

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
September 05, 2018

Chairman Steve Monte called the Board of Adjustment meeting of September 05, 2018 to order at 7:30pm. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

NOTICE OF MEETING

Chairman Monte 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	Steve Monte, <i>Chairman</i> – Present
Helen Haines – Present	Philomena Cellilli (Alt. 1) – Present
Curtis Suraci – Present	Paul Kaminsky (Alt. 2) – Present
Fred Gladstone – Present	Sean Horgan (Alt. 3) – Present
	Raj Deb (Alt. 4) – Arrived 7:33pm

Also in attendance: Robyn Wright, Esq., Board Attorney (Woolson Anderson, P.C.); Patrick Gorman, Assistant Planner/Zoning Official/Board of Adjustment Secretary/Clerk; William H.R. White, III, PE, CME, Board Engineer (Maser Consulting, P.A.); and Tina Restuccia, CCR.

ACCEPTANCE OF MEETING MINUTES

• **July 18, 2018**

- A motion to approve was made by Ms. Haines, seconded by Ms. Cellilli.
- **Roll Call:** Mr. Valcheck – yes, Mr. Suraci – yes (*not eligible*); Mr. Gladstone – yes, Mr. Kaminsky – yes; Ms. Haines – yes; Ms. Cellilli – yes. Motion carries.

Mr. Gorman acknowledged the arrival of Board Member, Mr. Deb at 7:33pm.

DISPOSITION OF RESOLUTIONS

• **Martin and Virginia WILLIAMS – File #BA-18-10**

- A motion to approve was made by Ms. Haines, seconded by Mr. Kaminsky.
- **Roll Call:** Mr. Valcheck – yes, Mr. Gladstone – yes, Ms. Cellilli – yes; Ms. Haines – yes; Mr. Kaminsky – yes; Mr. Deb – yes. Motion carries.

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

None

PUBLIC HEARING - APPLICATIONS

Brenden RUH – File BA-17-07 – Block 175.18, Lot 8.01 – 346 South Branch Road. Applicant seeking Minor Site Plan Approval and a 'd' Use Variance to operate a landscaping business and continue the use of a single-family residence on the property and a 'c' Bulk Variance for relief from Minimum Side Yard Setback to construct storage containers on a property located in the R District. (*EC Review: 2-26-18*) **Continued from April 4, 2018 without further notice.**

Request for adjournment.

1. Alex Fischer, Esq, described the issues that occurred with obtaining the LOI.
2. Mr. Fischer explained that the letter of interpretation may still take a while to obtain but that the Applicant is willing to proceed with the map provided by the wetlands specialist with the knowledge that they still require NJDEP approval.
3. Mr. Fischer agreed that they are prepared to come back with a wetlands map and related testimony.
4. The applicant agreed to an extension.
5. There was a motion and second to continue the application on October 3, 2018 without further notice. All aye, none opposed. Motion carries.

Jason SMITH – File BA-18-08 – Block 174, Lot 127 – 339 Zion Road. Applicant seeking 'c' Bulk Variances for Relief from Minimum Lot Size, Minimum Lot Width, Minimum Side Yard Setbacks (2), Minimum Front Yard Setback, and Maximum Impervious Coverage, and any other variances, waivers, and approvals required to construct a single-family dwelling where one was destroyed by fire on property located in the MZ District. (*EC Review: 6-25-18*)

1. Jason Smith, Applicant, was sworn in. He briefly described the application.
2. Mr. Smith testified that he is reducing the total amount of impervious coverage on the property.
3. Mr. Smith testified that one side yard setback is being increased though a variance is still required
4. Mr. Smith testified that the deck on the plan will be moved so that it is not closer to the side property line than the proposed house house.
5. Mr. Smith testified that he is unable to buy any land.

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6. Mr. Smith testified that the new dwelling will conform with the height requirements.
7. There was brief discussion on the impervious coverage which was noticed as 10.4% and Mr. Smith agreed to comply with that number.
8. No public questions or comments.
9. There was a motion and a second to approve with the requested variances and an impervious coverage of 10.4%.
10. **Roll Call:** Mr. Valcheck – yes, Mr. Suraci – yes, Mr. Gladstone – yes, Vice Chairman Herbert – yes, Ms. Haines – yes, Ms. Cellilli – yes, Chairman Monte – yes. Motion carries.

Robert & Glenys MANFRE – File BA-18-12 – Block 182, Lot 33 – 11 Old Somerville Road. Applicant seeking ‘c’ Bulk Variance for relief from Maximum Impervious Coverage and any other variances, waivers, and approvals required to construction a new sunroom addition on property located in the R District.

1. Robert Manfre was sworn in and described the application.
2. **Exhibit A-1:** Sketch of the sunroom
3. There was discussion on the history of the property.
4. No public questions.
5. There was a motion and second to approve as submitted.
6. **Roll Call:** Mr. Valcheck – yes, Mr. Suraci – yes, Mr. Gladstone – yes, Vice Chairman Herbert – yes, Ms. Haines – yes, Ms. Cellilli – yes, Chairman Monte – yes. Motion carries.

2301 Kings Highway LLC (Claremont Towers) – BA-18-07 – 776-779 Eves Drive. Applicant seeking ‘d’ Use Variance and any other variances, waivers, and approvals required to convert existing space in an apartment building to be used as fitness and club room on property located in the PD District.

1. Peter Lanfrit, Esq., representing the applicant, described the application.
2. He provided additional notice documents that he received after submitting to the township.
3. John Daddino, Vice President of Elias Mallouk Realty, was sworn in.
4. Mr. Daddino described the property and the proposal.
5. Mr. Daddino testified that they were not pursuing the prior approval for apartments and retail space.
6. **Exhibit A-1:** 4 photographs
7. Mr. Daddino testified that both the gym and club room is available only to the tenants and their guests.
8. There was discussion on parking.
9. There was discussion on hours of operation. The Applicant testified to 5:30am to 10pm.
10. No public questions for this witness.
11. Mark Yarrington, Architect, was sworn in.
12. The Board accepted his qualifications.
13. Mr. Yarrington testified that there will be no exterior alterations.
14. **Exhibit A-2:** Floor plan drawing
15. There was a lengthy discussion about the building codes and ADA compliance.
16. No public questions for this witness.
17. Mr. Lanfrit summarized the positive criteria of the application and noted there are no negatives.
18. No public comments.
19. There was a motion and second to approve the application with the following conditions: club room and gym only for tenants and their guests, maximum occupancy to be determined by the Fire Safety and Building Departments, and the hours of operation shall not be restricted by this Board.
20. **Roll Call:** Mr. Valcheck – yes, Mr. Suraci – yes, Mr. Gladstone – yes, Vice Chairman Herbert – yes, Ms. Haines – yes, Ms. Cellilli – yes, Chairman Monte – yes. Motion carries.

BOARD OF ADJUSTMENT BUSINESS

- 3 Ronson, LLC (Red Bank Vet) BA-18-16 - **Request for a special meeting date**
 - Mr. Gorman described the request for a special meeting for October 24, 2018.
 - The Board discussed the upcoming schedule. There is nothing on the November schedule.
 - There was a motion and a second to deny the request. All aye, none opposed. Motion carries.

CORRESPONDENCE

- None

ADJOURNMENT

The meeting adjourned at 8:56pm.

*Respectfully Submitted by Caitlin Vaz, Planning & Zoning Clerk
Reviewed by Patrick Gorman, Assistant Planner/Zoning Official/Board of Adjustment Secretary*