

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
March 02, 2016

Chairman Dr. Sireci called the Board of Adjustment meeting of March 2, 2016 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	Dr. Steven Sireci, Jr., <i>Chairman</i> - Present
Helen Haines, <i>Vice Chairman</i> - Present	Steve Monte (Alt. 1) - Present
Curtis Suraci - Present	John Shockley (Alt. 2) - Present
Fred Gladstone - Absent	Philomena Cellilli (Alt.3) - Present
	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 Maski, PP, AICP, Planning Director/Board of Adjustment Secretary; and Lucille Grozinski, CCR.

NOTICE OF MEETING

Chairman Dr. Sireci 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

February 17, 2016

Motion to approve as written, seconded. All eligible - aye. Motion carries.

ACCEPTANCE OF RESOLUTIONS

BA-15-19 Jerry SHEEN

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-15-23 Robert and Ruth-Ann INGRAM

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-15-25 Andrea and Gaetano GERACI

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.

EXECUTIVE SESSION

The Board convened to discuss litigation and attorney-client privilege matters related to Christian Community Chapel.

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

None

PUBLIC HEARING - APPLICATIONS

Frank and Bernadette CONCHES - File BA-15-20 - Block 180.09, Lot 65 - 38 Boehm Way. Applicant seeking 'c' Bulk Variance for relief from required Rear Yard Setback and other such variances, waivers, and approvals required to permit construction of an addition on property located in the AG District. ***Adjourned with further notice.***

Mr. Anderson explained that the notice for this application was insufficient and it is carried with new notice.

Muslim Center of Somerset (New Amwell Rd) - File BA-15-24 - Block 162, Lots 20.01 & 20.02 - 22 & 26 New Amwell Road. Applicant seeking to change conditions in resolution and other such

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variances, waivers, and approvals required to permit various activities related to a Muslim house of worship on property in the CR zone. ***Continued from 1-20-16 without further notice.***

1. Lloyd Tubman, Esq, Attorney for the applicant, summarized the application.
2. Vice Chairman Haines stated that she is a member of the Little Presbyterian Church, which the Muslim Center has used in the past. There were no objections to the Vice Chairman voting on the application.
3. Carlos Rodrigues, PP, was sworn in and his qualifications were accepted.
4. **Exhibit A-3:** Zoning Map with houses of worships marked
5. **Exhibit A-4:** Table with details on each house of worship
6. **Exhibit A-5:** Table with activities for each house of worship
7. Mr. Rodrigues testified that this information was compiled through the Tax Assessor's office and the internet during the fall and summer of 2015.
8. Mr. Anderson noted that this is hearsay but the Board can consider hearsay if they believe the information is both useful and reasonably reliable.
9. There was a lengthy discussion on the exhibits.
10. Open to the Public.
11. Donna Morgan, Resident, asked about the number of attendees for each activities.
12. Mr. Anderson reminded the public that the question should be asked of this witness only.
13. Paul Botochinek, Resident, asked why Exhibit A-5 did not have activities for the applicant listed.
14. Mr. Rodrigues testified that the exhibit showed only activities that are currently taking place.
15. No more public questions.
16. Henry Ney, PE, Traffic Engineer, was sworn in and his qualifications were accepted by the Board.
17. Mr. Ney gave an overview on how the traffic study was conducted.
18. Mr. Ney testified that the parking is adequate to meet the anticipated demand.
19. Open to the public.
20. Paul Botochinek, Resident, and Mr. Ney discussed the algorithm, how the study was completed, and using square footage to calculate the necessary parking spaces.
21. Ms. Tubman clarified that there will be no other activities concurrent with or within half an hour of the beginning or ending of the worship services.
22. There was a lengthy discussion on when the weekend school would take place.
23. Mr. Ney testified that he did not study the hours of the school on Friday night because it is not a peak hour.
24. Chairman Dr. Sireci suggested that he provide that information to the Board.
25. John Faddish, Resident, asked about the peak hours and parking spaces.
26. Colton Faddish, Resident, and Mr. Ney discussed the math for the data collected.
27. Mark La Bracio, Resident, asked about the driveway.
28. Mr. Ney noted that the approved site plan calls for the driveway to be widened.
29. Tamara Faddish, Resident, asked for clarification regarding the potential of growth of the congregation.
30. Mr. Ney testified that growth was not considered.
31. Mrs. Faddish asked about overflow parking.
32. Mr. Anderson said that this is not within the scope of the expertise of the witness.
33. Donna Morgan, Resident, asked about Ramadan services.
34. My Ney stated that it was testified to at the last meeting but he can testify only about traffic and parking.
35. Dennis Salotti, Resident, asked about this specific organization's prior sites, specifically in regards to violations.
36. Mr. Ney testified that he did not study this organization's other sites.
37. The Board requested for the next hearing that additional information from the traffic engineer and operational witnesses for the mosque be available for public questions, and a draft resolution should be drawn up between Ms. Tubman and Mr. Anderson to clarify all changes in the proposal.
38. Ms. Tubman agreed to an extension.
39. There was a motion to carry the application to April 6, 2016 without further notice. It was seconded. All aye, motion carries.

Hillsborough Centre LP (STARBUCKS) - File BA-15-22 - Block 200.10, Lots 5.01 & 5.02 (*formerly known as Block 200B*) - 649 Route 206. Applicant seeking Minor Site Plan Approval, 'd' Use Variance

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for a Conditional Use that does not comply with the conditions, 'c' Bulk Variances for relief from Maximum Front Yard Setback and Minimum Building Height, and other such variances, waivers, and approvals required to construct a satellite building in an existing shopping center on property in the TC District. (EC Review 1-25-16)

1. There was a motion and a second to take two witnesses after 10pm. All aye, motion carries.
2. Robert Simon, Esq, Attorney for the applicant described the two witnesses.
3. Melanie Soos, Architect, was sworn in and her qualifications were accepted by the Board.
4. **Exhibit A-1:** 5 page of drawings, slight modifications to the plans from what was submitted. (Architectural site plan, floor plan, roof plan, exterior elevations, exterior views)
5. Ms. Soos described the proposed building.
6. Ms. Soos testified that all materials, excluding the roof, match the existing shopping center.
7. Ms. Soos described the proposed signage.
8. There was discussion on the size and number of signs.
9. **Exhibit A-2:** architectural site plan, larger scale and closer view
10. **Exhibit A-3:** engineering site plan by Van Cleef of the entire property, revised date 2/17/16
11. Ms. Soos discussed circulation using the exhibits, specifically related to the drive thru queue.
12. It is noted that when the engineer testifies, he will address the circulation and traffic issues.
13. Ms. Soos testified on making this a one story building rather than the required two stories.
14. Ms. Soos discussed life safety issues related to making a two-story Starbucks.
15. There was a brief discussion on creating offices on a second floor.
16. Ms. Soos testified that it visually looks like two stories because of its size.
17. Open to the public.
18. George Mariasz, Resident, asked about the sign on the south side of the building.
19. There was further discussion on the signage.
20. Susan Gulliford, Resident, asked for more clarification on the signs.
21. Rahel Fikre, Store Development Manager for Starbucks, was sworn.
22. Ms. Fikre described the existing Starbucks at the shopping center next to the proposed site and testified it is insufficient for the existing customer base.
23. Ms. Fikre discussed the floor plan, outdoor seating, number of employees, and hours of operation.
24. No questions from the public.
25. Mr. Simon agreed to an extension.
26. There was a motion and second to continue the application to May 18, 2016 without further notice. All aye, motion carries.

BOARD OF ADJUSTMENT BUSINESS

- None

CORRESPONDENCE

- None

ADJOURNMENT

The meeting adjourned at 10:52pm.

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