

**HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT**  
**PUBLIC MEETING MINUTES**  
**February 6, 2019 – Regular meeting**

Chairperson Haines called the Board of Adjustment meeting of February 6, 2019 to order at 7:03 pm. All stood to salute the flag. The meeting took place in the Courtroom of the Municipal Complex.

**NOTICE OF MEETING**

Chairperson 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:**

|  |                                    |
|--|------------------------------------|
| Frank Herbert, <i>Vice Chairperson</i> – Present | Frank Valcheck – Present           |
| John Stamler – Present                           | Steve Monte – Present              |
| Helen Haines, <i>Chairperson</i> – Present       | Paul Kaminsky (Alt. 1) – Present   |
| Curtis Suraci – Absent                           | Janine Erickson (Alt. 2) – Present |
| Philomena Cellilli – Present                     |                                    |

Also in attendance: Mark Anderson, Esq., Board Attorney, (Woolson Anderson, P.C.); William H.R. White, PE, CME, Board Engineer (Maser Consulting, P.A.), David Maski, PP, AICP, Planning Director; and Tina Restuccia, CCR.

**BOARD OF ADJUSTMENT BUSINESS**

- There was a lengthy discussion about the Board of Adjustment Bylaws particularly pertaining to the meeting start time and number of meetings a month.
- Chairperson Haines reminded the Board this is why they created the Bylaws Subcommittee which has already met this year.
- Mr. Anderson, Board Attorney, gave advice on amending the Bylaws.
- Mr. Anderson expressed that the current Bylaws are outdated and antiquated and suggested they be revised by the Subcommittee.
- Mr. Anderson noted his position that alternates are allowed to vote on procedures and elections.

**ACCEPTANCE OF MEETING MINUTES**

- **January 16, 2019 Reorg Meeting**
  - There was a motion and a second to approve.
  - **Votes:** Aye – Valcheck, Herbert, Cellilli, Kaminsky, Erickson, Haines. Opposed – None. Abstain – Monte. Motion carries.
- **January 16, 2019 Regular Meeting**
  - There was a motion and a second to approve.
  - **Votes:** Aye – Valcheck, Herbert, Kaminsky, Erickson, Haines. Opposed – None. Abstain – Monte. Motion carries.

**ACCEPTANCE OF RESOLUTIONS**

- **3 Ronson, LLC – File BA-18-16**
  - There was a motion and second to approve.
  - **Roll Call:** Valcheck – yes, Herbert – yes, Cellilli – yes, Monte – Abstain, Chairperson Haines – yes. Motion carries.
- **Brenden RUH – File BA-1707**
  - There was a motion and second to approve.
  - **Roll Call:** Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Monte – yes, Mr. Stamler – yes, Chairperson Haines – yes. Motion carries.

**BOARD OF ADJUSTMENT BUSINESS**

- **Extension of Professional Service Agreement with Maser Consulting, PA**
  - Mr. Maski briefly described the required extension.s
  - There was a motion and second to approve this resolution.
  - **Roll Call:** Mr. Monte – yes, Mr. Valcheck – yes, Mr. Stamler – yes, Ms. Cellilli – yes, Mr. Herbert – yes, Mr. Kaminsky – yes, Ms. Erickson – yes, Chairperson Haines – yes. Motion carries.
- **Professional Service Agreements for Board Attorney, Board Engineer, and Board Alternate Engineer**
  - Mr. Maski clarified that the Board previously appointed these professionals and tonight need to approve the actual contract.
  - **Roll Call:** Mr. Monte – yes, Mr. Valcheck – yes, Mr. Stamler – yes, Ms. Cellilli – yes, Mr. Herbert – yes, Mr. Kaminsky – yes, Ms. Erickson – yes, Chairperson Haines – yes. Motion carries.
- **Contract Agreement for Board Court Reporter**

**Board of Adjustment Meeting  
February 6, 2019**

- There was a motion and second to approve.
- **Roll Call:** Mr. Monte – yes, Mr. Valcheck – yes, Mr. Stamler – yes, Ms. Cellilli – yes, Mr. Herbert – yes, Mr. Kaminsky – yes, Ms. Erickson – yes, Chairperson Haines – yes. Motion carries.

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

- None

**PUBLIC HEARING - APPLICATIONS**

- **Hillsborough Crossings, LLC (Mazey)** – File BA-18-13 – Block 178, Lots 17.01 & 18 – 692 Route 206. Applicant seeking Preliminary and Major Site Plan Approval, 'd' Use Variances, and any other variances, waivers, or approvals required to construct a mixed-use building on property located in the GA District. *EC Review: 10-22-18 Carried from January 16, 2019 without further notice.*
  1. Mr. Maski noted for the record that Mr. Kaminsky read the transcript from the January 16, 2019 hearing and is eligible to vote.
  2. Kevin Morse, Esq, Attorney for the applicant briefly described the application.
  3. Bill Lane, PE, applicant's Engineer, previously sworn, testified to the changes to the site plan since the last hearing.
  4. **Exhibit A-4:** Site Plan revised 2/6/2019
  5. Mr. Lane testified that the restaurant use has been removed from the building.
  6. Mr. Lane testified the new plan complies with the required number of parking spaces.
  7. Mr. Lane described the architectural changes.
  8. Mr. Lane discussed the fire truck turning plan which underwent several changes since the last hearing.
  9. **Exhibit A-5:** Fire Truck Turning Plan revised 1/31/2019
  10. There was discussion on the loading area.
  11. There was a brief discussion on a possible cross access easement. Mr. Lane did not think it was feasible with the proposed plan.
  12. Open to the public.
  13. Samantha, Resident, asked about the number of apartments on the second floor and how many people would occupy each unit.
  14. Mr. Lane testified they are 1 bedroom and studio units.
  15. Another resident asked a few questions about fire trucks leaving the property.
  16. Jay Troutman, PE, Applicant's Traffic Engineer, was sworn in and his qualifications as a traffic expert were accepted by the Board.
  17. Mr. Troutman testified that this use does not generate a significant increase in traffic to the state highway.
  18. Mr. Troutman also testified that the site circulation is appropriate for the site.
  19. The Board discussed restricting the exit to righthand turn only and the Applicant agreed to the condition.
  20. Open to the public.
  21. Samantha, Resident, asked about the potential for children in these units and related school busing.
  22. Mr. Troutman noted that the apartments are not age restricted. There was clarification that they are proposing one-bedroom apartments which don't typically contain children.
  23. Jason Dunn, PP, Applicant's Planner, was sworn in and his qualifications were accepted by the Board.
  24. Mr. Dunn testified to the positive and negative criteria for the proposal.
  25. The Board asked several questions about his testimony.
  26. There was discussion on the report from the Environmental Commission.
  27. No questions from the public.
  28. No comments from the public.
  29. Mr. Morse summarized the request.
  30. There was a motion to approve with the following conditions: loading dock will be 14ft wide, restaurants not permitted on this site, entering and exiting will be right in and right out only, and the Applicant will comply with all conditions requested by Mr. White. It was seconded.
  31. There was clarification on the waivers and variances requested.
  32. **Roll Call:** Mr. Monte – yes, Mr. Valcheck – yes, Mr. Stamler – yes, Ms. Cellilli – yes, Mr. Herbert – yes, Mr. Kaminsky – yes, Chairperson Haines – yes. Motion carries

**BOARD OF ADJUSTMENT BUSINESS**

- Chairperson Haines reminded the Board that they won the Verizon appeal and it has not been remanded.
- There was a brief discussion on the next Board meeting.

**ADJOURNMENT**

The meeting adjourned at 8:45 pm.

*Respectfully Submitted by: Caitlin Vaz, Planning & Zoning Clerk  
Reviewed by: David Maski, PP, AICP, Planning Director*