

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**May 18, 2016**

Chairman Dr. Sireci called the Board of Adjustment meeting of May 18, 2016 to order at 7:30 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 - Absent

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

- May 4, 2016 – Executive Session  
Motion to approve as written, seconded.  
All eligible, aye, none opposed. Motion carries.
- May 4, 2016 – Regular Session  
Motion to approve as written, seconded.  
All eligible, aye, none opposed. Motion carries.

**PUBLIC HEARING & ACCEPTANCE OF RESOLUTION**

**Christian Community Chapel** – File BA-15-09 – Block 147, Lot 20.01 – 121 South Branch Road. Applicant has entered into an agreement with the Township and the Board settling a lawsuit known as Christian Community Chapel Wesleyan Church, Inc. v. Township of Hillsborough, et al., case no. 3:16-CV-00214-PGS-DEA. The Board previously failed to approve Applicant's request for a use variance to place two principal uses, a church and a parsonage, on a single lot, a use and bulk variance for exceeding the maximum building height, and bulk variances for deviations from the required rear yard setback and maximum impervious coverage. Thereafter, Applicant filed a lawsuit which has since been resolved. In order to provide an opportunity for public comment regarding the terms of the settlement agreement, a hearing will be conducted in accordance with *Whispering Woods v. Middletown Township*, 220 N.J. Super. 161 (Law Div 1987).

- Mr. Anderson described the situation.
- Open to the public.
- Elaine Welsh, Resident on Orchard Drive, asked about the lighting.
- It was noted that the stipulation is granting the variances only and a site plan application needs to be submitted, which would address the lighting and other concerns.
- No further questions.
- There was a motion to adopt the resolution for approval of the application on the terms and conditions contained in the stipulation of settlement. It was seconded.
- **Roll call:** Mr. Shockley – yes; Ms. Cellilli – yes; Mr. Monte, – yes; Mr. Valcheck – yes; Mr. Stamler – yes; Mr. Herbert – yes; Vice Chairman Haines – yes; Chairman Dr. Sireci – yes. Motion carries.

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

- None

**PUBLIC HEARING - APPLICATIONS**

**Sava & Nancy KAZANTZIS** – File BA-15-32 – Block 183.05, Lots 33 & 34 (*formerly Block 83D*) – 10 High Acre Drive. Applicant seeking 'd' Use Variance for garaging of more than three cars on a residential lot and other such variances, waivers, and approvals required to permit construction of a detached four (4) car garage while retaining an existing attached two (2) car garage on the property in the R District.

- Katherine Kopp, Esq, representing the Applicant requested an adjournment to June 1, 2016
- There was a motion to carry the application without further notice. It was seconded.
- All aye, none opposed. Motion carries.

**Board of Adjustment Meeting  
May 18, 2016**

**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 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) **Continued from March 02, 2016 without further notice**

1. Robert Simon, Esq, reminded the Board of the witnesses who have already testified.
2. Mr. Maski and Mr. Simon discussed the revised sign requests.
3. Thomas Decker, P.E., was sworn in and his qualifications were accepted by the Board.
4. Mr. Decker described the property using Exhibit A-3 from the March 2<sup>nd</sup> hearing.
5. Mr. Decker testified that there is an abundance of parking and the existing property is under the impervious coverage maximum.
6. **Exhibit A-4:** Minor site plan, revised 2/17/16, as submitted but with aerial photograph
7. Mr. Decker further discussed parking, loading and landscaping.
8. There was a brief discussion about adding sidewalks within the property.
9. **Exhibit A-5:** Exterior elevations of the proposed building
10. **Exhibit A-6:** Exterior views, isometric of the proposed building
11. Mr. Decker testified that signs are proposed on the north and west of the building only and waivers are required for the size.
12. There was discussion on the proposed menu board at the drive thru, which would require a waiver.
13. There was discussion on the hours of operation.
14. No public questions.
15. Gary Dean, P.E., Traffic Engineer, was sworn in and his qualifications were accepted by the Board.
16. Mr. Dean discussed stacking and testified the proposal has adequate queuing.
17. Mr. Dean discussed the absence of sidewalks in the proposal.
18. There was a brief discussion about the chevron pavement markings and directional signs.
19. There was further discussion about parking.
20. The Board considered adding pedestrian sidewalks and there was a lengthy conversation on the feasibility.
21. Brian Silbert, from the management company of Hillsborough Centre, was sworn in.
22. Mr. Silbert further addressed concerns about eliminating parking spaces to add pedestrian sidewalks.
23. **Exhibit A-7:** Site plan sheet 4 of 10 with parking reconfiguration and proposed crosswalk and sidewalks
24. There was discussion on A-7.
25. Justin Auciello, PP, was sworn in and his qualifications were accepted by the Board.
26. Mr. Auciello testified that the site is appropriate for the use despite requiring two variances from the bulk standards.
27. Mr. Auciello testified that the existing pad site and basin prevent this building from being closer to the road as the ordinance requires.
28. Mr. Auciello testified to the benefits of the proposed signage.
29. No public questions or comments.
30. Vice Chairman Haines made a motion to approve the application for the requested d(3) use and bulk variances; waiver for driveway aisle width; a total of 5 signs over 2 facades including 2 menu boards and 1 order board with a waiver for white lettering; box truck deliveries permitted only during off-peak hours; a parking space to be designated as employee only; addition of sidewalks and crosswalk as depicted on Exhibit A-7 with approval from the Board Planner and Engineer for the landscaping and pedestrian signage; and discussed hours of operation. It was seconded.
31. **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Ms. Cellilli – yes; Vice Chairman Haines – yes; Chairman Dr. Sireci – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS  
CORRESPONDENCE**

- None

**ADJOURNMENT**

The meeting adjourned at 10:49pm.

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