

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
July 19, 2017

Chairman Dr. Sireci called the Board of Adjustment meeting of July 19, 2017 to order at 7:35 pm. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

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").

ROLL CALL:

Frank Herbert, <i>Vice Chairman</i> – Present	Frank Valcheck – Present
John Stamler – Absent	Dr. Steven Sireci, Jr., <i>Chairman</i> – Present
Helen Haines – Absent	Steve Monte (Alt. 1) – Absent
Curtis Suraci – Present	Philomena Cellilli (Alt. 2) – Present
Fred Gladstone – Present	<i>Seat Alternate 3 - Vacant</i>
	Paul Kaminsky (Alt. 4) – Absent

Also in attendance: Jolanta Maziarz, Esq., Board Attorney (Woolson Anderson Maziarz, P.C.); William H. R. White, III, P.E., C.M.E., Board Engineer (Maser Consulting, P.A.); Patrick Gorman, Assistant Planner/Zoning Official; and Lucille Gronzinski, CCR.

ACCEPTANCE OF MEETING MINUTES

June 7, 2017

- There was a motion and a second to approve as written.
- **Roll Call:** Mr. Valcheck – yes; Ms. Cellilli – yes; Chairman Dr. Sireci – yes. Motion carries.

June 28, 2017

- There was a motion and a second to approve as written.
- **Roll Call:** Mr. Valcheck – yes; Ms. Cellilli – yes; Chairman Dr. Sireci – yes. Motion carries.

ACCEPTANCE OF RESOLUTIONS

Elizabeth SANTORA – File #BA-17-08

- There was a motion and a second to approve as written.
- **Roll Call:** Mr. Valcheck – yes; Mr. Gladstone – yes; Mr. Suraci – yes; Vice Chairman Herbert – yes; Chairman Dr. Sireci – yes.

BOARD OF ADJUSTMENT BUSINESS

Pilgrim River, LLC – File #BA-17-10 – Extension of Time of Decision – Through October 31, 2017

- Mr. Gorman gave a brief description of the request. There was a motion and a second to approve the extension.
- **Roll Call:** Mr. Valcheck – yes; Mr. Gladstone – yes; Mr. Suraci – yes; Ms. Cellilli – yes; Vice Chairman Herbert – yes; Chairman Dr. Sireci – yes.

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

- None

PUBLIC HEARING - APPLICATIONS

Ampily VIJAY – File BA-17-04 – Block 207.10, Lot 15 (*formerly Block 208, Lot 77.09*) – 16 Ethan Court. Applicant seeking 'c' Bulk Variance for relief from Maximum Impervious Coverage and any other variances, waivers, and approvals required to construct a covered deck, patio, and walkway on property located in the R District. ***Continued from May 3, 2017.***

- Chairman Dr. Sireci noted that he was not present at the May 3rd hearing.
- Ampily Vijay, Applicant, was still under oath and briefly summarized the application.
- **Exhibit A-1:** Google maps view of property
- Ms. Vijay responded to all of the Board's comments from the previous meeting.
- The new proposal presented had an impervious coverage of 21.18%.
- Ms. Vijay provided a topographical survey as requested by Mr. White.
- Ms. Vijay requested a waiver from a storm water retention plan.
- There was discussion on the existing retention basin.
- Mr. White stated that new infiltration system was not necessary.
- No public comments.
- There was a motion to approve as amended with a waiver for the underground storm water management. It was seconded.
- **Roll Call:** Mr. Valcheck – yes; Mr. Gladstone – yes; Mr. Suraci – yes; Ms. Cellilli – yes; Vice Chairman Herbert – yes; Chairman Dr. Sireci – yes. Motion carries.

**Board of Adjustment Meeting
July 19, 2017**

Praveer MISRA (TJC Development) - File BA-17-05 – Block 207.01, Lot 107.08 – 21 Jamieson Way. Applicant seeking 'c' Bulk Variance for relief from Maximum Impervious Coverage and any other variances, waivers, and approvals required to construct a single family house, paved driveway, and concrete walk on property located in the R District.

- Rob Conforti, Project Manager for TJC Development, was sworn in.
- Ms. Misra, Applicant, was sworn in.
- Mr. Conforti gave a brief overview of the property and testified that a pump station is already located on the property.
- Mr. Conforti testified that the house, driveway, and walkway proposed are the typical size for all the lots in the development.
- The Board discussed the pump station.
- Mr. White noted that without the pump station, the proposal would be less than the maximum 15% impervious coverage.
- Ms. Maziarz noted that there is a response on file from an abutting property owner who is interested in selling a piece of their property to the Applicant.
- The Board discussed the legality of this response.
- Ray Kolvites, 690 Township Line Road, Abutting Property Owner, was sworn in.
- Mr. Kolvites stated his opposition to the application.
- Mr. Kolvites testified to his willingness to sell a portion of his property to the Applicant.
- Mr. Gorman noted that calculations would need to be done to determine whether selling part of the property was feasible.
- Ms. Maziarz recommended that the application be continued to a future meeting so the Applicant can discuss the possibility with Mr. Kolvites.
- Chairman Dr. Sireci wanted the Board to have the ability to make a well informed decision.
- The Applicant consented to an extension of the time of decision to September 30, 2017.
- There was a motion and a second to continue the application to September 6, 2017 without further notice.
- All aye, none opposed. Motion carries.

Shawn ABLINE and Dana RASPA - File BA-17-06 – Block 4, Lot 8 – 891 Amwell Road. Applicant seeking 'c' Bulk Variance for relief from Minimum Side Yard Setback and any other variances, waivers, and approvals required to construct two (2) chicken coops on property located in the AG District and listed in the *Historic Preservation Plan Element, Hillsborough Township Master Plan, Adopted April 5, 2001* as the "Young House", located within the Clover Hill Historic District. Property also referenced in the *National Register of Historic Places Inventory – Nomination Form, dated September 29, 1980. (HPC Review: 04-27-17)*

- Shawn Abline, Applicant, was sworn in.
- Mr. Abline described his property.
- Mr. Abline testified that he has 2 roosters and 23 hens.
- There was clarification that the request is for 3 coops.
- There was discussion on if there was a location where the coops could meet the setback.
- Mr. Abline testified that the only permitted location was too close to the house.
- Mr. Abline testified this is not a farm operation and that they do not sell their eggs.
- There was a motion and a second to approve as presented.
- **Roll Call:** Mr. Valcheck – yes; Mr. Gladstone – yes; Mr. Suraci – yes; Ms. Cellilli – yes; Vice Chairman Herbert – yes; Chairman Dr. Sireci – yes. Motion carries.

Steven POTAMIS & Nonna AKOPYAN - File BA-17-09 – Block 180.09, Lot 62 – 39 Boehm Way. Applicant seeking 'c' Bulk Variance for relief from Maximum Impervious Coverage and any other variances, waivers, and approvals required to construct paver walkways and a patio with an outdoor kitchen on property located in the AG District.

- Robert Spengler, Esq., Attorney for the Applicant, described the application.
- Daniel W. Caruso, PE, Applicant's Engineer, was sworn in. He was accepted as an expert.
- **Exhibit A-1:** Proposed hardscape patio plot plan, revised 7-14-17
- Mr. Caruso described the changes to the revised plan.
- Mr. Caruso addressed Mr. White's report.
- **Exhibit A-2:** Pleasant View Estates Phase III, dated 4-15-05
- There was discussion on the development and the size of the lots.
- The Board expressed concern that the revised plan was not provided in advance of the hearing.
- There was a discussion on whether or not this property has a hardship.
- Mr. Spengler requested a continuation to allow the Board to review the revised plan and bring in a Professional Planner to testify.
- There was a motion and a second to continue the application to September 6, 2017 without further notice.
- All aye, none opposed. Motion carries.

**Board of Adjustment Meeting
July 19, 2017**

Dawid and Katarzyna BOCHENKO – File BA-17-11 – Block 43, Lot 1.01 (formerly 1A) – 76 Fourth Street. Applicant seeking 'c' Bulk Variances for relief from Minimum Rear Yard Setback for a deck and Minimum Rear Yard Setback and Side Yard Setback for a shed and any other variances, waivers, and approvals required to retain the deck and shed built without permits on property located in the CR District.

- Dawid and Katarzyna Bochenko, Applicants, were sworn in.
- Mrs. Bochenko described the property as well as the orientation and position of the house on the lot.
- Mrs. Bochenko testified that the pavers over their property line are easily removable.
- There was discussion on the definition of side and rear yards of a corner lot and whether the existing shed and deck were in the rear yard.
- The Board discussed the abutting properties.
- Mr. Bochenko testified that directly behind the house there are vacant, wooded properties.
- **Exhibit B-1:** Survey with front, side, and rear yards indicated by Patrick Gorman
- Mr. Gorman gave background on the structures built without permits.
- There was discussion on the required setback for the shed which was 15 feet.
- Mrs. Bochenko testified that the shed is not visible to the bordering properties.
- There was discussion on the extendable roof attached to the shed.
- Mrs. Bochenko testified that the roof does not encroach onto the neighboring property.
- The Applicants agreed to remove the pavers that extend past the property line.
- No public comment.
- There was a motion to approve with the removal of the pavers. It was seconded.
- **Roll Call:** Mr. Valcheck – yes; Mr. Gladstone – yes; Mr. Suraci – yes; Ms. Cellilli – yes; Vice Chairman Herbert – yes; Chairman Dr. Sireci – yes. Motion carries.

CORRESPONDENCE

- None

ADJOURNMENT

The meeting adjourned at 9:19 pm.

*Respectfully Submitted by: Caitlin Davis, Planning & Zoning Clerk
Reviewed by: Patrick Gorman, Assistant Planner/Zoning Official*