

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
September 2, 2015

Chairman Haines called the Board of Adjustment meeting of September 2, 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
John Stamler - Absent
Helen Haines, *Chairman* - Present
Curtis Suraci - Arrived at 7:35pm
Fred Gladstone - Present

Frank Valcheck - Present
Kenneth Hesthag, *Vice Chairman* - Present
Steve Monte (Alt. 1) - Present
Sally Becorena (Alt. 2) - Present
John Shockley (Alt.3) - Arrived at 7:55pm
John Torok (Alt. 4) - Absent

Also in attendance: Jolanta Maziarz, Esq., Board Attorney (Woolson Sutphen Anderson, P.A.); David Kois, P.P., Deputy Planning Director/Zoning Official/Board of Adjustment Secretary/Clerk; and Susan Baber, 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

- July 15, 2015

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

ACCEPTANCE OF RESOLUTIONS

- Stephen and Marlana DOHERTY - File #BA-15-08

A motion to approve as written was made by Mr. Monte, seconded by Mr. Herbert.

Roll Call: Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci- yes; Mr. Gladstone - yes; Mr. Monte - yes; Chairman Haines - yes. Motion carries.

BUSINESS FROM THE FLOOR

None

BOARD OF ADJUSTMENT BUSINESS

- Extension of Time Request - NY SMSA Limited Partnership d/b/a VERIZON WIRELESS (Hillsborough 3) - BA-15-07

Chairman Haines announced that an extension has been granted and the application is expected to be heard November 4, 2015.

EXECUTIVE SESSION

- Mr. Monte made a motion to go into executive session to discuss potential litigation and attorney-client privilege matters, seconded by Vice Chairman Hesthag.

PUBLIC HEARING - APPLICATIONS

JERSEY DEVELOPMENT, LLC - File #BA-15-06 - Block 200.02, Lot 15 (formerly Block 200B, Lot 25) - 743 Route 206. Applicant seeking 'd' Use Variance and Minor Site Plan approval, with waivers and other such variances and approvals required to permit creation of 4 additional parking spaces and a stone area for employee parking, on property located in the GB District (also within the ASD Overlay District).

- Chairman Haines announced that this application was withdrawn.

Girl Scouts Heart of New Jersey (Camp DeWitt) - File BA-15-10 - Block 171, Lots 6.01, 13, and 62.01 (formerly lots 6A and 62A) - 605 Montgomery Road. Applicant seeking Preliminary and Final Major Site Plan and 'd'(2) Use Variance and other such variances, waivers, and approvals required to construct a multi-activity building on property located in the MZ District.

- Chairman Haines announced that this application was adjourned to October 7, 2015.

**Board of Adjustment Meeting
September 2, 2015**

NY SMSA Limited Partnership d/b/a VERIZON WIRELESS (Hillsborough 3) - File BA-15-07 - Block 151.13, Lot 18 (formerly known as Block 151, Lot 11.B) - 249 Triangle Road. Applicant seeking Preliminary and Final Major Site Plan, 'd' Use Variances, and 'c' Bulk Variance and other such variances, waivers, and approvals required to locate antennas an existing power tower and an equipment compound at the base, on property in the R District.

- Chairman Haines announced that this application was adjourned to November 4, 2015

KYLE DAY - File BA-15-15 - Appeal and Interpretation pertaining to application #15-PB-05-MSRV Pierson Properties, LLC.

- The Board returned from Executive Session.
- Ms. Maziarz, Esq. made a recommendation to deny application due to the Board's lack of jurisdiction.
- A motion to deny is made by Vice Chairman Hesthag, seconded by Mr. Gladstone.
- Roll Call:** Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci- yes; Mr. Gladstone - yes; Vice Chairman Hesthag- yes; Chairman Haines - yes. Motion carries.

Christian Community Chapel (So. Branch Rd) - File BA-15-09 - Block 147, Lot 20.01 - 121 South Branch Road. Applicant seeking Bifurcated 'd'(1)Use Variance and 'd'(3) Use Variance, with consideration of 'c' Bulk Variance from maximum impervious coverage, and other such variances, waivers, and approvals required to permit the use of both a Pastor's House and Church, on property in the RS District. *EC Review: 07-27-15*

- Christopher Costa, Esq, Attorney for the applicant introduced the application. He explained that the Applicant is the contract purchaser of the subject property.
- Pastor Stephen Nash is sworn in and gave a brief history of Christian Community Chapel. He indicated that they chose the subject property because it was the only one that came up and that they needed a property with a residence to be used as a parsonage.
- Pastor Nash described the proposed uses for each structure on the property (Note: a hard copy proposal of the uses for each structure will be provided to the Board and made part of the Application File)
- There was a series of questions a lengthy discussion about the uses in each.
- The Board asked if any existing improvements will be removed in order to reduce the impervious coverage such as the dog-run.
- Pastor Nash did not indicate the removal of any existing improvements.
- Pastor Nash described the proposed hours (Note: a hard copy proposal of the hours for each use will be provided to the Board and made part of the Application File)
- There was a brief discussion about signage. Pastor Nash indicated that there will be no symbols or emblems facing the road, but there will be a cross facing the parking lot. He also indicated that there will be 40 square foot freestanding sign.
- There was a lengthy discussion about renting of the space.
- There was a discussion regarding the pool and Pastor Nash indicated that the pool will be a private residence/parsonage pool use.
- Mr. Herbert inquired if there will be a bell tower or the use of bells.
- Pastor Nash indicated that there will be no bell tower.
- Vice Chairman Hesthag inquired if there will be banquets.
- Pastor Nash indicated that he anticipates that fellowship hall would be utilized. He noted that his congregation does not allow alcohol.
- There was a lengthy discussion about rental activity and what may constitute as a commercial use. He noted that there would not be a rental charge, but there would be a utilities and clean up charge. He further noted that there would be no commercial kitchen and that an event such as a wedding would be a catered event.
- There was a lengthy discussion about the existing tennis court and pond.
- Pastor Nash indicated that would be no other dwelling on the property other than the detached single family dwelling to be used as a parsonage.
- A member of the public, Susan Gulliford inquired about the ownership of surrounding property.
- Pastor Nash indicated that the property is surrounded by preserved farmland. Pastor Nash also provided clarification and that no farming is proposed on the property.
- There was a discussion about the silo and Pastor Nash indicated that they have no proposed use for it at this time, but would like to keep it for aesthetic purposes.
- Tom Decker, PE, Van Cleef Engineering, the Applicant's Engineer was sworn in.

**Board of Adjustment Meeting
September 2, 2015**

- Mr. Decker described the existing pond as man-made to serve as irrigation. He noted that according to the surveyor that the pond is approximately 13 feet deep and 2.4 million gallons in volume. He also noted that it was unknown if the pond was spring fed or runoff.
- There was a lengthy discussion about storm water management obligations.
- Mr. Decker described proposed improvement such as widening the driveway and the parking lot. He referred to the concept plan.
- The following exhibits were entered.
- **Exhibit A-1:** Photographs of the site
- **Exhibit A-2:** Photographs from the driveway of the site
- **Exhibit A-3:** Photographs of Ballentine Barn
- **Exhibit A-4:** Concept Site Plan
- **Exhibit A-5:** Fire truck turning map
- **Exhibit A-6:** Site distances from road
- Mr. Decker described the exhibits in detail.
- There was an extensive discussion about emergency vehicles access, logistics of an emergency, sprinkler system, water access and related specific comments in the Fire Marshal's memo.
- Mr. Decker indicated that he did not speak to the Fire Marshal about his concerns and that the Applicant will need to satisfy the Fire Marshal's concerns.
- There was a discussion about a variety of site plan issues such as location of the septic, well water storm water management, traffic.
- Mr. Costa, Esq. indicated that they are attempting to bifurcate the application and is not requesting site plan at this time. He noted that they have a number of professionals here to testify based on the concept site plan, but that the full engineering has not been completed at this time.
- A number of Board members expressed their concern that the Applicant has not applied for a site plan and is able to show how the site will function so that concerns can be addressed.
- A number of Board members expressed that the submission of a site plan is encouraged so that a number of factors can be considered related to public safety, health and general welfare.
- Mr. Costa, Esq. indicated that due to the time and the professional that have not yet testified that they will adjourn to November and sign an extension of time.
- Chairman Haines announced that the Application will continue on November 4, 2015 and be moved to first on the agenda without further notice.

CORRESPONDENCE

None

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

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