

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**April 20, 2016**

Chairman Dr. Sireci called the Board of Adjustment meeting of April 20, 2016 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, *Vice Chairman* – Present  
Curtis Suraci – Present  
Fred Gladstone - Present

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

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 3, 2016 – Executive Session

Motion to approve as written, seconded.

**Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Gladstone – yes; Ms. Cellilli – yes; Mr. Torok – yes; Vice Chairman Haines – yes; Chairman Dr. Sireci – yes. Motion carries.

- March 2, 2016 – Executive Session

Motion to approve as written, seconded.

**Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Ms. Cellilli – yes; Vice Chairman Haines – yes; Chairman Dr. Sireci – yes. Motion carries.

- April 6, 2016 – Executive Session

Motion to approve as written, seconded.

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

- April 6, 2016 – Regular Meeting

Motion to approve as written, seconded.

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

**ACCEPTANCE OF RESOLUTIONS**

- BA-15-07 NY SMSA LP dba VERIZON WIRELESS (Hillsborough 3)

Motion to approve as written, seconded.

**Roll call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Vice Chairman Haines – yes. Motion carries.

- BA-15-30 County of Somerset/Smith and Weinberg

Motion to approve as written, 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**

**John LAZORCHAK** - File BA-15-31 – Block 11, Lots 21 & 21.01 (*formerly Lot 21A*) – 697 & 695 Amwell Rd. Applicant seeking Minor Subdivision Approval, 'd' Use Variance for a non-permitted use, 'c' Bulk Variances for relief from Minimum Lot Size, Minimum Lot Width, and other such variances, waivers, and approvals required to permit the reconfiguration of two lots with the construction of a single family dwelling on one lot on property in the C-1 District and within the Neshanic Historic District. *EC Review: 2-22-16; HPC Review: 2-25-16 Request to adjourn without further notice.*

**Board of Adjustment Meeting  
April 20, 2016**

- Vanessa Hillsdon, Esq, Attorney for the Applicant, requested an adjournment to September 7, 2016 without further notice.
- Ms. Hillsdon agreed to an extension of time of decision.
- There was a motion to carry this application without further notice, it was seconded. All aye, none opposed. Motion carries.

**Louis & Christine MALENCHEK** – File BA-15-34 – Block 182, Lot 3.02 – 279 Sunnymead Rd. Applicant seeking Minor Subdivision Approval, a 'd'(2) Variance for expansion of an existing non-conforming use, a waiver from the stream corridor buffer, and other such variances, waivers, and approvals required to subdivide a property in the I-1 and RA Districts. *EC Review: 3-28-16*

- Mr. Gladstone recused himself from the application.
- Eric Wasser, Esq, Attorney for the applicant introduced the application.
- Bob Heibell, PE, PP, was sworn in as a professional engineer and professional planner.
- Mr. Heibell gave history on the property.
- Mr. Heibell discussed the outside agency approvals.
- Mr. Heibell discussed the D&R Canal Commission approval.
- Mr. Heibell testified that 2,000 sq. ft. of existing pavement will be removed on lot 3.01.
- The existing shared driveway was discussed and Mr. Heibell testified it will not be used by the new proposed house.
- Mr. Heibell testified that no septic is proposed and a connection to the public sewer would be a condition of approval.
- There was a discussion on the Township's definition of a stream, how it relates to the property in question, and the waiver required to be within the 150ft stream corridor buffer.
- Mr. Heibell testified that the existing 50ft vegetative buffer for the drainage ditch would remain.
- Mr. Heibell testified that the proposed house would be in the residential zone.
- The existing house is located in the industrial zone and Mr. Heibell testified it will not be changed by the application.
- Louis Malenchek, Property Owner, was sworn in.
- Mr. Malenchek briefly discussed the photographs submitted.
- No questions from the public.
- **Exhibit A-1:** Revised subdivision plan (dated April 20, 2016) which shows direct driveway to Sunnymead Rd and removal of 2,000 sq ft of pavement.
- The Board reviewed the exhibit.
- Vice Chairman Haines made a motion to approve with the separate driveways and requested waivers, based on Exhibit A-1. It was seconded.
- **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Ms. Cellilli – yes; Vice Chairman Haines – yes; Chairman Dr. Sireci – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS**

**Discussion of RF Engineer proposal and other matters re: application BA-15-18 Verizon Wireless Hillsborough 5 (324 Wood Rd)**

- Mr. Herbert, Mr. Suraci, and Mr. Torok stepped down for this discussion.
- Mr. Maski described the proposal submitted by Dr. Bruce Eisenstein. He will provide guidance to the Board but will not produce an independent report.
- The Board requested that the professional review previous testimony, review data obtained by Verizon, question Verizon's witnesses as appropriate, and provide alternative sites in addition to testify and advise the Board as necessary.
- There was brief discussion on the letter provided by Cooper Levenson, dated April 18, 2016, regarding the federal "shot clock" for wireless communication tower applications.
- There was a motion and second to hire Dr. Bruce Eisenstein. All aye, none opposed. Motion carries.

**CORRESPONDENCE**

- None

**ADJOURNMENT**

The meeting adjourned at 8:32pm.

*Respectfully Submitted by: Caitlin Davis, Planning & Zoning Clerk*

*Reviewed by: David Maski, PP, AICP, Planning Director/Board of Adjustment Secretary*