

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
January 16, 2013

Chairman Fenwick called the Board of Adjustment meeting of January 16, 2013 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 Fenwick 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

Michael Volpe – Present	Frank Valcheck – Absent
John Stamler – Present	Shawn Lipani (#7) – Present
Helen Haines, Vice Chairman – Present	Frank Herbert (Alt. #1) – Present
Marian Fenwick, Chairman – Present	Curtis Suraci (Alt. #2) – Present
Walter Dietz, III – Present	Kenneth Hesthag (Alt. #3) – Present
	Michele Horst (Alt. #4) – Present

Also in attendance: Mark Anderson, Esq., Board Attorney, Woolson Sutphen Anderson, P.C.; William H. R. White, III, PE, Engineer, Maser Consulting; David Kois, Zoning Officer/Assistant Planner/Board of Adjustment Administrative Officer/Secretary; and Susan Baber, CCR.

ACCEPTANCE OF MINUTES

None

ACCEPTANCE OF RESOLUTIONS

None

BOARD OF ADJUSTMENT BUSINESS

Mr. Dietz made a motion to have a Resolution of Appreciation drafted in recognition of Leon "Skip" Kral for his service to the Board, seconded by Vice Chairman Haines. All were in favor; none opposed. Motion carries.

EXECUTIVE SESSION

RE: ***Chabad Jewish Center of Greater Hillsborough, Inc.*** - File #BA-12-07. The Board will convene to discuss attorney-client privilege matters.

A motion to go into executive session was made by Vice Chairman Haines, seconded by Mr. Stamler.

Roll Call: Mr. Volpe; Mr. Stamler; Mr. Dietz – yes; Mr. Lipani – yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Hesthag - yes; Ms. Horst – yes; Vice Chairman Haines – yes; Chairman Fenwick – yes. Motion carries.

Executive Session ran 7:32 p.m. – 7:48 p.m.

A motion to close executive session was made and seconded.

Roll Call: Mr. Volpe – yes; Mr. Dietz – yes; Mr. Lipani – yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Hesthag - yes; Ms. Horst – yes; Vice Chairman Haines – yes; Chairman Fenwick – yes. Motion carries.

BUSINESS FROM THE FLOOR

None

PUBLIC HEARING - APPLICATIONS

Chabad Jewish Center of Greater Hillsborough, Inc. – File #BA-12-07 – Block 162, Lot 20.01 (26 New Amwell Road – Rear Lot), and Block 162, Lot 20.02 (22 New Amwell Road – Front Lot). ***Adjourned from November 07, 2012 with re-notice.***

Mr. Kois introduced the application.

Steven Sacks-Wilner, Esq., appearing on behalf of the applicant said we just learned today that the Township considers a religious preschool to be a separate use from a house of worship. Therefore, we would need a d(1) variance. Since we did not notice the d(1) variance, we would like to adjourn to the next meeting, with our apologies. I have had conversations with staff and with Mr. Anderson today. We would like an adjournment to February 06, 2013 and have signed an extension as well. As a courtesy to the new Board members, the application will be starting new on that date.

Mr. Sacks-Wilner agreed to sign a 90 day extension. He said we will respond to whatever comments are in the memorandum of your professionals. We will re-notice the application.

A motion to carry application BA-12-07 to the February 06, 2013 meeting with notice was made by Mr. Dietz, seconded by Mr. Stamler. All were in favor; none opposed. Motion carries.

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Mr. Sacks-Wilner said earlier this application was bifurcated. Since we are going to start fresh we requested that the application no longer be bifurcated. I will submit for an amended application.

CORRESPONDENCE

None

ADJOURNMENT

The meeting adjourned at 7:57 p.m.

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

Approved