

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**February 17, 2016**

Vice Chairman Haines called the Board of Adjustment meeting of February 17, 2016 to order at 7:33 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, *Vice Chairman* – Present  
Curtis Suraci – Present  
Fred Gladstone - Present

Frank Valcheck – Present  
Dr. Steven Sireci, Jr., *Chairman* – Absent  
Steve Monte (Alt. 1) – Present  
John Shockley (Alt. 2) – Present  
Philomena Cellilli (Alt.3) – Absent  
John Torok (Alt. 4) – Present

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 Maski, PP, AICP, Planning Director/Board of Adjustment Secretary; and Lucille Grozinski, CCR.

**NOTICE OF MEETING**

Vice 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**

- January 20, 2016 – Executive Session  
Motion to approve as written, seconded. All eligible – aye. Motion carries.
- February 3, 2016  
Motion to approve as written, seconded. All eligible – aye. Motion carries.

**ACCEPTANCE OF RESOLUTIONS**

- BA-05-25 Hillsborough Towers, LLC – Extension  
There was a motion to approve as written which was seconded.  
**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Vice Chairman Haines – yes. Motion carries.
- BA-15-13 Lynn and Keith MARLEY  
There was a motion to approve as written which was seconded.  
**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Vice Chairman Haines – yes. Motion carries.
- BA-15-14 Absolute Property Management, LLC  
There was a motion to approve as written which was seconded.  
**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Vice Chairman Haines – yes. Motion carries.
- BA-15-17 Anne Marie RYAN  
There was a motion to approve as written which was seconded.  
**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Vice Chairman Haines – yes. Motion carries.
- BA-15-29 Philip and Robin ACONE  
There was a motion to approve as written which was seconded.  
**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Mr. Monte – yes; Vice Chairman Haines – yes. Motion carries.
- BA-15-30 County of Somerset / Smith & Weinberg  
There was a motion to approve as written which was seconded.  
**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Mr. Monte – yes; Vice Chairman Haines – yes. Motion carries.

**BUSINESS FROM THE FLOOR (For Matters Not on the Agenda)**

- None

**PUBLIC HEARING - APPLICATIONS**

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**Sherry and Robert MARCHIE** – File BA-15-33 – Block 34, Lot 2 – 24 Equator Avenue. Applicant seeking 'c' Bulk Variance for relief from Minimum Yard Setback and other such variances, waivers, and approvals required to permit the construction of a single story addition on property located in the CR District.

1. Mr. Maski introduced the application.
2. Mr. Anderson reminded the Board, Applicant, and public that the Board cannot make decision based on personal means. They can only consider land use reasons.
3. Sherry Marchie, Applicant, was sworn in and described the proposed addition.
4. Mrs. Marchie described the layout of the existing house.
5. Mrs. Marchie testified that the well is located on the other side of the house where there is more space.
6. There was a discussion about extending the house towards the back of the property.
7. Christopher Melick, PLS, PP, was sworn in and his qualifications were accepted by the Board.
8. Mr. Melick testified that the Applicant cannot buy land because it would make the adjacent lot nonconforming.
9. **Exhibit A-1:** Aerial view of the property and surrounding area
10. No questions from the public.
11. Mr. Melick testified the driveway will not be modified.
12. There was a motion to approve as presented and seconded.
13. **Roll Call:** Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Suraci – yes, Mr. Gladstone – yes, Mr. Monte – yes, Mr. Shockley – yes, Vice Chairman Haines – yes. Motion carries.

**Michael DUDZINSKI** – File BA-15-11 – Block 174.06, Lot 7 – 34 Murray Drive. Applicant seeking 'c' Bulk Variance for relief from Minimum Side Yard Setback and other such variances, waivers, and approvals required to permit construction of a detached one car garage, on property located in R District.

1. Mr. Gladstone recused himself from this application.
2. Michael Dudzinski, Applicant, was sworn in.
3. Mr. Maski introduced the application and noted that the variance request is solely for the side yard setback and not for garaging for more than 3 cars.
4. Mr. Dudzinski described the layout of the proposed garage and what he will store in it.
5. Mr. Dudzinski testified that walls would be constructed to prevent additional cars from fitting.
6. Mr. Dudzinski testified that the proposed size is 24 feet wide, making the side yard setback 6.92 feet.
7. There was a brief discussion about the plans submitted.
8. Mr. Dudzinski testified that the property currently only has a two car garage.
9. Mr. Dudzinski described the hill on which his driveway is located.
10. There was discussion about garage doors.
11. There was discussion about reducing the width of the proposed structure.
12. No questions from the public.
13. There was a motion to approve a side yard setback of 16.92ft, and a garage measuring no more than 14ft wide and 24ft deep, with the front of the garage aligning with the back of the house. It was seconded.
14. **Roll Call:** Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Suraci – yes, Mr. Monte – yes, Mr. Shockley – yes, Mr. Torok – yes, Vice Chairman Haines – yes. Motion carries.

**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 11B) – 249 Triangle Road. Applicant seeking Preliminary and Final Major Site Plan, 'd' Use Variances, a '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, as well as construct a single family residence, on property in the R District. *EC Review: 07-27-15*

1. Mr. Torok recused himself.
2. Mr. Maski introduced the application.
3. Richard Stanzone, Esq, Attorney for the Applicant, noted that the request has been modified, reducing the request to three antennas.
4. James Murawski, PE, Applicant's Engineer, was sworn in and his qualifications were accepted by the Board.
5. Mr. Murawski described the equipment compound building and fencing.
6. Mr. Murawski testified that the height of the antennas would be placed lower than the existing height of the tower.
7. **Exhibit A-1:** 11x17 enlarged site plan and elevation revision date 2/17/16
8. Mr. Murawski testified the noise generated complies with the standards for the residential zones.
9. Mr. Murawski testified about the proposed lighting which will turn on via motion detector.
10. Mr. Murawski testified no trees will be removed.
11. Susan Gulliford, Resident, asked if PSEG is renting the piece of property or if there is an easement.
12. Mr. Stanzone was sworn in. Mr. Stanzone testified that PSEG has an existing right-of-way where the power tower exists which has been modified to include communication device.
13. Mr. Maski and Mr. Murawski discussed the privacy fencing options and additional landscape buffering.
14. Margaret Lyons, Electrical Engineer, was sworn in and her qualifications were accepted by the Board.

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15. Ms. Lyons discussed the prepared RF report and the gaps in coverage.
16. **Exhibit A-2:** Existing sites without Hillsborough 3 coverage
17. **Exhibit A-3:** Existing sites with Hillsborough 3 site coverage.
18. **Exhibit A-4:** Sector Data and Traffic History
19. Ms. Lyons discussed the prepared RF Emissions report and the FCC requirements.
20. Dean Valis, Property Owner, was sworn in and gave history of the property.
21. **Exhibit A-5:** House plan
22. Mr. Valis testified storage trailers and shipping container will be removed from the property.
23. There was a lengthy discussion about setbacks for the proposed dwelling.
24. No questions from the public.
25. David Karlebach, PP, was sworn in and the Board accepted his qualifications.
26. Mr. Karlebach testified about the variances requested.
27. **Exhibit A-6:** Photographs of existing conditions and proposed conditions, view from Farm Road
28. **Exhibit A-7:** Photographs of existing conditions and proposed conditions, view from South Triangle Road
29. **Exhibit A-8:** Photographs of existing conditions and proposed conditions, view from Triangle Road
30. Mr. Karlebach testified to the benefits of the proposal.
31. No questions from the public.
32. There was a discussion about the use variance for the proposed dwelling.
33. There was a motion to approve with the conditions that the future construction of the home does not expand past the existing footprint from the plans that were submitted and a faux-wood fence around the equipment compound. It was seconded.
34. **Roll Call:** Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Gladstone – yes, Mr. Suraci – yes, Mr. Monte – yes, Mr. Shockley – yes, Vice Chairman Haines – yes. Motion carries.

***Vincent & Barbara LIPANI*** – File BA-15-28 – Block 199, Lots 6.01, 6, 7, & 8.01 (*formerly lots 6A & 8A*) – Hamilton Road. Applicant seeking Minor Site Plan approval, ‘d’ Use Variances for a non-permitted use and multiple principal uses on a single property, and ‘c’ Bulk Variances for relief from Maximum Front Yard Setback and Minimum Floor Area Ratio and other such variances, waivers, and approvals required to construct a new two story storage building for the existing nursery, convert one single family dwelling to a two-family dwelling and retain two existing single family dwellings on property located in the GA District. *EC Review: 0 1-25-16*

- This application was carried to March 16, 2016 without further notice.

**BOARD OF ADJUSTMENT BUSINESS**

- None

**CORRESPONDENCE**

- None

**ADJOURNMENT**

The meeting adjourned at 10:06pm.

*Respectfully Submitted by: Caitlin Davis, Planning & Zoning Clerk  
Reviewed by: David Maski, PP, AICP, Planning Director/Board of Adjustment Secretary*