

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES
May 05, 2016

Chairman Shawn Lipani called the Planning Board Public Meeting of May 05, 2016 to order at 7:32 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Hillsborough Township Municipal Complex.

Chairman Lipani announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Mayor Frank DelCore - Present	Sam Conard - Absent
Robert Wagner, Jr. - Present	Shawn Lipani, Chairman - Present
Deputy Mayor Carl Suraci - Absent	Kenneth Hesthag - Present
Robert Peason - Present	Sally Becorena (Alt. #1) - Present
Dr. Daniel Marulli, Vice Chairman - Absent	Stephanie Forrest (Alt. #2) - Present
Neil Julian, Secretary - Present	

Also present: David K. Maski, PP, AICP, Township Planning Director; Eric M. Bernstein, Esq., Board Attorney (Eric M. Bernstein, & Associates); William H.R. White, III, PE, CME, Board Engineer (Maser Consulting P.A.); Christina Restuccia, CCR, Covering Board Court Reporter; and Caz Bielen, Board Videographer (Premier Media, LLC).

DISPOSITION OF MINUTES

- April 07, 2016 - Regular Meeting

A motion to approve was made by Mr. Peason, seconded by Mr. Wagner.

Roll Call: Mayor DelCore - yes; Mr. Wagner - yes; Mr. Peason - yes; Mr. Hesthag - yes; Ms. Becorena - yes; Ms. Forrest - yes; Chairman Lipani - yes. Motion carries.

- April 07, 2016 - Executive Session

A motion to approve was made by Mayor DelCore, seconded by Mr. Wagner.

Roll Call: Mayor DelCore - yes; Mr. Wagner - yes; Mr. Peason - yes; Mr. Hesthag - yes; Ms. Becorena - yes; Ms. Forrest - yes; Chairman Lipani - yes. Motion carries.

DISPOSITION OF RESOLUTIONS

None

PLANNING BOARD BUSINESS

None

SPECIAL COMMITTEE REPORTS

None

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

None

PUBLIC HEARING - SUBDIVISION/SITE PLAN APPLICATIONS

- SISSCO (Permadur Industries Inc.)** - File 16-PB-03-SRV - Block 142, Lot 28 (186 Route 206) and Block 186, Lot 29 (188 Route 206). Applicant seeking preliminary and final major site plan approval; 'c' bulk variances for relief from maximum lot coverage (Lot 28: 61.01% where 60% is allowed) (existing conditions: minimum lot area (Lot 29); minimum lot width (Lots 28 & 29); minimum front yard setback (Lots 28 & 29); minimum side yard setback (Lots 28 & 29); and requesting Economic Hardship Waiver; parking stall/parking aisle waivers; and buffer waiver, to construct 2 handicap parking spaces on Lot 28; and 27 parking spaces on Lot 29 to serve as an overflow parking area to Lot 28, on property in the I-1, Light Industrial Zoning District. (I-2 Zoning District standards apply - I-1 property fronts on Route 206). *Revised Plans submitted 04-12-16.* (EC Review: 04-25-16).

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Michael O'Grodnick, Esq. of Mauro, Savo, Camerino, Grant & Schalk, representing the Applicant, briefly explained the nature of the business, that being a manufacturer of overhead cranes and hoists and associated service.

Mr. O'Grodnick stated notice requirements have been met. He said there is no more parking available on the SISSCO lot. There is a substantial service fleet arm that services the hoists and cranes. The Applicant is looking to locate the employee parking on the new lot. Mr. O'Grodnick gave an overview of the application which concurred with the opening narrative read by Chairman Lipani.

Mr. O'Grodnick said with respect to the Engineering report dated 04-29-16, comment #2, this property is under contract to be purchased, conditioned on the approvals. Both properties will be in common ownership, albeit under different entities, which is why a waiver is requested for buffering since there will be no impact to the neighbor. A cross-access easement is not needed for this same reason. Mr. O'Grodnick said if ownership did change, perhaps it would be appropriate in the future.

William A. Schneider of SISSCO and Thomas Decker, PE, of Van Cleef Engineering were sworn in.

Mr. Decker reviewed his credentials, was accepted by the Board and gave the following testimony:

Mr. Decker said the site is located on Route 206, to the right are the railroad tracks. Currently Permatur Industries owns the building to the north and all of the parking around it.

Exhibit A-1 - Site Plan & Grading Plan w/color

Mr. Decker said access to the site is through the entrance drive which is 25 ft. wide; all access ways are 25 ft. throughout. NJDOT has proposed a jughandle to the south of the site. That jughandle will provide a traffic light. NJDOT will realign the entrance to Lot 29 (Swiss Orthopedic) and eliminate their entrance from Route 206. Service vehicles are parked on-site which creates a lack of parking for the employees.

Mr. Decker said with the State realignment in mind, the 27-space parking was aligned opposite the front parking lot and it would also provide Swiss Orthopedic a secondary access through the Permatur property during construction of the jughandle.

Mr. Decker said at one point there were 29 spaces proposed for Lot 29 but that has been scaled back to 27 spaces. The Applicant is proposing that the parking lot not have curbing. The runoff will continue to flow off of the edge of the pavement and through vegetation. The Environmental Commission has requested additional plantings to assist with water quality, which the Applicant has agreed to. As per the DRCC, the design will be adjusted to include porous pavement. The status of other outside agencies: SUSCD approval has been granted; SCPB approval is still open; and the Fire Marshal has no comments.

Mr. Decker said no other drainage is necessary. The Applicant will be removing 41 trees which are mostly Red Cedar trees, possibly one Oak tree. A Hardship Waiver has been requested. The Applicant is proposing to plant 4 trees, which for the sake of the calculation comes out to 5 trees. If the design of the parking area changes for the DRCC with porous pavement and increases the cost, the appropriate number of trees would be provided accordingly.

Mr. Decker said the Applicant agrees to comply with all of the comments in Mr. White's report. There are existing variances associated, and a new variance proposed for lot coverage (Lot 28) for maximum impervious coverage which increases by approximately .32%. Lot 29 currently has 11.51% impervious coverage, proposing 27.17%, which complies with the ordinance. A design waiver for parking space size is being requested since there is room to allow for a 2 ft. vehicle overhang: 10 ft. x 18 ft. proposed vs. 10 ft. x 20 ft. required. The 10 ft. x 18 ft. size is consistent with the other spaces on the Permatur site.

Chairman Lipani asked if there will be any concrete stops so that the vehicles do not go into the grass.

Mr. Decker said concrete bumpers can be placed.

Mr. Julian said because this application is not subject to stormwater regulations, the Environmental Commission recommended more of a vegetation control. The bumpers are favorable because they would allow the flow; curbing might stop it.

Mr. Decker said a waiver for an aisle width of 25 ft. is proposed, which is consistent throughout the site.

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Chairman Lipani asked if the number of spaces requested will max out the need or if it allows for room for growth.

Mr. Decker said there is room for growth. There are 20 service vehicles. The additional parking will significantly alleviate the traffic concern. There will either be Staff or service vehicles parked in the new parking area. Visitor parking would be maintained in the front parking lot, and handicap spaces to the side.

Mr. Decker said a waiver has been requested for the buffer. The existing lot is only 100 ft. wide. The parking has been centered to provide 20 ft. on either side, as recommended by the Deputy Planning Director at the time, David Kois.

Mr. O'Grodnick asked Mr. Decker if his testimony was that by reason of the exceptional narrowness and shallowness of the lots that the strict application and regulations would result in practical difficulties.

Mr. Decker agreed.

Mr. O'Grodnick asked Mr. Decker if the granting of relief would substantially outweigh any detriment to the Zone Plan.

Mr. Decker agreed.

Mr. White asked for further review of the handicap spaces.

Mr. Decker said there are 2 handicap spaces provided on Lot 28. The striping for the Swiss Orthopedic site does not correctly show on the plan for the existing handicap spaces. ADA spaces are required and will be provided.

Mr. Maski asked for clarification on the number of trees being provided.

Mr. Decker stated 5 trees will be provided.

Mr. Maski asked if more trees can be added being that 41 trees are being taken down.

Mr. Decker agreed and said the buffering would likely be enhanced.

Mr. Maski said the additional vegetation agreed to, per the request of the Environmental Commission, should be conditioned on the review of the Board Engineer.

Mr. Decker agreed. He said the Environmental Commission also requested a maintenance plan.

Mr. Maski said there are no definitions in the Ordinance, so it is difficult to determine whether the Swiss Orthopedic site should be considered a "medical office" or a "medical center." Mr. Maski asked for more information on the practice.

Mr. Decker said his understanding is that it is not a "medical office." He said one would first need to go to a medical doctor for the examination and then go to Swiss Orthopedic for the prosthetic. The employees there are not doctors but medical technicians, fitting people with prosthesis.

Mr. Maski reviewed the difference in parking associated with each.

Mr. Decker said he believed it to be more of an office than a center because there would be no medical emergencies.

Mr. Maski said in that case, there would not be a parking space deficiency.

Open to the Public

No questions.

Mr. Maski asked if the SISCO driveway will remain open when the jughandle is constructed.

Mr. Decker said the driveway for SISCO will stay as an access point but will be realigned in order to maintain the distance from the traffic light going in.

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Mr. Maski said the testimony was that Lots 28 and 29 will stay under separate ownership. He asked whether all necessary access easements will be provided, not only for now, but when the jughandle goes in.

Mr. Decker said there will be a cross-access agreement that will benefit both parties.

Mr. Bernstein asked Mr. O'Grodnick to confirm that the Applicant would be interested in providing more trees and vegetation in conjunction with a review by Maser Engineering and the Environmental Commission.

Mr. O'Grodnick said that is correct.

No questions/ comments from the Public.

Close Public

Chairman Lipani noted the items discussed to be additional parking; increased vegetation, and bumpers on the parking area.

A motion to approve was made by Mayor DelCore, seconded by Mr. Peason.

Roll Call: Mr. Peason - yes; Mr. Julian - yes; Mr. Wagner - yes; Mr. Hesthag - yes; Mayor DelCore - yes; Chairman Lipani - yes; Ms. Becorena - yes; Ms. Forrest - yes. Motion carries.

CORRESPONDENCE

None

Mr. Julian asked Chairman Lipani if he could discuss two applications recently before the Environmental Commission. He said with regards to the Meadow Brook at Hillsborough application, the Commission has concerns with the groundwater infiltration; encroachment into the stream corridor; flood hazard area; and wetlands buffer. Mr. Julian said the Commission does not believe the Applicant has satisfied State and local requirements. It was determined that further information is required to fully assess the application. The Applicant should provide additional information and return to the Environmental Commission for further review.

Mr. Julian said Commission members attended a site-walk, reviewed the application and provided the report, which is very comprehensive, within a very short window of time in order to accommodate the Applicant. Mr. Julian said the Commission is afraid the Applicant is going to come to the Planning Board without allowing the Commission to have all outstanding issues satisfied. The opinion of the Commission is to push the application back so that they can address all environmental issues and go back before the Commission, prior to coming before the Planning Board.

Mr. Julian expressed concern that the scheduling times between the Environmental Commission and Board meetings are sometimes not sufficient.

Mr. Bernstein said irrespective to the comments of the Environmental Commission, there are some procedural issues that need to be addressed by the Applicant prior to coming before the Planning Board. He indicated the Board's professionals will be reaching out to discuss the status of the application on next week's agenda, indicating the likelihood that the application would not be heard at the 05-12 meeting.

Mr. Bernstein stated there is another application on the 05-12 agenda so that meeting will be going forward.

Mr. Maski explained the time of decision rule with the Board, which plays a part in the scheduling of an application. He reminded the Board that once an application has been "deemed complete" the clock starts ticking. Time does become an issue when an application has to go back before the Environmental Commission.

ADJOURNMENT

A motion to adjourn was made and seconded. All were in favor, none opposed. Motion carries.

The meeting adjourned at 8:11 p.m.

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Submitted by:
Debora Padgett
Administrative Assistant / Planning Board Clerk

Approved