

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**March 16, 2016**

Chairman Dr. Sireci called the Board of Adjustment meeting of March 16, 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 - Present	Dr. Steven Sireci, Jr., <i>Chairman</i> - Present
Helen Haines, <i>Vice Chairman</i> - Absent	Steve Monte (Alt. 1) - Present
Curtis Suraci - Absent	John Shockley (Alt. 2) - Present
Fred Gladstone - Present	Philomena Cellilli (Alt.3) - Present
	John Torok (Alt. 4) - Present

Also in attendance: Jolanta Maziarz, 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 Michael Lombardozi, 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**

March 2, 2016

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

**ACCEPTANCE OF RESOLUTIONS**

None

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

None

**PUBLIC HEARING - APPLICATIONS**

***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 Adjoined from February 17, 2016*

1. Mr. Gladstone recused himself from the application.
2. Phillip K. Barrood, Esq introduced the application.
3. Vincent Lipani, property owner, was sworn in.
4. Mr. Lipani gave a detailed history of the property.
5. Mr. Lipani testified that he runs a seasonal operation with January and February hours from 8am to 4:30pm and April through December from 7am to 5pm, Monday through Friday and Saturdays until 2pm with some exceptions.
6. Mr. Lipani described the business and the existing dwellings.
7. Mr. Lipani testified that employees live in the existing dwellings.
8. Mr. Lipani described the proposed electronic sign.
9. **Exhibit A-1:** Artist rendering of the sign
10. There was discussion on merging the lots.
11. Mr. Lipani testified that the proposed building will be used to store equipment that is currently kept outside.
12. Mr. Barrood stated a deed of merger will be submitted to consolidate the lots.
13. Open to the public.
14. Duina Llanes, Resident, and Mr. Lipani discussed the placement of the proposed storage structure.
15. Mr. Lipani testified that no trees will be removed.
16. Ms. Llanes was sworn in.
17. **Exhibit O-1:** Photographs from backyard of 20 Pineywoods Drive
18. There was a brief discussion on buffering.

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19. **Exhibit A-2:** Color site plan
20. Joanne Auerbach, Resident, asked for clarification on what will be housed in the storage structure.
21. Mrs. Auerbach requested a privacy fence.
22. Mrs. Auerbach was sworn in and described the safety reasons for a fence.
23. Mr. Lipani agreed to 60 feet of privacy fence, erecting it on 12 Hamilton Road so that the Auerbachs can maintain it as needed.
24. There was discussion on the stormwater runoff.
25. Michael Ford, PE, Applicant's Engineer, was sworn in and his qualifications were accepted by the Board.
26. Mr. Ford described the site and the variances required.
27. Mr. Ford testified that the applicant will meet all conditions in reports by Mr. White and Mr. Maski.
28. Mr. Ford described the proposed electronic message board sign.
29. Mr. Lipani testified that the sign would be turned off at 10pm.
30. There was a lengthy discussion on creating a duplex.
31. There was further discussion on the sign.
32. Mr. Ford testified that the sign will be static but can be changed electronically rather than using plastic lettering.
33. Mr. Lipani testified that it would be changed once or twice a week and it will not contain a flashing message.
34. Open to the public.
35. Susan Gulliford, Resident, and Mr. Lipani discussed the existing gravel where the new structure is proposed.
36. Ms. Llanes, Resident, asked for further clarification on the proposed buffering.
37. Martin Knoll, Resident, also asked about the buffering.
38. Mr. Maski and Mr. Lipani discussed the landscape plan approved in 2007.
39. Mr. Lipani testified that there will be no changes in the operation of the business.
40. Mr. Ford testified that the retail use is permitted in the Gateway A zone but the residences are not permitted.
41. There was a motion to approve the application with the following conditions: extra landscaping for Pineywoods Road, a 60ft fence to be erected on 12 Hamilton Rd, a static-message electronic sign that will only be on from 8am to 10pm, submission of a deed of merger, and submission of a landscape plan. It was seconded.
42. **Roll Call:** Mr. Herbert - yes, Mr. Valcheck - yes, Mr. Stamler - yes, Mr. Monte - yes, Mr. Shockley - yes, Ms. Cellilli - yes, Chairman Dr. Sireci - yes. Motion carries.

**VERIZON WIRELESS - Hillsborough 5 (324 Woods Rd)** - File BA-15-18 - Block 205.03, Lot 26 (formerly Block 205, Lot 37) - 324 Woods Road. Applicant seeking Preliminary and Final Major Site Plan Approval, 'd' Use Variances, and other such variances, waivers, and approvals required to construct a new wireless communications monopole and equipment compound on property located in the RA District. *EC Review: 1-25-16*

1. Mr. Herbert and Mr. Torok recused themselves from the application.
2. Warren Stilwell, Esq, introduced the application.
3. David Stern, Radio Frequency Engineer, was sworn in and his qualifications were accepted by the Board.
4. Mr. Stern testified to the FCC licenses that Verizon has and the requirements for keeping those licenses.
5. Mr. Stern testified that this tower is significantly below the FCC limit for radio waves.
6. Mr. Stilwell noted that federal law preempts any safety arguments against a cell tower that complies with federal standards.
7. Mr. Stern testified that there is a significant gap in coverage in the area in question.
8. Mr. Stern described the process for determining an appropriate site to fix any coverage gap.
9. **Exhibit A-1:** Map of existing sites without "Hillsborough 5" site
10. **Exhibit A-2:** Drive test measurements done January 20, 2016
11. Mr. Stern testified that the D&R Canal has a 1,000ft buffer on either side in which a monopole cannot be located.
12. There was discussion on other carriers co-locating on this proposed monopole.
13. **Exhibit A-3:** Map of existing sites with "Hillsborough 5" site
14. Mr. Stern testified that the proposed tower would cover the existing gap in coverage.
15. **Exhibit A-4:** graphical representation of complaints on Verizon wireless network
16. There was discussion on the golf course on Willow Road.
17. Mr. Stilwell agreed to an extension to June 16<sup>th</sup>.
18. The application was carried to June 15, 2016 without further notice.

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**BOARD OF ADJUSTMENT BUSINESS**

None

**CORRESPONDENCE**

None

**ADJOURNMENT**

The meeting adjourned at 10:40pm

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

APPROVED