

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**November 2, 2016**

Vice Chairman Haines called the Board of Adjustment meeting of November 2, 2016 to order at 7:45 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 ( <i>arrived at 9:41pm</i> ) |
|  | John Torok (Alt. 4) – Absent                                      |

Also in attendance: Jolanta Maziarz, Esq., Board Attorney (Woolson Anderson, Maziarz P.C.); David Maski, P.P., AICP, Planning Director/Board of Adjustment Secretary; William H. R. White, III, P.E., C.M.E., Board Engineer (Maser Consulting, P.A.); and Lucille Grozinski, CCR.

**ACCEPTANCE OF MEETING MINUTES**

**October 19, 2016**

- There was a motion and a second to approve as written.
- All eligible –aye, none opposed. Motion carries.

**October 26, 2016**

- There was a motion and a second to approve as written.
- All eligible –aye, none opposed. Motion carries.

**ACCEPTANCE OF RESOLUTIONS**

None

**BUSINESS FROM THE FLOOR**

None

**PUBLIC HEARING - APPLICATIONS**

**PILGRIM RIVER, LLC** – File BA-16-05 – Block 199, Lots 44.01, 45, 46, 47, 48, 49 – 393 Amwell Road. Applicant seeking Minor Subdivision Approval, Bifurcated 'd' Use Variances for a non-permitted use and expansion of a non-conforming use with consideration of 'c' Bulk Variances for relief from Maximum Front Yard Setback and Minimum Building Height, and any other waivers and approvals that may be required to a construct a memory care facility on property located in the GA District. (*EC Review: 10-24-16*)

1. William Savo, Esq, Attorney for the Applicant introduced the application.
2. Robert Heibell, P.E., Engineer for the Applicant was sworn in and his qualifications were accepted by the Board.
3. **Exhibit A-1:** Existing features plan
4. **Exhibit A-2:** Proposed plan
5. Mr. Heibell testified that the existing detached single family homes would not exist at the same time as the new memory care facility.
6. There was clarification on the use variances being requested.
7. There was discussion about the proposed subdivision.
8. There was further discussion on the use variance required for the single family homes.
9. Mr. Heibell discussed the bulk variances requested.
10. There was brief overview of parking requirements and proposal.
11. There was some discussion on wetlands on the property.
12. Mr. Heibell noted that comments from the Fire Marshal would all be addressed during site plan approval.
13. No public questions.
14. Donald Pelligrino, Applicant, was sworn in.
15. Mr. Pelligrino described the current use of the site and the need for a new building.
16. There was discussion on the COAH requirement and conditions for the previous approvals.
17. The applicant agreed to pay a fee of 1% of the value of the improvement to the Township's Affordable Housing trust fund and provide 10% of the new units as COAH units.
18. There was further discussion on the proposed subdivision.
19. The Board questioned the proposed driveway and use of the proposed Lot A (front lot) at length.
20. Open to the public.

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21. Robert Engesser, 378 Amwell Road, questioned who will be the owner of the proposed front lot.
22. Mr. Pelligrino clarified it is currently owned and will continued to be owned by Pelligrino Properties R. Rivera Investments, LLC.
23. Mr. Pelligrino discussed the ownership of all the lots in question.
24. Douglas J. Coleman, Architect, was sworn in and his qualifications were accepted by the Board.
25. Mr. Coleman discussed the reasoning behind the one story building and the floor plans.
26. **Exhibit A-3:** Building Rendering
27. **Exhibit A-4:** Floor plan
28. **Exhibit A-5:** Roof plan
29. **Exhibit A-6:** Proposed elevations
30. No public questions.
31. Jay Troutman, Traffic Engineer, was sworn in and his qualifications were accepted by the Board.
32. Mr. Troutman described the existing parking and proposed parking.
33. There was discussion on traffic patterns on Amwell Road and the driveway into and out of the Avalon.
34. Robert Engesser, 378 Amwell Road, asked for clarification on how many parking spots would be added.
35. There was further discussion on the parking spaces.
36. Francis Banisch, PP, was sworn in and his qualifications were accepted by the Board.
37. **Exhibit A-7:** 2012 Land use/Land cover mapping
38. Mr. Banisch explained the exhibit, talked about the Master Plan, and discussed the positive and negative criteria for the use.
39. No public questions.
40. Open to public comments.
41. Robert Engesser was sworn in and displayed the following exhibits:
42. **Exhibit O-1:** Photographs of parking
43. **Exhibit O-2:** Photographs of parking
44. **Exhibit O-3:** Article from unnamed newspaper
45. Mr. Stilwell objected to the newspaper article in O-3.
46. Mr. Engesser testified that there is inadequate parking on both existing sites as photographed in exhibits O-1 and O-2.
47. Mr. Heibell testified that additional parking will be provided because of the current parking problems.
48. Closed to public.
49. There was a motion to approve the minor subdivision; a memory care facility on Lot A; three single family homes and existing greenhouses on Lot B; and bulk variances for relief from maximum front yard setback for both proposed lots and minimum building height, with all conditions agreed to during the hearing including the removal of the single family homes before a Certificate of Occupancy is issued or within three years whichever comes first, the payment of the fee into the Affordable Housing Trust Fund, and compliance with all professionals' reports. It was seconded.
50. **Roll Call:** Mr. Valcheck – yes; Mr. Herbert – yes; Mr. Suraci – yes; Mr. Monte – yes; Vice Chairman Haines – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS**

None

**CORRESPONDENCE**

None

**ADJOURNMENT**

The meeting adjourned at 10:24pm.

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

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