

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**October 7, 2015**

Chairman Haines called the Board of Adjustment meeting of October 7, 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.

**ROLL CALL:**

Frank Herbert – Present  
John Stamler – Absent  
Helen Haines, *Chairman* – Present  
Curtis Suraci – Present  
Fred Gladstone - Present

Frank Valcheck – Present  
Kenneth Hesthag, *Vice Chairman* – Present  
Steve Monte (Alt. 1) – Present  
Sally Becorena (Alt. 2) – Absent  
John Shockley (Alt.3) – Arrived at 7:42pm  
John Torok (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, 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**

- September 2, 2015 – Regular Meeting

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

- September 2, 2015 – Executive Session

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

- September 30, 2015 – Regular Meeting

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

- September 30, 2015 – Executive Session

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

**ACCEPTANCE OF RESOLUTIONS**

- BA-15-04 New York SMSA Limited Partnership dba Verizon Wireless (Hillsborough DD SC)

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

**Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Chairman Haines – yes. Motion carries.

**BUSINESS FROM THE FLOOR**

None

**PUBLIC HEARING - APPLICATIONS**

**Absolute Property Management, LLC** – File BA-15-14 – Block 202, Lot 19 – 170 Township Line Road.

Applicant seeking ‘d’ Use Variance and other such variances, waivers, and approvals required to convert an existing office into a residence on property located in the AG District. ***Adjourned with re-notice.***

- Chairman Haines announced that this application has been adjourned with re-notice.

**Lynn and Keith MARLEY** – File BA-15-13 – Block 149.03, Lot 55 (*formerly Block 149E*) – 61 Beechwood Circle.

Applicant seeking ‘c’ Bulk Variances for relief from Rear Yard Setback and Maximum Impervious Coverage and other such variances, waiver, and approvals required to construct a new porch on property located in the R District.

***Adjourned with re-notice.***

- Chairman Haines announced that this application has been adjourned with re-notice.

**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 for expansion of a non-conforming use and other such variances, waivers, and approvals required to build a multi-activity building on property located in the MZ District. *EC Review: 07-27-15*

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- Frank P. Linnus, Esq, Attorney for the Applicant, introduced the Application.
- Tim Gale, CFO. Girl scouts Heart of NJ gave background of the property. He explained that a building is required for day camp because it serves various activities and functions, such as camp offices, first aid, and indoor recreation. He further noted that the uses will remain the same as the previous activity building.
- Ken Sharef from the public asked about renting the property to outside groups.
- Mr. Gale indicated that is scouts only.
- The Following Exhibits were entered:
  - **Exhibit A-1:** Landscape plan in color
  - **Exhibit A-2:** Floor plan
  - **Exhibit A-3:** Elevations
- Andrew French, Applicant's Engineer was sworn in and generally described the site.
- Mr. French addressed Mr. White's memo:
  - Retaining wall to be addressed at time of permits
  - Requested waivers to plant trees at 1 inch caliper and over a 5 year period of time so that the Girl Scouts can make it and activity project and reduce costs.
  - No sky glow lighting is proposed. Requested waiver for light fixture height in order to reduce the quantity of fixtures, but will comply with the rest of the requirements.
  - Proposed condition to speak to Dr. Belnay in the absence of a formal letter.
- Mr. French indicated NJ DEP approval is not applicable.
- There was a discussion about impervious coverage and that the proposed impervious coverage is 2.5%, whereas 5% is the maximum permitted by the zone.
- There was a discussion about size of the proposed porch and how it was shown in the application. Mr. French provided clarification that the porch was included as total gross floor area (GFA) because the Building Code does not consider a covered porch as GFA.
- Rick Tokarski, Applicant's Architect was sworn in and described the floor plans and elevations.
- There was discussion about how the prior building was destroyed (lightning) and precautions that will be taken. Mr. French indicated that there will be a sprinkler system and a cistern.
- Kevin O'Brien, Applicant's Planner was sworn in and provided testimony regarding the variances requested. Further he indicated that there would be no substantial impairment to Master Plan and Zoning Ordinance.
- Mr. Linnus, Esq gave closing remarks.
- Mr. Kois asked for a mechanism to verify tree planting compliance as a condition of approval.
- Vice Chairman Hesthag motioned to approve the application with waivers requested, which was seconded by Mr. Monte.  
**Roll Call:** Mr. Valcheck – yes; Mr. Herbert –yes; Mr. Suraci – yes; Mr. Gladstone – yes; Mr. Monte – yes; Vice Chairman Hesthag – yes; Chairman Haines – yes. Motion carries.

**NY SMSA LP d/b/a VERIZON WIRELESS ("Hillsborough 2 SHOP")** – File BA-15-12 – Block 200.01, Lot 1 (formerly Block 200A) – 601 Route 206. Applicant seeking 'd'(1) Use Variance for a non-permitted use and other such variances, waivers, and approvals required to provide a "small network node" facility, on property located in the TC District (within the ASD Overlay Zoning District). *EC Review: 09-28-15*

- Warren Stilwell, Esq, Attorney for the Applicant introduced the application.
- The Following Exhibits were entered:
  - **Exhibit A-1:** Exhaust Data
  - **Exhibit A-2:** Site Plan (7 Sheets)
- Ms. Margaret Lyons, Applicant's Electrical Engineer was sworn in and addressed the Radio Frequency requirements.
- Ms. Lyons indicted that the EMF complies with the Federal requirements in order to obtain a license. She described the equipment and indicated that the capacity of nearby telecommunication facilities has been exhausted. She also noted that the proposed small network node will relieve other exhausted facilities.
- There was a discussion about small network nodes in general and some members shared concerns about additional small network nodes in the future.
- There was a discussion about co-location and Ms. Lyons provided clarification that there is only one proposed because the equipment needs to be located a certain about of distance from another.
- Mr. Frank Colasaro, Applicant's Architect was sworn in.
- There was a lengthy discussion about the maintenance of the equipment and concern about Mr. Colasaro's qualification as a witness on those matters.
- Mr. Colasaro described the elevations and indicated that the proposed location of the cupola was appropriate from an architectural standpoint.
- Mr. David Karlback, Applicant's Planner was sworn in and began by addressing the visual simulations.
- Mr. Karleback provided testimony regarding the Township's Telecommunications Ordinance, Federal and State Law. Further he indicated that there would be no substantial impairment to Master Plan and Zoning Ordinance.
- Mr. Stillwell, Esq. gave closing remarks.

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- Mr. Anderson indicated that the Board does not have jurisdiction to waive the telecommunication requirements. There was a lengthy discussion about Section 188-154.
- Mr. Gladstone motioned to approve the application, which was seconded by Mr. Herbert.  
**Roll Call:** Mr. Valcheck – yes; Mr. Herbert –yes; Mr. Suraci – yes; Mr. Gladstone – yes; Mr. Monte – yes; Vice Chairman Hesthag – yes; Chairman Haines – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS**

None

**CORRESPONDENCE**

None

**ADJOURNMENT**

The meeting adjourned at 9:57 p.m.

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

Approved