they love and urges the Board to deny the application.
8. Mr. Lanahan begins his closing statement by thanking the Board and Township professionals for their time over the past three years and the opportunity to present his concerns. He briefly describes his life in Hillsborough for the past 25 years. He states the land behind his home is "at risk of being transformed into something that threatens" the peace and character of Hillsborough. He discusses how the applicant and their experts failed to show how the proposed buildings are appropriate under the TECD requirement that all uses be at a scale and size appropriate for the district. He discusses the current impact of trucks throughout Hillsborough, the lack of tenant for the proposed warehouses, the scale, and the property owners right to benefit from their property so long as the development complies with the rules. He discusses the Township's history of protecting the integrity of the neighborhoods near the zone including the relocation of Willow Rd ball fields and refusal of lighting requests, limiting truck traffic, and farmland preservation and the fact allowing these warehouses will undo all this work. Mr. Lanahan urges the Board to "protect what makes Hillsboro special" and deny this application.
9. Ms. Cleveland thanks the Board for their dedication and appreciates the opportunity to share the concerns regarding and to advocate for long-term health and sustainability of the region. She states on behalf of the board, staff and members of the Sourland

Conservancy she expresses their strong opposition to the proposed warehouse variance application for Homestead Road. She states they urge the Board to deny the variance due to the significant ecological and environmental threats it poses to the Sourland Mountain Region. She discusses how the Sourland Mountain region is ecologically sensitive and supports diverse wildlife. She states the Watershed Institute estimates that more than 800,000 New Jersey and Pennsylvania residents rely on the Sourland region for some or all of their drinking water and explains that a health forest reduces stormwater runoff, prevents flooding to the Delaware & Raritan Rivers. She states the entire Sourland Mountain region is a National Audubon Society designated continental IBA (important bird area) macro site, one of 113 in the United States, and discusses how the area is utilized and impacts birds. Ms. Cleveland states they are grateful to the Hillsborough Township Committee for recently adopting a resolution supporting the designation of the Sourlands as an area of critical state concern in the NJ state development and redevelopment plan. She discusses how the Conservancy works to improve ecological function and the benefits to the community and the impacts the warehouse development will have on the ecosystem and migratory animals. Ms. Cleveland urges the Planning Board to prioritize environmental conservation and sustainable development by rejecting this variance application. She states “preserving the Sourland region’s wildlife corridors and maintaining its ecological balance is not only critical for our current residents but also for future generations of human and other living things who deserve to benefit from these natural resources.”

10. 8:35 pm Chairman Suraci calls for a 10-minute recess.
11. 8:45 pm Chairman Suraci calls the meeting to back into session.
12. Mr. Gianetti begins his closing argument by thanking the Board for its time, attention and commitment to this application and recognizes there are a lot of emotions involved with this kind of application. He reminds the Board their consideration and vote cannot be based on emotion but rather if a permitted use comply with the site plan ordinance. He discusses the concept of property rights, interpretation of standards vs written ordinance, and the history of the application. He discusses the minor subdivision stating it is a lot line adjustment which is completely legal and fully conforming. He discusses the TECD Zone standards, the challenges posed during the hearings including but not limited to the DEP wetlands letter of interpretation issue, emergency access, the Texas pipeline, and the warehouse type/tenant. Mr. Gianetti discusses how they shared what type of warehouse they are not going to be which included a transload facility, sort-fulfillment center, or a parcel delivery hub. He states they do not have a tenant because there is no tenant yet identified which he states is common with how warehouses operate. He discusses the size and scale stating they comply with the 15-pages of standards for the TECD zone specifically referencing the maximum impervious coverage which is at 60%. He states one lot is at 20% and the other approximately 31%. He addresses the issue of impact to adjacent residential use by stating the TECD Zone standards consider this with a buffer requirement which means there was an expectation of development which includes warehouses. Mr. Giannetti addresses stormwater management stating they are not diverting stormwater that wouldn’t otherwise be going there. He reminds the DRCC and NJDEP have approved their stormwater management plan. He discusses the drainage ditch, referencing the LOI which determined it to be an ordinary resource value with a zero-foot buffer which means they have the right to fill the ditch with a GP7-D permit which they have applied for. He states currently this ditch collects and moves untreated water from a parking surface, that contains trucks, to the Royce Brook with no treatment or management of the water and so he claims if the Township wanted to protect the

environment they would fill this ditch. Next, Mr. Gianetti discusses how they are not required to identify a tenant; speculates about runoff into the ditch from the farm; states their architect did not testify that there would be a thousand trips from the facility and reviews other details from his testimony; and he states the Objector's traffic expert had no experience in warehouse technology and with regard to truck traffic, relied on a study from Poland. Mr. Gianetti reviews the right to develop property and asks the Board to not vote on emotion but rather based on the standards and credible expert testimony; vote in favor of the application.

13. Mr. Bernstein asks if the applicant is willing to extend the Time of Decision beyond the end of the month and reviews the options.
14. Chairman Suraci, Mr. Bernstein, Mr. Kois and Mr. Gianetti discuss scheduling.
15. There is a motion by Committeeman Lipani, seconded by Mayor Ciccarelli, to continue the application to September 4, 2025, at 7:00 pm without notice and TOD extended to September 30, 2025.

Roll Call:

Yes - Mr. Wagner	Yes - Mayor Ciccarelli
Yes - Ms. Smith, Secretary	Yes - Vice Chairman Peason
Yes - Committeeman Lipani	Yes - Chairman Suraci

Motion carries

16. 9:40 pm end of hearing

Mr. Bernstein suggests the Board move to Executive Session to meet with council regarding the Harvard Way application.

EXECUTIVE SESSION TO DISCUSS ATTORNEY-CLIENT MATTERS

- Committeeman Lipani motions to move into executive session, seconded by Ms. Smith.

Mr. Bernstein states the Mayor has recused himself.

All are in favor, none opposed. Motion outcome.

9:40 pm – Board enters into executive session

10:08 pm – There is a motion and second for the Board to return from executive session. All are in favor, none opposed. Motion carries.

Mr. Bernstein states for the record that present during the Executive Session were: all members of the Township Planning Board eligible for this application as well as Mr. Flagg for educational purposes only, the Board Engineer, Planner, Assistant Planner, Board Attorney and counsel for the carrier in the litigation. Legal advice was provided by the carrier's counsel to the Board regarding the application, no formal action relative to the executive session needed to be taken.

Committeeman Lipani motions to extend this evening to 10:30 pm, seconded by Mr. Wagner. All are in favor, none opposed. Motion carries.

APPLICATIONS – PUBLIC HEARING - continued

- **Harvard Way JMJ4, LLC (Redcom) – File 21-PB-09-MSPV** – (TOD 07-31-25) - Block 58, Lot 1.09 – Route 206 – 3 Harvard Way. As per the Ruling of the Honorable Judge William G. Mennen, J.S.C., dated February 4, 2025 for the Superior Court of New Jersey, the Court hereby remands limited provisions of this matter back to the Hillsborough Township Planning Board in accordance with the Court’s opinion, dated February 4, 2025.

On October 13, 2022, the Planning Board denied the application for Preliminary and Final Major Site Plan approval, ‘c’ bulk variances, and waivers, to construct a 107,366 square foot warehouse and associated improvements, at the terminus of Harvard Way, Resolution dated November 10, 2022, for Property located in the I-3, Light Industrial Zone. **Application adjourned from May 01, 2025 with re-notice.**

Participating: Michael O’Grodnick, Esq. of Savo, Schalk, Gillespie, O’Grodnick & Fisher, P.A.; and Michael K. Ford, PE, PP, of Van Cleef Engineering Associates, LLC

Participating for the Objector: Bruce Afran, Esq. for Green Hills Community Objectors

1. 10:09 pm start of hearing.
2. **Natalia Angelie** with the law firm of Abata Angelie, council for the Township and the Planning Board in the Harvard Way litigation, introduces herself.
3. Ms. Angelie states they are present pursuant to Judge Menon’s order dated February 4, 2025 along with the applicant for the remand hearing. She summarizes the status of the application. She states public comment for this hearing depended on if there is supplementation of the record.
4. **Michael O’Grodnick**, attorney for the applicant, introduces himself along with his law partner, **Matthew Flynn** and the applicant, **Greg Readington**.
5. **Bruce Afran**, representative for the Objectors, introduces himself.
6. Mr. O’Grodnick summarizes the details of the application and the remand order issued by Hon. William Menon, Superior Court of NJ in the matter of Harvard Way, JMJ4 LLC vs the Township of Hillsborough Planning Board. He states the record has been supplemented with the following approvals from NJDEP which the applicant would like to move into evidence: The freshwater wetlands general permit one water quality certificated dated September 12, 2024; The freshwater wetlands letter of determination dated November 4, 2024; The GP6 non-tributary wetlands averaging plan dated November 29, 2024; The administrative modification for the GP6 dated December 2, 2024.
7. Mr. Afran states the Objector reserves their position before the Board as to whether any of that requires any additional comment or potentially evidence. He also notes that he does not see the statement the council referred to from the chambers conference in the decision
8. Mr. O’Grodnick states they are not presenting any more witnesses and that the NJDEP approvals speak for themselves.
9. Mr. Flynn presents some of the stipulations the applicant is willing to offer as conditions of potential approval which also address these concerns in the ordinance. They include but are not limited to: for the use - warehouse shipping and receiving within an enclosed building; operation – a warehouse facility which was previously permitted in the zone; work shifts – a maximum of two shifts not to exceed 50 employees per shift nor exceed the working hours of Monday through Saturday 6:00 am – 8:00 pm with deliveries limited to 7:00 am – 6:00 pm Monday – Friday and a maximum of 10 people at a time on site on

Sundays and off hours with no trucking or delivery; trucking impact – maximum of 26 tractor trailers arriving and departing per day; user/tenant/applicant will meet all municipal, county and state requirements for emission of noise, glare, vibration, heat, odor, air and water pollution for the zone, will comply with all town, county, state & OSHA requirements and there are no anticipated building expansion plans at this time. Mr. Flynn states these stipulations will ensure that no large-scale facility, like Amazon, would come in; it is not designed for that type of user but rather a more for a local business to store and ship products. He states they are looking to be a good neighbor and that the DEP, the Board engineer and their engineer all state that they comply with the storm water management requirements and their design meets the regulations. He closes by urging the Board to consider ending this litigation and approving this application on remand and save the Board, the Township, the applicant and the public unnecessary time and expense.

10. Mr. Bernstein asks Mr. O'Grodnick to confirm the four documents being moved to evidence have been submitted to the Board.
11. Mr. O'Grodnick confirms and states they are on Civic Clerk.
12. Mr. Bernstein asks Mr. Flynn when they will receive a written copy of his statements.
13. Mr. Flynn states tomorrow.
14. Mr. Afran asks for the conditions proposed also be submitted in writing.
15. Mr. Flynn confirms.
16. Mr. Angelie states in her professional opinion the Township's professionals have a right to opine on the conditions and advise the Board on the technical issues and recommends they be given opportunity to do so.
17. Mr. O'Grodnick disagrees stating this is a directive for the Board to look at the record that has already been induced. He states theses are conditions that are in addition to the testimony already given.
18. Mr. Bernstein states the conditions are in respect to the argument of 1883¹ and with regard to the four DEP letters, the court did opine and the engineer has the right to comment on the four letters and the four letters only.
19. Mr. Flynn disagrees with reopening the storm water analysis.
20. Mr. Afran discusses the fact Mr. O'Grodnick previously made the concession the Board has an independent duty to evaluate the questions and is not dependent or bound to what the DEP says or does. He suggests Mr. O'Grodnick wants the Board to change a prior decision.
21. Mr. O'Grodnick states they are not going to allow that type of relief and the Objector will need to file an intervention.
22. Mr. Bernstein states the Board has the right and recommendation relative to Mr. Mayhew and Mr. Kois related to the limited documentation that is before the record and the comments of Mr. Flynn on the record on behalf of the applicant, he believes are within the purview of the court's decision related to advising the Board. He agrees that the limited issues are the interpretations of the four DEP letters and the profit from Mr. Flynn relative to the operation under 1883¹.
23. Mr. O'Grodnick states he agrees as long as it is constrained to that.
24. Mr. Afran requests that within those constraints the objectors have and members of the public have certain rights.
25. Mr. Bernstein disagrees stating objectors are not party to this litigation.
26. There is a motion and second to extend the meeting to 11:00 pm. All are in favor, none opposed. Motion carries.
27. Mr. Bernstein and Mr. Afran discuss his request.

28. There is a discussion about scheduling an additional meeting for this hearing.
29. Committeeman Lipani motions, second by Mr. Wagner to carry the hearing to October 16, 2025 without further notice.

Roll Call:

Yes - Mr. Wagner	Yes - Committeeman Lipani
Yes - Ms. Smith, Secretary	Yes - Vice Chairman Peason
Yes -	Yes - Chairman Suraci

Motion carries

30. 10:40 pm end of hearing.

ADJOURNMENT

A motion to adjourn was made by Committeeman Lipani, seconded by Mr. Wagner. Motion carries unanimously.

10:40 pm meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*