Township of Hillsborough – PLANNING BOARD
Approved Public Meeting Minutes

October 9, 2025

Chairman Carl Suraci called the Planning Board Regular Public Meeting of October 9, 2025, to order at 7:15 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
Absent -	Robert Wagner, Jr	Present -	Angelo Vitale
Present -	Committeeman Shawn Lipani	Present -	Patricia Smith, *Secretary*
Present -	Robert Peason, *Vice Chairman*	*Absent* -	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*; 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)*

CONSIDERATION OF MEETING MINUTES

- **None**

CONSIDERATION OF RESOLUTIONS

- **Homestead Road LLC – File 21-PB-25-MS/MSP(V)**
  Mr. Bernstein lists the members eligible to vote on the matter.
  A motion to approve as written was made by Mayor Ciccarelli, seconded by Committeeman Lipani.
  No further comments.
  Roll Call:
  Yes - Ms. Smith, Secretary
  Yes - Committeeman Lipani
  Yes - Mayor Ciccarelli
  Yes - Vice Chairman Peason
  Yes - Chairman Suraci

  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)

David Brook - Winding Way

- Mr. Brook asks if the public will have the opportunity to comment on the Harvard Ways discussions that will be taking place at the October 16 meeting.

Mr. Bernstein explains the hearing will not be taking place on October 16. They received notice from Judge Menon stating he wants to hear oral arguments on the intervenor's appeal to intervene in the Board hearing on October 17. He is unsure at this time when the hearing will be rescheduled to and believes the public may only be permitted to comment on what came to the Board through the presentation from Mr. Flynn. This is all dependent on what Judge Menon does.

There are no further comments from the public.

APPLICATIONS – PUBLIC HEARING

- **Green Care Farms, LLC - File 24-PB-09-MSV** - (TOD: 12-31-25 w/Ext.) - Block 204, Lot 45.01 - 241 Woods Road. Applicant seeking Preliminary and Final Major Subdivision approval; 'c' bulk variances; and waivers, to subdivide 12.28 acres into five single-family dwelling lots, with associated stormwater and improvements, on Property located in the RA, residential/Agricultural Zone. (EC Review: 05-19-25) Application adjourned from September 11, 2025 without further notice.

  Participating: Michael O'Grodnick, Esq. of Savo, Schalk, Corsini, Gillespie, O'Grodnick & Fisher, P.A.; Michael K. Ford, PE, PP of Van Cleef Engineering Associates; and Rajiv Singh of Green Care Farms LLC, Owner/Applicant Representative

  1. 7:25 pm start of hearing
  2. **Michael O'Grodnick** introduces himself and the applicant.
  3. **Michael Ford** is sworn in and states his educational and professional background
  4. Mr. Ford presents Exhibits A-1 - Existing Condition exhibit dated March 14, 2025, Exhibit A-2 – Proposed Condition exhibit (colorized) dated March 14, 2025, A-3 – Proposed Condition exhibit dated October 9, 2025 and A-4 – Preliminary Plat dated October 11, 2024 last revised March 21, 2025.
  5. He summarizes A-1 stating the plan is a single family residential major subdivision to create five new building lots on 12.3 acres in the RA zone with a minimum lot size of two acres; all lots will be serviced by public sewer and water. He states he will be presenting the Board with an option which would be a completely compliant layout. Exhibit A-2 illustrates the application as has been submitted, left-side of the plan is west and right-side is east and describes the layout of the proposed lots pointing out it currently shows shared driveways. He explains after speaking with Township professionals they created Exhibit A-3 which shows separate driveways which would eliminate one of the relief

aspects that part of the original application. He explains A-4 is an illustration of the completely complying plan with the new public road.

6. Mr. Ford discusses stormwater management utilizing Exhibit A-3, the proposed project plan. He states they are proposing three bio-retention, infiltration basins for five lots, which would service all three aspects of storm water management as required by state and local codes. Next, he discusses tree mitigation and the changes in township code. He states after reviewing the changes and speaking with the client they will comply with all of the planting standards.
7. Mr. Ford discusses various review letters and memos; the fire marshal letter dated July 22, 2025 to which they agree to the two bullet point items and will agree to any condition of approval the Board may grant to comply with those requirements; they will comply to the October 7, 2025 Board engineers memo; they agree to the suggestions on the Environmental Commission's Sept 10, 2025 memo; agree to any item with the 15 comments in Mr. Kois' Sept 8, 2025 review memo; they agree to all items in the October 7, 2025 memo from Pennoni's Associate Mr. Mayhew.
8. Mr. Mayhew has no additional comments or questions.
9. Mr. Kois asks for verification that they will comply with *all* comments he provided.
10. Mr. Ford confirms.
11. Committeeman Lipani asks lot 451 has no water retention basin because it will be draining the basins in the other proposed lots.
12. Mr. Ford confirms.
13. Committeeman Lipani asks the depth of the basins, if they are fenced and if they are engineered basins meaning they are for perk utilizing a sand or filter base.
14. Mr. Ford states the basins are about four to five feet, fenced and none of the embankments warrant a permit from DEP. He explains all the basins have outlets with a structure that controls the outflow and are bio-basins so they will have vegetation in the bottom.
15. Mayor Ciccarelli asks if there is some way they can ensure the trees will not be clear cut by a future owner.
16. Mr. O'Grodnick explains why they would typically not want a deed restriction.
17. Mr. Vitale asks reference number five in the Pennoni letter asking how they plan to address not having any parking on the rural lane.
18. Mr. Ford explains that based on the proposed house sizes, garage and driveway parking should be sufficient for residents of the home and in the case of a special event parking along the driveway or lawn would be utilized vs creating a rarely used guest parking area.
19. There is a discussion between Mr. Mayhew, Chairman Suraci and Mr. Kois about driveways.
20. There is a motion and second to open to public questions, all are in favor, none opposed. Motion carries. There are no questions from the public.
21. Mr. O'Grodnick calls their final witness.
22. **Tom Behrens** is sworn in and provides his educational and professional background. He gives a summary of the site plan, description of the lot and discusses, negative criteria and the question of advancing several purposes of the municipal land use law. He summarizes by stating it is his opinion that the applicable statutory criteria have been satisfied.
23. Mr. Mayhew states he has no questions.
24. Mr. Kois asks for clarification if a variance is required for one of the lots.
25. Mr. Behrens states lot 45.07 requires a variance because it exceeds three acres and it was his understanding a flag lot exceeding three acres only needs a lot width of 25 feet.

26. Mr. Kois explains the 25-foot minimum and states he is not saying a variance is required for the minimum lot.
27. Mayor Ciccarelli references the Affordable Housing fee mention in Mr. Kois' report and asks if the amount put into the trust fund will be equivalent to what the prior approved development was for 15 affordable housing units?
28. Mr. Bernstein states it will not be unless it provides $3 million as the rate for the area is currently $150,000 - $200,000. He explains his understanding that it cannot be eliminated with another application.
29. Mr. Behrens discusses the increased costs of construction and the new legislation and settlement agreement with Fair Share Housing, explaining how this lot is listed.
30. Mr. Bernstein, for the record, explains how the settlement agreement the Township entered into with Fair Share Housing Center, dated March 27, 2020, was reviewed before it was approved. He states Green Care Center was included but at no point was issue raised that it did not have a deed restriction.
31. Mr. O'Grodnick states he does not believe it is relevant and discusses the case of the readoption of Monroe Township Planning Board 442 NJ Super 565, appellate division case from 2015. He states he noticed the Township's 2015 Sherwood Tract case is still in litigation.
32. Mr. Bernstein explains that is not an affordable housing obligation issue.
33. Mr. Behrens and Mr. O'Grodnick discuss the concept of municipal obligations with Mr. Bernstein and Chairman Suraci.
34. Mayor Ciccarelli addresses Mr. O'Grodnick about what else they believed would be eligible for this lot. He expresses the consequences the Township has experienced for not being able to meet round three and the desire to not make it worse.
35. Mr. O'Grodnick states he is sensitive to the Mayor's concern but they stand on the merit of the proofs they have demonstrated to have a conforming major subdivision for single family residential and residential agricultural zone.
36. Chairman Suraci opens to questions from the public for this witness. There are none.
37. Mr. Vitale asks Mr. Behrens' opinion on the highest and best use for this parcel.
38. Mr. Behrens comments it is a loaded question be stated based on the zoning ordinance in terms of 'right use' single detached family development is probably the highest and best use. He suggests if the desire was for more flexibility, then one could ask for a use variance or rezoning to grant a different type of development, likely residential given the context.
39. Mr. Bernstein reminds what could be added to the affordable care trust fund based on the assessed value of the proposed houses.
40. 9:00 pm Chairman Suraci calls for a 10-minute recess
41. At approximately 9:10 pm Chairman Suraci calls the meeting back into order.
42. **Rajiv Singh**, managing member of Greencare Farms LLC, is sworn in. He provides his professional background and discusses how he became associated with the Green Care Farms and his research into Alzheimer's care.
43. Mr. O'Grodnick asks him to speak to the financial considerations related to construction costs as well as market conditions related to demand for this product.
44. Mr. Singh discusses the rise of interest rates, occupancy rates, affordability and the likelihood of personal bankruptcy had he gone through with the build. He admits a lack of related background knowledge and experience may have contributed it this possibly being a bad plan.
45. Mr. O'Grodnick has no further questions.
46. Chairman Suraci opens to the public for questions for this witness.

47. **Judy Lavoy**, Woods Rd, states while she is not against developing the property but would like to understand as to why rules need to be changed vs. following existing guidelines without squeezing additional houses in.
48. Mr. Singh states he believes they could build six houses on the property while meeting current rules.
49. Mr. Bernstein asks Mr. Ford to present Exhibit A-4. They are not able to present it on the meeting room screens so [off mic] Mr. Ford shows it to Ms. Lavoy, explaining how six houses would fit in the property.
50. There are no further questions from the public.
51. Mr. O'Grodnick makes his closing argument, addressing the problem of not meeting round three requirements. He states they are willing to work to comply with local ordinances.
52. Chairman Suraci opens to public comment on the application. There are none.
53. There is a motion and second to close to public comment. All are in favor, none opposed. Motion carries.
54. Mr. Bernstein states he believes the Board received a fair amount of testimony on the conditions and recommends the Board focus on minimizing the changes in the plan, i.e. variances, waivers etc. He believes all the trees that need to be on the site should remain or be removed and replaced and the plan be as compliant as possible.
55. Mr. O'Grodnick states to his memory there are no variances if they go with the alternate design.
56. Committeeman Lipani states he sympathizes with the problem Mr. Singh has encountered with trying to do something positive for the community and not being able to financial meet the goal. He expresses his frustration with having to meet the state obligation and the impact it is having but does not mean for that applicant to feel that frustration. He states he believes the plan is good, prefers the shared driveway vs a large road.
57. **Motion**: Committeeman Lipani motions, seconded by Vice Chairman Peason, to approve the application with the shared driveway with the following conditions: maintenance of the shared driveway will be shared between homeowners and this will be reflected in resolution and property deeds; property owner will replace any and all trees placed on the property; will comply with all items previously indicated and pay the affordable housing trust fund money and assist if required by the Township to address any issues related to the change in conditions.

    Roll Call:

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

    Motion carries
58. 9:41 pm end of hearing

Mr. Bernstein, with regard to next week's application for Harvard Way, recommends it be carried to November 13 without further notification. He reminds that Mr. Afron's motion is still pending and explains that the judge reviewing the motion has requested to hear oral arguments and provided Mr. Bernstein's office with scheduling information thus impacting the Boards ability to discuss Harvard Way at the next meeting. He reminds the Board members eligible to vote on the matter to review their schedules to be available to this matter.

Mr. Kois suggests November 6 as there is another application scheduled for November 13.

Mr. Bernstein agrees to this suggestion.

Motion: Committeeman Lipani motions to carry the Havard Way application to November 6, 2025 without further notice, seconded by Ms. Smith.

Roll Call:

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

Motion carries

There is a discussion about the remaining October meetings.

Motion: Committeeman Lipani motions to cancel the October 23,2025 meeting, seconded by Ms. Smith.

Roll Call:

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

Motion carries

Mr. Bernstein states he authorizes the Chair to cancel the October 16 meeting if with consultation of his office and Mr. Kois' office determine the meeting is not necessary.

Motion: Committeeman Lipani motions to cancel the October 16,2025 meeting, seconded by Ms. Smith.

Roll Call:

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

Motion carries

ADJOURNMENT

A motion to adjourn was made by Mayor Ciccarelli, seconded by Ms. Smith. Motion carries unanimously.
Approximately 9:45pm meeting is adjourned.

Submitted by Robyn Bittle-Abramo
Recording Secretary