

**HILLSBOROUGH TOWNSHIP PLANNING BOARD**  
**PUBLIC MEETING MINUTES**  
**November 08, 2018**

Vice Chairman, Neil Julian called the Planning Board Public Meeting of November 08, 2018 to order at 7:34 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Hillsborough Township Municipal complex.

Acting Chairman Julian 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**

Committeeman Carl Suraci - Present  
Robert Wagner, Jr. - Present  
Committeeman Frank DelCore - Absent  
Robert Peason - Present  
Seat #5 Vacant  
**Neil Julian, Vice Chairman** - Present

Sally Becorena - Absent  
Seat #8 - Vacant  
**Kenneth Hesthag, Secretary** - Present  
Ron Skobo (Alt. #1) - Present  
Sam Weinstein (Alt. #2) - Absent

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

**DISPOSITION OF MINUTES**

- October 04, 2018

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

**Roll Call:** Mr. Peason - yes; Secretary Hesthag - yes; Committeeman Suraci; Acting Chairman Julian - yes. Motion carries.

**DISPOSITION OF RESOLUTIONS**

- John Zamkotowicz - File 07-PB-26-MJ (2018 Extension Request)

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

**Roll Call:** Mr. Peason - yes; Secretary Hesthag - yes; Committeeman Suraci; Acting Chairman Julian - yes. Motion carries.

**PLANNING BOARD BUSINESS**

- 11-29-18 Business Meeting

Planning Director, David Maski, PP, AICP, spoke on the need to hold an additional business meeting for the purpose of reviewing the Reexamination Report, for consideration and possible adoption by the Board.

An attendance poll was taken to confirm a quorum.

Mr. Maski confirmed the meeting has been noticed.

- Executive Session - The Board will convene to discuss attorney - client privilege matters.

Board Attorney, Eric Bernstein, Esq., stated an executive session was requested to discuss pending or anticipated litigation, for attorney-client privilege matters, involving LD Construction and other related items.

A motion to go into executive session was made by Committeeman Suraci, seconded by Secretary Hesthag. All were in favor.

7:40 - 8:09

Mr. Bernstein asked for the Board to come out of executive session.

A motion to come out of executive session was made by Secretary Hesthag, seconded by Committeeman Suraci. All were in favor.

Mr. Bernstein made a statement regarding those attending. He said there was discussion as to the ongoing affordable housing litigation between the Township and multiple intervenors regarding fair share housing. He said questions were asked and answered, and there was discussion regarding one of the applicants scheduled, LD Construction, LLC. Mr. Bernstein informed Acting Chairman Julian that no formal action needed to be taken, and that the Board could resume with the order of the agenda.

**SPECIAL COMMITTEE REPORTS**

None

**BUSINESS FROM THE FLOOR**

None

**CONSIDERATION OF ORDINANCES**

None

**PUBLIC HEARING - SUBDIVISION/SITE PLAN APPLICATIONS**

- **LD Construction, LLC (Hillsborough Village Center)** - File 18-PB-09-INF. - Block 178, Lot s 4(636 Route 206); Lot 5 (638); Lot 6 (646); Lot 7 (648); Lot 8 (652); Lot 9 (656); Lot 10 (658); Lot 11 (662); and Lot 12.01 (450 Amwell Road). Applicant seeking INFORMAL REVIEW for a mixed-use development to consolidate Lots 4-11 and construct 13 separate buildings to include 191 total apartment units, and 28,000 sf. of retail space; associated parking, stormwater, and driveway access to Route 206 and connection to Block 178, Lot 12.01. Property is located in the Mixed-Use Inclusionary Overlay District within the TC, Town Center Zoning District; and ASD, Architectural and Site Design Overlay Zone.

**Ronald Shimanowitz, Esq. of Hutt and Shimanowitz**, said the applicant is before you for an informal application, as required for the TC Zone. This site is part of the affordable housing compliance plan the Township is working on. This zone includes an overlay. The proposal includes some 191 total units, with a 24% set-aside, yielding 46 affordable units. There is also a mixed-use component pursuant to the ordinance. There is 28,000 square feet of retail included in the proposal. Mr. Shimanowitz called the applicant's Engineer to review the plan, informally.

**Michael K. Ford, PE of Van Cleef Engineering Associates** was sworn in.

Board Attorney, Mr. Bernstein, noted for the record that Mr. Ford has testified before this and numerous boards, with acceptance of his qualifications by the Planning Board.

Mr. Ford reviewed the project, as introduced by the Chairman. He said they have been working on this project in various stages, discussion and design. He said they have met numerous times over the past twelve months to look at the layout.

Mr. Ford reviewed the display plan. He said the proposed access driveway will be located immediately across from the (now) Starbucks shopping center. At this time, there are multiple driveways that run along the 800 ft. frontage for this subject property. Those driveways will be closed, leaving only one access from Route 206. There will be three buildings that line up along Route 206, in accordance with the overlay. These three buildings would be mixed-use, with the retail on the bottom floor and residential on the second and third floors. Three story apartment buildings will be located to the east, with garages for parking. This project is just to the south of the Bottle King Shopping Center. To the east of that building is another property owned by the applicant, Amwell Mall. A driveway connection to Amwell Mall is proposed to provide transverse access between the two properties, and access to Amwell Road. He said to the top of the display page is the Post Office.

Mr. Ford said public sewer and public water are available. An on-site underground detention basin is proposed. The parking has been designed in accordance with the ordinance. A recreational facility is proposed in the middle of the project.

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Acting Chairman Julian asked about the buildings behind the mixed-use buildings.

Mr. Ford stated they are all apartment buildings. The overlay lays out the requirements. Each building will have 15 apartment units within. All will have garages with driveways on the first floor. The retail component is only in the three front buildings; all else are strictly residential apartments.

Mr. Skobo asked about the parking.

Mr. Ford said all of the parking is to the rear of the buildings. The proposal includes a left-turn lane on Route 206 northbound to get into the site. There is also the connection to the shopping center that fronts Amwell Road.

Acting Chairman Julian asked how many properties are involved.

Mr. Ford said the site includes what is currently eight properties.

Mr. Wagner asked if there will be underground parking for the three mixed-use buildings.

Mr. Ford said the parking would be at grade level for the retail and residential at the rear of the buildings.

Mr. Wagner asked if there will be a distinction for retail vs. residential parking.

Mr. Ford said that is not being proposed.

Secretary Hesthag asked for more information about the buildings.

Mr. Ford said all but the recreation building will be three stories, as dictated by the code.

Secretary Hesthag asked if only the unit on the first floor would have a garage and no assigned parking for the units on the second and third floors.

Mr. Ford deferred the question on the garages to the Architect.

Acting Chairman Julian asked for information on the traffic.

Mr. Ford said NJDOT will have jurisdiction over Route 206. A formal application has been made to NJDOT since that takes some time to process. Mr. Ford said they have also had informal conversations with NJDOT about the access.

Secretary Hesthag noted there is an existing stormwater basin to the rear of Amwell Mall, and townhouse units (The Manors) behind that. He asked for information on the design for the increased development.

Mr. Ford said they have already done a full stormwater management design. That and the detailed report, and operation owners' manual will be submitted with the development application; this is only an informal.

Secretary Hesthag said with all of the nearby development, surely a great deal of care will be given to make sure there is no negative impact to that area.

Mr. Ford said most of the site drains to Route 206. Only a small portion of the site drains to the rear, which actually drains to that existing detention basin.

Mr. Wagner asked for clarification on what the application to NJDOT is for, and who makes the determination on the left-hand turn.

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Mr. Ford said the State will weigh in on the application. The plan is not proposing a controlled signal at the intersection. He said the shopping mall across the street, the former Stop and Shop center, has a restricted "no left turn" in. Mr. Ford said they have a Traffic Engineer who has done a full analysis.

Secretary Hesthag raised the issue of increased traffic to the shopping center to the rear of this project.

Mr. Ford said that has been part of their analysis.

Secretary Hesthag stated the left-turn out of the Bagel Bistro center is dangerous. More cars could be a problem.

Mr. Ford pointed out that there is an existing driveway that connects the Bagel Bistro center to the Municipal parking and Bottle King parking lots that can get you to the traffic light across from the Post Office, which allows you to make a left turn in a more controlled manner. Mr. Ford said the conductivity to allow for flexibility was thought to be favorable.

Secretary Hesthag said it may just need some more rules for traffic flow to limit it to moving in only one direction in spots.

Secretary Hesthag asked for information about sustainable items.

Mr. Ford said the plan calls for sidewalks along the frontage of Route 206, with sidewalks leading back into the property. The three retail buildings would have wider sidewalks in front of them. He said they view them as having two front sides; one from Route 206, the other fronting into the site where the parking is. Connectivity to the shopping center to the rear is also proposed for pedestrian travel, as well as vehicular.

Acting Chairman Julian asked if there were any questions from the Board's professionals.

Mr. Maski had no questions.

Mr. White asked where the underground detention basins will ultimately outlet to.

Mr. Ford confirmed both will outlet to the NJDOT system.

With no more questions for Mr. Ford, Mr. Shimanowitz called the Architect up to address the question on the garages.

**Robert Larsen, AIA, PP** was sworn in and briefly reviewed his credentials. Mr. Larsen explained there are four garages for every five units; one in every five parks in the field, but four have them directly connected. Those four will each be able to access them from their own door which leads to their own unit.

Mr. Shimanowitz said that concludes their presentation.

Questions open to the floor.

No questions.

Presentation concluded.

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- **SAI Middlesex Farms, LP** - File 18-PB-06-MSP - Block 58, Lot 1.08 (f/k/a Lot 1) - 1 Harvard Way. Applicant seeking Amended Final Preliminary and Final Major Site Plan; parking waivers; buffer waiver; and submission waivers from submitting a TIS, EIS, and CIS, to construct an additional 27 porous pavement parking spaces on property in the I-3, Light Industrial Zoning District. EC Review: 10-22-18

**Alexander Fisher, Esq. of Savo, Schalk, Gillespie, O'Grodnick & Fisher**, representing the applicant, said the purpose of the application is to come into compliance with the Township's parking requirements so that there is not parking along Harvard Way. The application does not require any variances. There are a few design waivers requested, including 19 ft. x 18 ft. parking spaces; a 25 ft. wide parking access aisles; and a 30 ft. buffer from the road, for which an existing 7 ft. buffer will be maintained.

**Michael K. Ford, PE of Van Cleef Engineering Associates** was sworn in, reviewed his credentials for the record, was accepted by the Board and gave the following testimony:

**Exhibit A-1** - Colorized Grading & Soil Erosion / Sediment Control Plan for Parking Expansion, last revised 9-7-18

Mr. Ford stated the exhibit is Sheet 3 of 5 of the plans submitted, which illustrates the area where the proposed 27 parking spaces are to be located. The access from Route 206 is on Campus Drive; Harvard Way intersects with Campus Drive. The plan proposes to expand the existing front parking lot with 10 additional spaces; and the balance to the rear of the building. These areas were previously disturbed with the original construction of the project.

Mr. Ford said three trees will be disturbed. These trees are believed to have been planted as part of the original construction for the project approximately 30 years ago. The trees will be mitigated in accordance with the ordinance. The proposed 27 parking spaces will be constructed of porous pavement over a bed of stone to promote infiltration of stormwater management. Some existing landscaping will be disturbed in order to buffer the parking spaces. There will be modifications to the existing site lighting to provide adequate lighting to the new parking spaces. There will be a minimal area of disturbance. Outside agency approvals have already been secured with the SCPB; DRCC; and SUSCD.

Mr. Ford discussed the review memo from the Environmental Commission (EC) dated 11-7-18. He said the Commission recommended having an operation and maintenance manual for the porous pavement stormwater management system. This is now required by ordinance and will be complied with. The EC also recommended having a tree or snow fence along any wooded areas to protect the trees during construction. Mr. Ford said they will comply.

Mr. Ford said the Fire Marshal has no objection or comments at this time, via the memo dated 11-7-18. He said there are specific comments noted in both the engineering and planning reviews. Mr. Ford said they will agree to address each and every comment in the Maser Memorandum, dated 11-1-18, to Mr. White's satisfaction. He said there was one comment in Mr. Gorman's Planning Memorandum, similar to that of the Environmental Commission, that the critical wetlands area within the conservation easement be protected, which they will comply with.

Acting Chairman Julian asked for information on the soils regarding the percolation rate.

Board Engineer, Mr. White confirmed the request to have that information submitted.

Mr. Ford agreed.

Open to the public.

**Susan Gulliford** - Hunt Club Road

- Ms. Gulliford asked what prompted the need for the additional spaces, assuming the application was already in compliance with the ordinance.

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Mr. Ford said by today's standards, the site is four parking spaces short. The additional 27 spaces will bring the site into compliance for the current standards and provide flexibility. The building has a number of tenants. It is not so much that the parking is deficient, but the location and convenience of the spaces.

Close public.

Mr. Fisher made his closing statement.

Acting Chairman Julian asked for a motion.

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

**Roll Call:** Mr. Peason - yes; Mr. Wagner - yes; Secretary Hesthag - yes; Mr. Skobo - yes; Committeeman Suraci - yes; Acting Chairman Julian - yes. Motion carries.

**CORRESPONDENCE**

None

**ADJOURNMENT**

Acting Chairman Julian reminded the Board the next meeting will be November 29.

Mr. Maski reviewed the schedule for the remaining 2018 meetings and noted the date of the 2019 reorganization meeting for returning members.

A motion was made by Committeeman Suraci, seconded by Mr. Skobo. All were in favor; motion carries.

The meeting adjourned at 8:42 p.m.

*Submitted by:  
Debora Padgett  
Administrative Assistant / Planning Board Clerk*