

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES
December 13, 2012

Chairman Sireci called the Planning Board meeting of December 13, 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 that 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

Deputy Mayor Gloria McCauley - Present
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) - Present
Robert Peason (Alt. #2) - Present

Also present: David Kois, Zoning Officer/Assistant Township Planner; Wendy Wiebalk, Esq., Board Attorney (Eric M. Bernstein & Associates); William H.R. White, III, P.E., P.P., C.M.E., Board Engineer (Maser Consulting, P.A.); and Lucille Grozinski, C.C.R.

ACCEPTANCE OF MINUTES

None

ACCEPTANCE OF RESOLUTIONS

None

PLANNING BOARD BUSINESS

Extension Request – Gibraltar Quarry / KDC Solar, File 12-PB-01-SR

A motion to accept the extension request through May 31, 2013 was made by Mr. Burchette, seconded by Mr. Conard.

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

Extension Request – WSH Enterprises, Inc. – Final Plat, File 08-PB-15-MJF

A motion to accept the extension request through April 01, 2013 was made by Mr. Burchette, seconded by Mr. Mershon.

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

SPECIAL COMMITTEE REPORTS

None

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

None

PUBLIC HEARING – SUBDIVISION/SITE PLAN APPLICATIONS

GSA Belle Mead Interim Remediation (HP) – File #12-PB-10-SR – Block 175, Lot 39.02 and Block 177, Lot 23.02 – Mountain View Road. Applicant seeking Preliminary and Final Major Site Plan Approval for proposed interim remediation activities to include a 6" stone cap of the burn pit" area to address potential direct contact with the contaminated area as well as address potential migration concerns prior to preparation of a future final remedial action work plan; 6 clean stone check dams are proposed in 3 drainage features accepting runoff from the burn pit area prior to discharging directly into Royce Brook. Also proposed is a 16-ft. wide temporary dirt/clean crushed stone access road from Mountain View Road in the ED District. (*EC Review: 11-26-12*).
ADJOURNED TO JANUARY 10, 2013 WITH RE-NOTICE.

Chairman Sireci announced the application has been adjourned to January 10, 2013.

Board Attorney, Wendy Wiebalk explained there were deficiencies in the notice. I spoke with Keith Cahill of Bohler Engineering earlier today regarding the deficiencies. I further spoke with his office and explained how the deficiency had to be cured. I agreed to have it put on the record that he consented to the adjournment and requested that he be heard on January 10th. He will follow up with a letter to the Planning Office tomorrow.

**PLANNING BOARD MEETING MINUTES
December 13, 2012**

Mr. Kois review the January 10th meeting schedule for the Chairman.

Mr. Julian asked if issues with the GSA application should be discussed at this time.

Chairman Sireci replied not at this time.

RFDC REALTY, LLC (De Canto) – File 12-PB-09-MR – Block 182, Lots 38.01, 38.02, 38.03 – Route 206 and Doctors Way. Applicant seeking Minor Site Plan Approval to reconfigure existing Lot 38.01 containing 1.6588 acres; Lot 38.02, containing 2.0003 acres; and existing Lot 38.03 in Block 182. A portion of Lot 38.02 will be merged with Lot 38.01. The remainder of Lot 38.02 will be merged with Lot 38.03. The result will be 2 lots instead of 3. Proposed Lot 38.01 will contain all existing site improvements, Proposed Lot 38.02 will be vacant, on property in the HS District (*EC Review: 09-24-12*). **Adjourned from November 08, 2012 with re-notice.**

Peter Cipparulo, Esq. appeared on behalf of the applicant saying this is a very simple application in which we are seeking a Minor Subdivision in order to reconfigure lots 38.01, 38.02 and 38.03 in Block 182. A portion of Lot 38.02 will be merged with Lot 38.01. The remainder of Lot 38.02 will be merged with Lot 38.03. The result will be 2 lots instead of 3. Proposed Lot 38.01 will contain all existing improvements. Proposed Lot 38.02 will be vacant.

Robert B. Heibell, P.E., of Van Cleef Engineering was sworn in and gave the following testimony:

This is the simplest application I have had all year. It is currently 3 lots, all of which are conforming. The property is in the Highway Service Zone. Correction, they were conforming until land on the lot adjacent to Route 206 was acquired by the State of New Jersey. That was a conforming 2 acre lot and is now a 1.6 plus acre lot. It is an existing nonconforming lot. I represented Ralph DeCanto when he developed the property. His son, Tony still owns the property. There are 2 structures up. One of the lot lines straddles the existing parking lot and is fairly close to the smaller building in the back. This application is a Minor Subdivision. It takes away the variance on the front lot; it puts all of the buildings on the front lot which Dr. DeCanto and his brother will retain, and gives them the opportunity to sell a 3.29 acre lot in the back that is vacant and is not constricted by a portion of a parking lot and small building.

Mr. Ringelheim submitted the Planner Report dated September 06, 2012, explaining the facts as I just mentioned. We went before the Environmental Commission on September 24. There is a report in the file dated October 1, 2012 stating that the Commission has no concerns relative to this application.

The SCPB issued a report dated September 27, 2012 approving the project. Should this application be approved, we will be filing by Deeds.

Mr. White issued a report noting so small technical comments on the plan which will be taken care of so there are no issues there. He asked us to update the survey, if necessary. I see that the plan shows a building in the back where Medicare Cardiology was and an old driveway showing on the plans. I will represent that driveway was taken away when Medicare Cardiology built. The rest of the data is totally accurate.

No other comments from Mr. White or Mr. Kois.

Committeeman DelCore asked if all of the improvements on the front lot are existing.

Mr. Heibell answered there will be no new improvements; they are all existing. The entire property is in the Highway Service Zone.

Open to the Public

None

A motion to approve application 12-PB-09-MR was made by Mr. Conard, seconded by Mr. Burchette.

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

EXECUTIVE SESSION

RE: *GSA Belle Mead Interim Remediation (HP)* - File #12-PB-10-SR. The Board will convene to discuss related litigation and attorney-client privilege matters.

Executive Session Chairman Sireci announced the Board will convene to discuss related litigation and attorney-client privilege matters on the GSA Belle Mead Interim Remediation (HP) application.

A motion to go into Executive Session was made by Mr. Conard, seconded by Mr. Mershon. All were in favor; none opposed. Motion carries.

PLANNING BOARD MEETING MINUTES
December 13, 2012

Executive Session: 7:41 p.m. – 8:33 p.m.

A motion to return to the Public Hearing was made by Mr. Conard, seconded Vice Chairman Cohen. All were in favor; none opposed. Motion carries.

CORRESPONDENCE

None

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Submitted by:
Debra Padgett
Planning Board/Board of Adjustment Clerk

Approved