

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**September 07, 2016**

Vice Chairman Haines called the Board of Adjustment meeting of September 07, 2016 to order at 7:33 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

**NOTICE OF MEETING**

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

**ROLL CALL:**

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| Frank Herbert – Present                      | Frank Valcheck – Present                         |
| John Stamler – Absent                        | Dr. Steven Sireci, Jr., <i>Chairman</i> – Absent |
| Helen Haines, <i>Vice Chairman</i> – Present | Steve Monte (Alt. 1) – Present                   |
| Curtis Suraci – Present                      | John Shockley (Alt. 2) – Absent                  |
| Fred Gladstone – Absent                      | 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.); Patrick Gorman, Zoning Official/Assistant Planner; and Michael Lombardozi, CCR.

**ACCEPTANCE OF MEETING MINUTES**

**August 3, 2016**

- A motion was made and seconded to approve as written.
- All aye, none opposed. Motion carries.

**ACCEPTANCE OF RESOLUTIONS**

**Sava & Nancy Kazantzis – File #BA-15-32 revised**

- Ms. Maziarz briefly described the changes in the resolution on page 4.
- There was a motion and a second to approve the amended resolution.
- **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Ms. Cellilli – yes. Motion carries.

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

None

**PUBLIC HEARING - APPLICATIONS**

**Muslim Center of Somerset (Extension Request)** – File BA-16-06 – Block 162, Lots 20.1 & 20.02 – 22 & 26 New Amwell Road. Applicant seeking two one (1) year extensions through June 30, 2018, for the Preliminary and Final Site Plan Approval, Resolution dated 06-05-13.

1. Niall O'Brien, Esq. Attorney for the Applicant described the extension requests.
2. There was discussion on why the extension was needed and if only one 1 year extension could be approved at this time.
3. There was a motion and second to approve a one (1) year extension.
4. **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Ms. Cellilli – yes; Mr. Torok – yes; Vice Chairman Haines – yes. Motion carries.

**Frank and Debra COCUZZA** – File BA-16-01 – Block 175.11, Lot 24 – 22 Marshall Rd. Applicant seeking 'c' Bulk Variances for relief from Maximum Impervious Coverage, Minimum Rear Yard Setback, Minimum Side Yard Setback, and other such variances, waivers, and approvals that may be required to construct a sunroom addition and retain an existing shed on property located in the R1 District.

1. Frank and Debra Cocuzza, Applicants, were sworn in.
2. Mr. Cocuzza described the proposal and the unusual rear yard lot line.
3. There was discussion on the existing impervious coverage.
4. There was discussion on the ability to move the existing shed.
5. Mr. Cocuzza testified that no one is interested in buying their property.
6. Open to the Public.
7. Barbara Dennis, 302 Spader Court, asked about controlling drainage.
8. Mr. White noted that this proposal does not trigger any additional drainage mitigation.
9. Mr. Cocuzza testified there would be no re-grading of the property.
10. There was discussion on the size of the sunroom, which will be 12x16.
11. Mrs. Dennis was sworn in and testified about water runoff as it exists on and around the property.
12. There was discussion on redirecting roof leaders.

**Board of Adjustment Special Meeting  
September 07, 2016**

13. Mr. Cocuzza agreed to redirect the roof leaders on the garage and point the new ones on the sunroom towards the street.
14. Closed to the Public.
15. Mr. Herbert made a motion to approve with the discussed conditions. There was a second.
16. **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Ms. Cellilli – yes; Mr. Torok – yes; Vice Chairman Haines – yes. Motion carries.

**EXECUTIVE SESSION**

1. There was a motion to go into executive session regarding #BA-15-31 and attorney-client privilege. There was a second.
2. All aye, none opposed. Motion carries.

**NYSMSA LP d/b/a VERIZON WIRELESS (Hillsborough Partridge SC)** – File BA-16-02 – Block 152.06, Lot 27 (formerly Block 152, Lot 27C) – 256 Route 206. Applicant seeking Preliminary and Major Site Plan Approval and 'd'(1) Use Variance for a non-permitted use and other such variances, waivers, and approvals required to provide a "small network node" on an existing rooftop and an equipment cabinet at grade, on property located in the C1 District. *EC Review: 07-25-16*

1. Kevin Jones, Esq, Attorney for the Applicant, requested an adjournment without further notice.
2. Mr. Jones agreed to an extension of time of decision.
3. There was a motion to carry and a second. All aye, none opposed. Motion carries.

**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. *HPC Review: 2-25-16; EC Review: 7-25-16 Carried from April 20, 2016 without further notice.*

1. Mark Wetter, Esq, Attorney for the Applicant described the proposal.
2. Robert Heibell, PE, was sworn in and his qualifications were accepted by the Board.
3. Mr. Heibell gave a brief history of the property and discussed the historic overlay zone.
4. **Exhibit A-1:** Use Variance and Minor Subdivision plan, revised 8-3-16
5. Mr. Heibell discussed comments from the required outside agencies and internal reports.
6. Mr. Heibell described the two meetings with the Environmental Commission and the Township's stream corridor ordinance.
7. The State Open Water on the property was discussed at length.
8. Mr. Heibell testified to why a waiver is appropriate for the stream corridor buffer.
9. **Exhibit A-2:** Architectural elevations for proposed dwelling
10. Mr. Heibell testified the current architectural design from the house has been modified because of comments from the Historic Preservation Commission.
11. There was a brief discussion on the proposed septic system, which would be subject to Health Department approvals.
12. Mr. Heibell described the bulk variances requested.
13. No public questions.
14. Steve Reiss was sworn and the septic system was discussed at length.
15. Susan Gulliford, Hunt Club Road, asked about maintenance of the septic system and Mr. Reiss noted that it is regulated by the Township Health Department.
16. David Karlebach, PP, was sworn in and his qualifications were accepted by the Board.
17. **Exhibit A-3:** Four pages of aeriels and property photographs
18. Mr. Karlebach testified to the positive and negative criteria for the variances requested.
19. There was discussion on the surrounding neighborhood, historic overlay district, undersized lots, the existing garage, and impervious coverage.
20. Mr. Heibell described a new placement for the lot line reconfiguration.
21. John Lazorchak, Applicant, was sworn in.
22. Mr. Lazorchak testified that he uses the garage for his business and the driveway for parking.
23. There was discussion on parking for the business.
24. No public questions.
25. Mr. Karlebach finished his testimony.
26. Closed to public.
27. There was further discussion about the existing garage.
28. Vice Chairman Haines expressed concerns about making lot 21 smaller.
29. Mr. Karlebach suggested a change to the proposed lot line of 15 feet.
30. There was a discussion on the new proposed configuration of the lots.
31. There was a discussion on how that changes the bulk variances for the proposed dwelling.

**Board of Adjustment Special Meeting  
September 07, 2016**

32. There was a motion to approve the application with the adjustment of the lot line by 15 feet and changes to the bulk variances as required. It was seconded.
33. **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Ms. Cellilli – yes; Mr. Torok – yes; Vice Chairman Haines – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS**

None

**CORRESPONDENCE**

None

**ADJOURNMENT**

The meeting adjourned at 10:47pm.

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

Approved