

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES
February 02, 2012

Chairman Sireci called the Planning Board meeting of February 02, 2012 to order at 7:30 p.m. All stood for the Pledge of Allegiance. The meeting took place in the courtroom of the Municipal Complex.

Chairman Sireci announced the meeting has been duly advertised according to the Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Deputy Mayor Gloria McCauley - Absent
Greg Burchette - Present
Committeeman Frank DelCore - Present
Steve Cohen, Vice Chairman - Present
Tod Mershon, *Secretary*- Present
Neil Julian - Present

Sam Conard - Present
Steven Sireci, Jr., Chairman - Present
Marian Fenwick - Present
Daniel Marulli (Alt. #1) - Absent
Robert Peason (Alt. #2) – Arrived 7:33

Also present were Robert Ringelheim, P.P., A.I.C.P., Township Planner; Eric M. Bernstein, Esq., Attorney (Eric M. Bernstein & Associates); and Lucille Grozinski, C.C.R.

ACCEPTANCE OF MINUTES

January 05, 2012 – Reorganization Meeting

A motion to approve was made by Mr. Burchette, seconded by Mr. Mershon.

Roll Call: Ms. Fenwick - yes; Mr. Julian – yes; Mr. Burchette – yes; Mr. Mershon – yes; Vice Chairman Cohen – yes; Committeeman DelCore – yes; Chairman Sireci – yes. Motion carries.

January 05, 2012 – Executive Session

A motion to approve was made by Mr. Burchette, seconded by Mr. Mershon.

Roll Call: Ms. Fenwick - yes; Mr. Julian – yes; Mr. Burchette – yes; Mr. Mershon – yes; Vice Chairman Cohen – yes; Committeeman DelCore – yes; Chairman Sireci – yes. Motion carries.

ACCEPTANCE OF RESOLUTIONS

PSE&G – Sunnymeade Road Substation - File #11-PB-19-MSRV

A motion to approve was made by Mr. Burchette, seconded by Mr. Mershon.

Roll Call: Ms. Fenwick - yes; Mr. Mershon – yes; Mr. Julian – yes; Mr. Burchette – yes; Committeeman DelCore – yes; Vice Chairman Cohen – yes; Chairman Sireci – yes. Motion carries.

PLANNING BOARD BUSINESS

None

SPECIAL COMMITTEE REPORTS

Chairman Sireci said the Master Plan Subcommittee met to review the ordinances that will be discussed.

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

Revised Agricultural Deed Restriction

Robert Ringelheim, Township Planner, reviewed right now the regulations reads 'For purposes of complying with the requirements of this chapter...' The word 'chapter' is a bit broad. When this matter came before the Board of Adjustment, the Board Attorney recommended that "chapter" be revised to read as "subsection."

A motion to recommend the ordinance to the Township Committee was made by Mr. Burchette, seconded by Mr. Conard.

Roll Call: Ms. Fenwick – yes; Mr. Julian – yes; Mr. Conard – yes; Mr. Burchette – yes; Mr. Mershon – yes; Mr. Peason – yes; Vice Chairman Cohen – yes; Committeeman DelCore – yes; Chairman Sireci – yes. Motion carries.

Draft Revised Architecture and Site Design (ASD) Standards

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Mr. Ringelheim reviewed with the present ordinance, there is an existing Architecture and Site Design (ASD) Overlay Zone runs the length of Route 206 for all of the non-residential zones. It provides a design standard. However, there are a few things that have recently taken place. After the 2005 Master Plan was adopted and some of the zones have been implemented,

especially the HS and LI zones which front on the corridor, those zones have their own design standards. This has brought about zones with competing design standards. The Town Center and Gateway zones recommended in the 2005 Master Plan also have their own standards. What I am asking in this ordinance is to eliminate the standards in the Overlay Zone to take the standards that apply to the Gateway and Town Center Districts and insert them directly into the ordinance. Rather the specific new zones would have specific standards. These are basically the same standards that were set forth in the ASD, now taken apart and put into the separate Town Center and Gateway zones. Some modifications were made to reflect a little more flexibility in the standards.

We have defined and provided some new definitions. I took some of the standards that were in the ASD and put them into the supplemental regulations because they were more appropriate there since they have more in common with regulations rather than design standards such as right-of-ways, loading and service areas, wall, etc. I then eliminated some of the standards that overlapped.

Older districts such as the C1 and OLC are going to be hard to apply the new standards to because they are already built and developers are not going to knock a building down to create parking in the rear such as the shopping center with the WAWA. Rather than encouraging something that is not going to happen; we are reflecting the new standards for the new zones where we want this to happen. There were a significant amount of changes not only because the way the ordinance was done but there were a number of changes in how it was presented.

Chairman Sireci said the members of the Master Plan Subcommittee went through the ordinance line by line to see where alterations could be made to make it simpler and more rational when incorporating it directly into each zone rather than just have it as an overlay for new developments.

Each zone has revised supplemental regulations and then there are revised architectural and site design standards. We generally presented how the building should be laid out on the property in terms of proportion, scale and massing; roofs, general colors, shielding of HVAC units; the general nature of the façade; encourage awnings, porches and overhangs so that people are encouraged to walk along the sidewalk; lighting; pedestrian circulation, bicycle parking; public spaces and street furniture to encourage public open spaces. We do not want to see large seas of parking rather smaller parking areas broken up by plantings, encouraging rear access and minimizing curb cuts; best management practices for stormwater basins, encouraging rain gardens and infiltration swales, recycling and trash storage.

The Town Center District gets a little more regulation because of the nature of how we want that developed.

Chairman Sireci added the exemptions include reconstruction of a single family such as if their house was to burn down they would be exempt from building this way; historic structures such as the Van Der Veer House, have their own rules; and routine maintenance such as building an addition on a home. Anyone who has a home in one of these zones and maintains it as a single family home would not be illegal. We took out some things from the previous standards that were excessively detailed and unnecessary regulation.

A motion to recommend the ordinance to the Township Committee was made by Mr. Conard, seconded by Mr. Burchette.

Roll Call: Ms. Fenwick – yes; Mr. Julian – yes; Mr. Conard – yes; Mr. Burchette – yes; Mr. Mershon – yes; Mr. Peason – yes; Vice Chairman Cohen – yes; Committeeman DelCore – yes; Chairman Sireci – yes. Motion carries.

PUBLIC HEARING – SUBDIVISION/SITE PLAN APPLICATIONS

None

CORRESPONDENCE

None

Mr. Ringelheim stated there is no business scheduled to the February 9th agenda. The February 23rd meeting will review the Capital Budget.

Vice Chairman Cohen requested that the Kimco matter be put on the record.

Mr. Ringelheim said that matter was actually under Kohl's when their property was subdivided off a few years ago from the shopping center. There was a condition in the original approval that they would go to the neighbors on the other side of Falcon Road as far as buffering so that the headlights from the vehicles coming out of the shopping center would not shine in on the windows. Kimco was supposed to offer them landscaping along their frontage if they wanted. When Kohl's was approved, they agreed to take that provision on.

Mr. Cohen said Kimco also agreed to their original promise. Apparently what they are trying to do not is to pay off the neighbors but the neighbors are saying they just want it fixed. I just want it to be on the record.

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Mr. Ringelheim said we have reached out to both Kohl's and Kimco through the Engineer's office and we are trying to address that issue. There are no more bonds.

Mr. Cohen expressed his concern for possibly other applicants who have not complied with what the Board agreed to.

Mr. Ringelheim said there were 6 homes affected, 2 of the 6 have provided the sign-off for landscaping. We are working on the other 4. The original approval was almost 10 years ago.

Chairman Sireci asked what enforcement we have at this point for compliance.

Mr. Ringelheim said we can take them to court for the lack of follow through on a condition of approval. We prefer to work with them to get the landscaping but that is an option.

Ms. Fenwick asked if there have been any effort at all to do that landscaping.

Mr. Ringelheim said 2 have provided letters that they are satisfied with the landscaping. We are looking into the other 4. Unfortunately, we believe there may have been money exchanged in lieu of landscaping. We are trying to explain that that is not satisfactory.

A motion and second was made to cancel the February 9th meeting. All in favor.

Mr. Julian asked for clarification on the how the Environmental Commission should offer recommendations to the Planning Board, such as with the Green Village application when reports are provided after the EC review.

After discussion amongst the Board, Chairman Sireci offered that the EC can decide if they would like to endorse that recommendation.

ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Submitted by:
Debora Padgett
Planning Board Clerk