

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**January 07, 2015**

Chairman Haines called the Board of Adjustment meeting of January 7, 2015 to order at 7:32 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

**ROLL CALL:**

Frank Herbert – Present	Frank Valcheck – Present
John Stamler – Absent	Kenneth Hesthag, <i>Vice Chairman</i> – Present
Helen Haines, <i>Chairman</i> – Present	Steve Monte (Alt. 1) – Present
Curtis Suraci – Present	Sally Becorena (Alt. 2) – Present
Fred Gladstone - Present	John Shockley (Alt.3) – Present
	John Torok (Alt. 4) – Present

Also in attendance: Jolanta Maziarz, 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, P.P., Deputy Director of Planning/Zoning Official/Board of Adjustment Secretary/Clerk; and Lucille Grozinski, CCR.

**NOTICE OF MEETING**

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

**ACCEPTANCE OF MEETING MINUTES**

- December 3, 2014

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

**ACCEPTANCE OF RESOLUTIONS**

None

**BOARD OF ADJUSTMENT BUSINESS**

- Professionals’ Contract Resolutions  
Board Attorney  
Board Engineer  
Board Alternate Engineer  
Board Court Reporter

A motion to approve all resolutions was made by Mr. Monte, seconded by Herbert.

**Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Gladstone – yes; Mr. Suraci– yes; Mr. Monte– yes; Ms. Becorena– yes; Mr. Shockley - yes; Mr. Torok – yes; Vice Chairman Hesthag – yes; Chairman Haines – yes. Motion carries.

- Board of Adjustment – 2014 Annual Report

A motion to approve all resolutions was made by Mr. Hesthag, seconded by Mr. Monte.  
All in favor – Aye; Opposed – None. Motion carries.

**BUSINESS FROM THE FLOOR**

None

**PUBLIC HEARING - APPLICATIONS**

***Louise FOULK and Tim OPPEN*** – File #BA-14-11 – Block 86, Lot 16 – 399 Lexington Street. Applicant seeking Certificate of Nonconformity to recognize the existing use of the property as a legal prior existing non-conforming use as a two-family dwelling, on property in the R District. ***Adjourned to February 4, 2015 without further notice as per instructions of the Board.***

- Chairman Haines announced the application was adjourned without further notice.

***Rolando VEGA***– File #BA-14-12 – Block 145.02, Lot 22 (*formerly known as Block 145, Lot 39.04*) – Orchard Drive. Applicant seeking d(1) Use Variance and ‘c’ Bulk Variance for relief from Maximum Impervious Surface and other such variances, waivers, and approvals required to permit construction of a single family dwelling containing a

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secondary living unit, on property in the RS District. ***Adjourned from December 3, 2014 without further notice as per instructions of the Board.***

- David Kois, P.P., introduced the application.
- Mr. Michael Lavery, Esq, Applicant's Attorney, introduced the application.
- Rolando Vega, Applicant, was sworn in. Mr. Vega explained the reasons for the second dwelling unit, which is intended for his in-laws and his in-law's children who have special needs. Mr. Vega's wife, Ms. Olivia was sworn in. She further explained the makeup of the family.
- There were a series of questions and it was determined that they would wait until the Planner's testimony.
- Paul Verhac (Public) asked a series of questions, including if Mr. Vega is the owner.
- Mr. Vega indicated that he is the contract purchaser.
- Robert Delserso (Public) asked a series of questions; including if there will be separate utilities or wells.
- Mr. Vega indicated that there will not be separate utilities and a single well. Further, there will be a door between the units and no rent will be charged.
- Ingrid Quick (Public) asked about mitigating any negative impact of the water.
- Mr. Vega deferred to his engineer.
- George Glodi, P.E., Applicant's Engineer, was sworn in.
- Exhibit A1, the plan, was submitted.
- Mr. Glodi indicated that full engineering had not been completed. Further he gave a description of the property as related to the grading.
- Exhibit A2 was introduced, which shows 10% of impervious coverage being proposed instead of 15%.
- Mr. Lavery requested a brief adjournment. The Board adjourned from 8:20PM to 8:31PM
- Raymond E. O'Brien, Applicant's Architect, was sworn in.
- Mr. O'Brien explained the proposed design. He explained how an internal wall separating the units can be removed in the future.
- There was a discussion regarding ground water and the use pumps.
- Mr. MacCulum (Public) asked about the connecting door between the units.
- Mr. O'Brien identified the location.
- There were a series of questions regarding the design of the house.
- Michael D. Kauker, Applicant's Planner, was sworn in.
- Mr. Lavery requested to withdraw the 'c' bulk variance request.
- Mr. Kauker began to address the requirements for the 'd' use variance.
- There was a comparison of an ECHO unit use and Mr. Kois clarified a statement in his report.
- There were a series of questions regarding the Planner's testimony.
- Mr. Lavery requested that the application be carried to February 4, 2015 without further notice.
- The Board carried to the application to February 4, 2015 without further notice.

***Ty (Tiago) BENTO*** – File #BA-14-13 – Block 173, Lot 11 – 257 Long Hill Road. Applicant seeking 'c' Bulk Variances for relief from Minimum Lot Size; Minimum Lot Width at Setback; Maximum Impervious Coverage; and other such variances, waivers, and approvals required to construct a single family dwelling with attached 3-car garage, porch, deck, walkway and driveway, on a property in the MZ District. ***EC Review: 11-24-14 Adjourned from December 3, 2014 without further notice as per instructions of the Board.***

- Mr. Steve Rich., Esq, Applicant's Attorney, introduced the application.
- Tiago Bento, Applicant, was sworn in. Mr. Bento indicated that he is the contact purchaser.
- Michael Ford, P.E., Applicant's Engineer, described the existing conditions of the property, including that the existing house is in disrepair.
- There was a discussion about the Township well requirements. It was noted that Dr. Belnay, Health Officer will review the requirements and the Applicant will comply with all requirements.
- It was noted that offers to purchase the property from adjacent land owners were declined.
- Mr. Ford explained that a storm water management system was included, which include the use of a drywell.
- Mr. Ford requested a waiver for street trees due to the wooded character of the property.
- Mr. Ford indicated that there was an order from the Township to demolish the existing home.
- Mr. Gladstone made a motion to approve the application for Ty (Tiago) BENTO – File #BA-14-13, with the condition to comply with Board of Health requirements, which was seconded by Vice Chairman Hesthag. The motion was approved as follows:  
**Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Gladstone – yes; Mr. Suraci – yes; Mr. Monte – yes; Vice Chairman Hesthag – yes; Chairman Haines – yes. Motion carries.

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**Correspondence**

None

**Adjournment**

The meeting adjourned at 10:33p.m.

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

APPROVED