

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES - REGULAR MEETING
January 15, 2015

Chairman Dr. Sireci called the Regular Planning Board Public Meeting of January 15, 2015 to order at 7:31 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

Chairman Sireci announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Deputy Mayor Greg Burchette - Present	Sam Conard - Absent
Michael Merdinger - Present	Dr. Steven Sireci, Jr., Chairman - Present
Committeeman Frank DelCore - Arrived at 7:46pm	Robert Wagner, Jr. - Present
Steve Cohen, Vice Chairman - Present	Robert Peason (Alt. #1) - Present
Dr. Daniel Marulli, Secretary - Present	Shawn Lipani (Alt. #2) - Present
Neil Julian - Present	

Also present: Bruce Rydel, P.P., AICP, Director of Planning; Eric M. Bernstein, Esq. (Eric M. Bernstein, & Associates) Board Attorney; William H.R. White, III, P.E., C.M.E., (Maser Consulting, P.A.) Board Engineer; Susan Baber, C.C.R., Board Court Reporter; and Caz Bielen (Premier Media, LLC), Board Videographer.

ACCEPTANCE OF MINUTES

- January 08, 2015 - Reorganization Meeting

A motion at approve was made and seconded.

Roll Call: Mr. Wagner - yes; Mr. Julian - yes; Dr. Marulli - yes; Mr. Merdinger - yes; Mr. Peason - yes; Mr. Lipani - yes; Vice Chairman Cohen - yes; Deputy Mayor Burchette - yes; Chairman Dr. Sireci - yes. Motion carried.

- January 08, 2015 - Regular Meeting

A motion at approve was made and seconded.

Roll Call: Mr. Wagner - yes; Mr. Julian - yes; Dr. Marulli - yes; Mr. Merdinger - yes; Mr. Peason - yes; Mr. Lipani - yes; Vice Chairman Cohen - yes; Deputy Mayor Burchette - yes; Chairman Dr. Sireci - yes. Motion carried.

ACCEPTANCE OF RESOLUTIONS

- RB Manufacturing, LLC - File 14-PB-17-MSR (Amended)

A motion at approve was made and seconded.

Roll Call: Mr. Peason - yes, Mr. Lipani - yes, Vice Chairman Cohen - yes, Deputy Mayor Burchette - yes, Mr. Julian - yes. Motion carried.

PLANNING BOARD BUSINESS

- Gibraltar Quarry / KDC Solar - File 12-PB-01-SR - Extension of Time

The Applicant asked for an extension through the end of the year, 2015. They are currently in front of Montgomery's board for another matter that needs to be resolved first. A motion at approve was made and seconded.

Roll Call: Mr. Wagner - yes; Mr. Julian - yes; Dr. Marulli - yes; Mr. Merdinger - yes; Mr. Peason - yes; Mr. Lipani - yes; Vice Chairman Cohen - yes; Deputy Mayor Burchette - yes; Chairman Dr. Sireci - yes. Motion carried.

CORRESPONDENCE

- Glen Gery Corporation - 14-PB-01-MR - Letter dated 01-15-15

Chairman Dr. Sireci noted the application has been withdrawn.

BUSINESS FROM THE FLOOR

None

PUBLIC HEARING - SUBDIVISION/SITE PLAN APPLICATION

PLANNING BOARD MEETING MINUTES
January 15, 2015

- ***Copart of Connecticut, Inc. - AMENDED*** - File 14-PB-15-SR - Block 73.01, Lot 1 and Block 71, Lot 1.01 - 2124 Camplain Road and Camplain/Sunnymeade Road. Applicant seeking Amended Major Site Plan Approval from conditions of Board Resolutions 10-PB-13-SRV, adopted 03-03-11 and Board Resolution 11-PB-03-SR, adopted 05-26-11 to revise the hours of operation and restrict the existing driveway exit to right turn only for all trucks, on property in the I-1, Light Industrial District. ***Carried from December 11, 2014 without further notice, per instructions of the Board.***

Mr. Bernstein noted that all members who were not at the previous hearing have indicated they are eligible having reviewed the video or tape regarding the application. Mr. Liebling briefly summarized the issue of lot lines from the previous hearing. Mr. White, Board Engineer, described the deed provided by the Applicant and that it is sufficient to resolve the issue of lot consolidation of the triangular lot abutting the rail line to the north.

Chairman Dr. Sireci noted there was an additional question posed at a previous meeting regarding the zoning of the properties. Mr. Rydel, Director of Planning, noted that the lot in question is currently zoned industrial and has been since 2010.

Carl Alfaro, Applicant's Engineer, who was previously accepted and sworn in, approached to be questioned by the public. The public question portion remained open from the previous hearing.

- Maria Janucik, 2155 Camplain Road

Mr. Bernstein noted for the record that Committeeman DelCore arrived.

Ms. Janucik asked about the merged lots, zoning, and previous applications for Copart. There was some discussion about these matters. Mr. Bernstein noted that the questions are only directed towards the Applicant's engineer at this time. Mr. Alfaro testified that he could not answer these questions.

There was discussion on the documents generated by the Tax Assessor's department, OPRA requests, the deed for the property, and the process for merging lots.

The public portion was closed.

Mr. Bernstein read from **Exhibit A-1**, Mr. Liebling's letter dated December 8th, to remind the Board of the requests and proposed mitigating factors. Mr. Liebling noted where there were changes to the request. Mr. Bernstein clarified that the Resolution will reflect actual testimony and decisions from all hearings and will not completely rely on this letter.

There was discussion on the business being bound to these conditions. Mr. Hopkins, General Manager, testified that the Applicant agrees and he has the authority to make that statement.

There was a brief discussion about dust control. Mr. Bernstein re-read a portion of the letter, **Exhibit A-1**, for the record.

The Board emphasized the importance of being a good neighbor.

The public portion specifically for comments was opened.

- Michael Sopko, 2127 Camplain Road

Mr. Sopko commented on the parking on Camplain Road. Mr. Bernstein noted he had spoken with the Administrator regarding that issue and any confusion has been resolved.

Mr. Sopko commented on the use of flashing lights on trucks. Mr. Bernstein suggested as a condition that the Applicant's haulers will not use flashing beacon lights. Mr. Hopkins agreed to that condition.

Mr. Sopko talked about the damage to his property. He provided the Applicant with a photograph of the edge of his property directly across the street from Copart. It was marked **P-1**. Mr. Liebling, Mr. Sopko, and Mr. Hopkins discussed the photograph. Mr. Sopko suggested instead of stones being placed in that area, something more structural like a wall be placed instead.

There was some discussion about the right-of-way versus personal property.

PLANNING BOARD MEETING MINUTES
January 15, 2015

Chairman Dr. Sireci noted that a wall may cause safety concerns. The Board suggested a no parking sign be installed in front of Mr. Sopko's property. Mr. Sopko and Mr. Hopkins were both agreeable to that.

□ Maria Janucik, 2155 Camplain Road

Ms. Janucik asked if the ordinance previously discussed was filed with the Somerset County Planning Board. Mr. Bernstein noted it would have been filed with the Somerset County Clerk but that he does not have any knowledge about whether it was done.

Ms. Janucik asked about an amended site plan map for Block 71, Lot 1.01. Mr. Liebling stated that there is no site plan amendment proposed for that Block and Lot.

Ms. Janucik asked again about how the lots were merged and the acreage of the lots. Mr. Bernstein noted that her

questions were not relevant to this application. They had a lengthy discussion on the matter.

Mr. Bernstein informed Ms. Janucik that the Planning Board does not have the information she was requesting and that she should fill out an Open Public Records request.

There was a motion to close the public hearing and seconded. All aye.

Mr. Bernstein noted the Board needed to make a preliminary decision regarding the hours of operations.

Chairman Dr. Sireci summarized the hours of operation requests for Saturday and Sunday.

The Board took a five minute break.

Mr. Liebling discussed the "buffer zone" proposed, stating there would be no machinery in that area on both Saturday and Sunday other than the dust control apparatus if warranted by the conditions covered under previous testimony provided by the Applicant. He also clarified that there would be no drop-offs after 5pm on Saturday or Sunday.

A motion to adopt the potential requests and mitigations as listed, along with all the other agreements the Applicant had made on the record and in agreement with the various Board professionals was made and seconded.

Roll Call: Mr. Wagner - yes, Mr. Julian - yes; Dr. Marulli - yes; Mr. Merdinger - yes; Mr. Peason - yes; Vice Chairman Cohen - no; Committeeman DelCore - yes; Deputy Mayor Burchette - yes; Chairman Dr. Sireci - yes. Motion carried.

Mr. Bernstein noted for the record that the change in hours of operation is not in effect until adoption of the Resolution.

ADJOURNMENT

Mr. Rydel made a comment about the scheduled Business Meeting on January 22, 2015, for which there is business to discuss. He noted there is nothing on the agenda for the regular meeting scheduled for February 5, 2015.

There was a motion to cancel the February 5, 2015 meeting. All aye. Motion carried.

The meeting adjourned at 9:26 p.m.

Submitted by:
Caitlin Davis, Planning and Zoning Clerk

Reviewed by:
Bruce J. Rydel, PP, AICP, Director of Planning