

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
January 8, 2014

Chairman Helen Haines calls the Board of Adjustment Meeting of January 8, 2014 to order at 7:30 p.m. All stand for the Pledge of Allegiance. The meeting takes place in the Courtroom at the Municipal Building.

Notice of Meeting

Chairman Haines announces that the meeting has been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975.

Roll Call:

Frank Herbert – Present	Frank Valcheck – Present
John Stamler – Present	Shawn Lipani – Present
Helen Haines, <i>Chairman</i> – Present	Kenneth Hesthag (Alt. 1)- Present
Curtis Suraci, <i>Vice Chairman</i> – Present	Michele Boronkas (Alt. 2) – Absent
Walter Dietz, III – Present	Steve Monte (Alt. 3) – Present
	Sally Becorena (Alt. 4) - Present

Also in attendance: Jolanta Maziarz, Esq., Board Attorney, (Woolson Sutphen Anderson, P.A); William H. R. White, III, P.E., C.M.E., Board Engineer (Maser Consulting, P.A.); David Kois, Deputy Planning Director/ Zoning Official and Board of Adjustment Administrative Officer/Secretary; Lucille Grozinski, CCR.

Acceptance of Minutes

None

Acceptance of Resolutions

None

Board of Adjustment Business

Chairman Haines announces the resignation of Michele Boronkas, Alternate Seat #2.

Professionals' Contract Resolutions

- Board Attorney
- Board Engineer
- Board Alternate Engineer
- Board Court Reporter

A motion is made and seconded for each position. All in favor – Aye; Opposed – None. Motion carries.

Board of Adjustment – 2013 Annual Report

A motion to approve is made and seconded. All in favor – Aye; Opposed – None. Motion carries.

Business from the Floor

None

Public Hearing-Applications

Stacy GRAB – File #BA-13-07 – Block 174.04, Lot 59 (formerly known as Block 174A, Lot 6) – 9 Starview Drive. ***Adjourned to March 19, 2014. (Board to review with or without further notice).***

The Board and Board Attorney, Jolanta Maziarz, Esq. discuss re-notice.

The Board decides the Applicant must re-notice.

Lukasz and Katarzyra KLECZCZ – File #BA-13-19 – Block 183.02, Lot 11 – 62 Claremont Drive.

Mr. Kois introduces the application.

The Applicants, Lukasz and Katarzyra Kleczcz, are sworn in.

Mrs. Kleczcz explains the circumstances that bring them before the Board, that being that their home was destroyed by a fire.

The Applicants would like to rebuild the home with the following changes: a two car garage instead of one car and a deck in the rear of the house instead of the patio.

Chairman Haines asks for more specific information on how the new home will compare to the destroyed home.

Mrs. Kleczcz explains they would like to use the existing foundation that was not destroyed in the fire. She also notes they will increase the height of the attic to create more storage space.

Mr. Dietz asks if the Applicants can purchase any land from their neighbors.

Mrs. Kleczcz notes that her neighbors are not able or willing to sell any land.

The Board and the Applicants discuss the size of the proposed two-car garage.

No public questions for the Applicants.

Michael Ford, P.E. of Van Cleef Engineering is sworn in, offers his qualifications which are accepted by the Board and begins his testimony.

Mr. Ford testifies as to how he is involved with this application and his knowledge about the variances required due to the undersized lot.

Mr. Ford testifies that to his knowledge, the Applicants are willing to follow any conditions of approval.

Chairman Haines asks to clarify the difference in height between the old and new houses.

Mr. Ford testifies he never saw the old house but it was a ranch style house, whereas the new dwelling will have a steeper pitched roof. He testifies this roof-style is more appealing from the street and it is within the maximum building height of the zone.

No questions from the public. Public portion is closed.

Mr. Dietz says he sees no problem with this application and motions to approve, as submitted. The motion is seconded.

Roll Call: Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Lipani – yes, Mr. Dietz – yes, Mr. Stamler – yes, Mr. Hesthag – yes, Vice Chairman Suraci – yes, Chairman Haines –yes. Motion carries.

T&T Realty Associates, LLC (Red Bank Veterinary Hospital) – *File #BA-13-17 – Block 142, Lot 33.01 – 210 Route 206 South.*

Mr. Kois introduces the application.

Anthony Hatab, Esq., representing the Applicant, makes an opening statement.

A Board Member asks him to clarify if there is a target completion date.

Mr. Hatab says sometime in the next year- and- a- half to two- and- a- half years. He mentions the Permit Extension Act.

The Applicant, Dr. Charles Schwirck, Director of the Red Bank Veterinary Hospital, is sworn in.

Dr. Schwirck explains the need for a temporary trailer, due to the expansion and changes in the veterinary practice.

A Board Member asks about the delay between the original 2006 approval for the new building expansion and now.

Dr. Schwirck explains the plans for the addition changed when it went from his sole ownership to the practice it is now, Red Bank Veterinary Hospital, which delayed the initial process.

He further clarifies financing became an issue shortly thereafter.

Chairman Haines asks about the final lot size.

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Dr. Schwirck explains the new building is on a separate property which is divided by a driveway. He says the lot is conforming.

The Board discusses the Permit Extension Act and how it applies to this application and the 'd'(2) use variance.

A Board Member needs clarification on where the temporary trailer is going to be placed.

The Board and Dr. Schwirck discuss the neighboring property.

Michael Ford, P.E. of Van Cleef Engineering is sworn in and begins his testimony, having already been qualified earlier in the evening with the prior application.

Mr. Ford describes the placement of the temporary trailer and proposed walkways using **Exhibit A-1**.

Chairman Haines asks for clarification that the trailer does not take up any current parking spaces.

Mr. Ford agrees that the current area is a landscaped area. He also explains the two trees that would need to be removed would be replaced with six trees. The Applicant has complied with suggestions from the Township Engineer and Planner.

Mr. Ford testifies there are no other site plan changes, but would need site plan approval due to the trailer.

Mr. Ford discusses updating the handicap parking spaces to fit the current ADA standards.

Mr. Stamler would like a time limit for the temporary trailer.

Mr. Ford says the trailer is necessary to continue working due to the small space. The time for the temporary trailer is tied into the CO for the new building.

Chairman Haines asks for clarification that the Applicant is asking for an extension of approval for construction on the new building.

Mr. Ford explains that the Applicant is not asking for an extension at this time, only for the temporary trailer.

Chairman Haines argues that if construction plans fall through, the trailer could be on the property for an indefinite amount of time.

The Board discusses making a time limit a condition of approval.

Mr. Dietz suggests turning the trailer sideways so it is less obtrusive in the front of the building.

Mr. Ford says it was mentioned but they looked at using the existing vegetation and the connection to underground facilities.

John Dugan, Building Director for the Applicant, is sworn in.

Mr. Dietz asks if the trailer is on wheels and what utilities will service it.

Mr. Dugan says yes and there is no foundation. He further explains electric, water, and sewer will be connected to the trailer.

A Board Member asks about the possibility of wanting to keep the trailer instead of continuing to construct the new building.

Dr. Schwirck testifies that the doublewide trailer is not a viable long term option and that he is fully committed to the new building.

Mr. Dietz understands this argument but still would like to impose a time limit on the trailers to force the Applicant to get the new building done instead of coming back for extensions.

Dr. Schwirck says he can accept that if that is a way to gain approval.

The Board and Ms. Maziarz discuss the 'd'(2) use variance requested, noting it can be temporary and does not stay with the land.

Ms. Maziarz clarifies that the Applicant is looking for the following: minor site plan, 'c' variance and 'd' variance. She asks if there is any testimony in regard to the minor site plan.

Mr. Ford begins testimony as a Professional Planner and the board accepts his qualifications.

Mr. Ford testifies the use issues were dealt with at length in the 2006 application.

He goes on to note the trailer has been thought about in great detail and has been placed where it will have the least amount of visual impact.

He mentions the six replacement trees will be evergreen-type and used to further buffer the trailer from view.

The Board discusses the parking agreement between the Applicant and neighbors, noting there is not a formal agreement.

Mr. Ford notes there were no objections for this application from the Fire Marshall or the Health Official.

Mr. Hesthag asks if the current sign will be sufficient.

There is no proposal to change or add a sign.

No comments from the public.

Mr. Dietz is only concerned about a time limit. He suggests a two (2) year maximum with the idea that if the building is substantially completed at the end of the two years, an extension could be requested.

A Board Member notes that the time limit will not cause the business to close down; they could still operate without the trailers.

Mr. Dietz makes a motion to approve with a two- year time limit starting from the Memorialization of the Resolution. The motion is seconded.

Roll Call: Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Lipani – yes, Mr. Dietz – yes, Mr. Stamler – yes, Vice Chairman Suraci – yes, Chairman Haines –yes. Motion carries.

Acceptance of Resolutions

Lukasz and Katarzyra KLECZCZ – BA-13-19

A motion to approve, as written, was made and seconded.

Roll Call: Mr. Valcheck – yes, Mr. Herbert – yes, Mr. Lipani – yes, Mr. Dietz – yes, Mr. Stamler – yes, Vice Chairman Suraci – yes, Chairman Haines –yes. Motion carries.

Correspondence

None

Adjournment

The meeting adjourned at 8:00 p.m.

Submitted by:

Caitlin Davis

Planning and Zoning Clerk

Reviewed by:

Debora Padgett

Administrative Assistant

Planning Board/Board of Adjustment Clerk