

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**June 04, 2014**

Chairman Haines calls the Board of Adjustment meeting of June 04, 2014 to order at 7:32 p.m. All stand for the Pledge of Allegiance. The meeting takes place in the Courtroom of the Municipal Complex.

**ROLL CALL:**

Frank Herbert – Present  
John Stamler – Present  
Helen Haines, *Chairman* – Present  
Curtis Suraci, *Vice Chairman* – Present  
Walter Dietz, III – Present

Frank Valcheck – Present  
Shawn Lipani – Absent  
Kenneth Hesthag (Alt. 1) - Absent  
Fred Gladstone (Alt. 2) – Present  
Steve Monte (Alt. 3) – Arrived at 7:43PM  
Sally Becorena (Alt. 4) - Absent

Also in attendance: Mark Anderson, Esq., Board Attorney (Woolson Sutphen Anderson, P.A.); William H. R. White, III, P.E., C.M.E., Board Engineer (Maser Consulting, P.A.); David Kois, Deputy Director of Planning/Zoning Official, Board of Adjustment Administrative Officer and Secretary; and Lucille Grozinski, CCR.

**NOTICE OF MEETING**

Chairman Haines announces the meeting has been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 (“Sunshine Law”).

**DISPOSITION OF MEETING MINUTES**

March 06, 2013 - Executive Session

A motion to approve as submitted was made by Mr. Valcheck, seconded by Vice Chairman Suraci. All in favor – Aye; Opposed – None. Motion carries.

March 20, 2013 – Executive Session

A motion to approve as submitted was made by Mr. Dietz, seconded by Mr. Stamler. All in favor – Aye; Opposed – None. Motion carries.

June 19, 2013 – Executive Session

A motion to approve as submitted was made by Mr. Valcheck, seconded by Vice Chairman Suraci. All in favor – Aye; Opposed – None. Motion carries.

July 17, 2013 – Executive Session

A motion to approve as submitted was made by Mr. Stamler, seconded by Mr. Valcheck. All in favor – Aye; Opposed – None. Motion carries.

May 07, 2014 – Regular Meeting

A motion to approve as submitted was made by Mr. Stamler, seconded by Mr. Valcheck. All in favor – Aye; Opposed – None. Motion carries.

May 07, 2014 – Executive Session

A motion to approve as submitted was made by Mr. Stamler, seconded by Mr. Valcheck. All in favor – Aye; Opposed – None. Motion carries.

**DISPOSITION OF RESOLUTIONS**

Nelson’s Corner Assoc., LLC (DaVita) – File BA-14-02

**Interpretation & Appeal**

A motion to approve as submitted, without changes, is made by Mr. Stamler, seconded by Vice Chairman Suraci.

Roll Call: Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Stamler – yes; Vice Chairman Suraci – yes; Chairman Haines – yes. Motion carries.

**Use Variance**

A motion to approve as submitted, without changes, is made by Mr. Stamler, seconded by Vice Chairman Suraci.

Roll Call: Mr. Stamler – yes; Vice Chairman Suraci – yes; Chairman Haines – yes. Motion carries.

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Richard Zygadlo and Julita Domanska – File BA-14-04

A motion to approve as submitted, without changes, is made by Mr. Stamler, seconded by Mr. Herbert.  
Roll Call: Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Stamler – yes; Vice Chairman Suraci – yes; Chairman Haines – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS**

Hillsborough Township Board of Adjustment Bylaws – Proposed Changes

- Suggestion to change Administrative Officer to Secretary/Clerk in Section 14:2

A motion to approve as amended is made by Mr. Dietz, seconded by Mr. Herbert.  
All aye, none opposed. Motion carries.

**BUSINESS FROM THE FLOOR**

None

**PUBLIC HEARING - APPLICATIONS**

**Stacy GRAB** – File #BA-13-07 – Block 174.04, Lot 59 (formerly known as Block 174A, Lot 6) – 9 Starview Drive.

Mr. Kois introduced the application.

Mark Anderson, Esq. noted that the Applicant is required to provide new testimony. Certification by Board members listening to prior hearing is not applicable.

Schatzman, Esq. Attorney for described the application.

Ms. Grab was sworn in.

Ms. Grab indicated there were no interested buyers.

No public questions.

Mike Ford, PE, PP, Engineer and Planner for the Applicant was sworn in.

The Board accepted his qualifications.

Exhibit(s) entered:

- A1 - Tax Map Sheet 180
- A2 - Copy of final map 1963

Mr. Ford described the surrounding lots in detail.

No questions from the Board.

No questions from the public.

Mr. DiGirorimo, contract purchaser was sworn in.

Chairman Haines announced Mr. Monte has arrived – 7:43PM.

Mr. DiGirorimo described the proposed house and the neighborhood.

Exhibit(s) entered:

- A3 - Six Photos of surrounding houses

No public comments.

Closed open portion motioned by Mr. Dietz and seconded by Mr. Stamler.

Mr. Schatzman made closing comments.

Mr. Dietz made a motion to approve the application for Stacy GRAB – File #BA-13-07, which was seconded by Mr. Stamler. The motion was approved unanimously by all eligible members.

Votes in Favor: Mr. Valcheck, Mr. Herbert, Mr. Dietz, Mr. Stamler, Mr. Gladstone, Vice Chairman Suraci, and Chairman Haines.

Votes Against: None.

**Joseph MARTINS** – File #BA-14-05 – Block 1668, Lot 3.03 – Amwell Road.

Mr. Kois introduced the application.

Rich Mouter, Esq., Attorney for the Applicant described the application.

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Mr. Mouter, Esq indicated that the Applicant did not comply with the Board's policy regarding notifying adjoining property owners 20 days in advance.

Mr. Anderson advised the Board that it is their decision, not statutory, but a board requirement.

Mr. Joseph Martins & Mrs. Martins were sworn in.

There was a discussion about the 20 days notification issue and how the applicant addressed it.

The Board indicated that it is satisfied.

Public Question(s)

Mr. Leon R. Watts, Jr. asked about the positioning of house.

Mr. Dietz indicated that he and Leon R. Watts, Jr. worked together and offered that he would step down if anyone has any objections.

Mr. Leon Watts, Sr. objected.

Mr. Dietz recused himself.

There was a discussion about the location of the home.

The Board went on a recess – 8:24P.M.

The Board returned from recess– 8:40P.M.

Mr. Mouter, Esq. indicated that the Applicant met with the neighbors present and agreed to the changes.

Mr. Ford was sworn in.

Mr. Ford described the plan which showed setbacks no closer than 150 on westerly side, will relocate disposal septic if new location testing is good, if not then stay with proposed location.

Exhibit(s) entered:

- A1 - Tax Map 186
- A2 - 1991 Subdivision – Filed Maps

Mr. Ford described surrounding lots.

Mr. Ford noted that there is no intent to use the existing utility easement and that it was for the public good.

Mr. Ford requested a waiver from the street tree requirement.

Mr. Ford indicated that the Applicant is willing to relocate the septic field west of the proposed location. Dr. Belnay will make decision if a good faith effort (2 days of testing) was demonstrated. If tests fail then septic field will be placed as proposed on plan.

Questions from the public

Mr. Leon Watts, Jr. inquired about driveway access.

Mr. Ford described the alternate driveway plan.

No public comments.

Motion to close public section by Mr. Gladstone, seconded by Mr. Monte.

Mr. Mouter, Esq. made closing statements.

Mr. Stamler made a motion to approve the application for Joseph MARTINS – File #BA-14-05, with a waiver for street trees, septic field location, and alternate driveway location, which was seconded by Mr. Herbert. The motion was approved unanimously by all eligible members.

Votes in Favor: Mr. Valcheck, Mr. Herbert, Mr. Stamler, Mr. Gladstone, Mr. Monte, Vice Chairman Suraci, and Chairman Haines.

Votes Against: None.

**David and Neava GRIFFITH** – File #BA-14-06 – Block 205.15, Lot 104 – 41 French Drive.

Mr. Kois introduced the application.

David and Neava Griffith were sworn in.

Mr. Griffith described the location of the proposed pool.

Exhibit(s) entered:

- A1 – Grading plan
- A2 – Impervious coverage calculation form

There was a discussion about the impervious coverage proposed.

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Mr. White provided clarification.

There was a discussion about the location of the retaining wall and concern about interfering with an existing swale.

There was a discussion about turning the pool and making it a condition of approval.

Mr. Anderson asked for clarification of location.

The Board determined that it needed more information from the Applicant.

The application was adjourned to July 16, 2014 meeting without further notice.

**Correspondence**

None

**Adjournment**

The meeting adjourned at 9:53 p.m.

*Respectfully Submitted by:* David Kois, Deputy Director of Planning/Zoning Official/Board of Adjustment Secretary

APPROVED