

**Hillsborough Township
Board of Adjustment Minutes
December 05, 2012 Meeting**

Chairman Krals called the Board of Adjustment meeting of December 05, 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 Krals 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
John Stamler – Present
Helen Haines, Vice Chairman – Present
Leon Krals, Chairman – Present
Walter Dietz – Present

Frank Valcheck – Present
Seat (#7) – Vacant
Frank Herbert (Alt. #1) – Present
Shawn Lipani (Alt. #2) – Present
Curtis Suraci (Alt. #3) – Present
Seat (Alt. #4) – Vacant

Also in attendance were Mark Anderson, Esq., Board Attorney (Woolson Sutphen Anderson, P.C.); David Kois, Zoning Officer / Assistant Planner/Board of Adjustment Administrative Officer; and Lucille Grozinski, CCR.

ACCEPTANCE OF MINUTES

September 05, 2012

*A motion to approve was made by Mr. Stamler, seconded by Mr. Dietz.
All in favor – Aye; Opposed – None
Motion carries.*

September 19, 2012 – Executive Session

A motion to approve was made by Vice Chairman Haines, Mr. Lipani.
All in favor – Aye; Opposed – None
Motion carries.

September 19, 2012 – Regular Meeting

A motion to approve was made by Mr. Valcheck, seconded by Mr. Stamler.
All in favor – Aye; Opposed – None
Motion carries.

ACCEPTANCE OF RESOLUTIONS

Foss/Martinez – BA-11-12

A motion to approve was made by Mr. Dietz, seconded by Vice Chairman Haines.
Roll Call: Mr. Valcheck – yes; Mr. Dietz – yes; Mr. Volpe – yes; Mr. Stamler – yes; Mr. Herbert – yes; Vice Chairman Haines – yes; Mr. Lipani – yes; Chairman Krals – yes. Motion carries.

Charles Buckle – BA-12-08

A motion to approve was made by Mr. Lipani, seconded by Mr. Dietz.
Roll Call: Mr. Valcheck – yes; Mr. Dietz – yes; Mr. Volpe – yes; Mr. Stamler – yes; Mr. Herbert – yes; Vice Chairman Haines – yes; Mr. Lipani – yes; Chairman Krals – yes. Motion carries.

Patrick DeNapoli, Jr. – BA-12-10

A motion to approve was made by Vice Chairman Haines, seconded by Mr. Dietz.
Roll Call: Mr. Valcheck – yes; Mr. Dietz – yes; Mr. Volpe – yes; Mr. Stamler – yes; Mr. Herbert – yes; Vice Chairman Haines – yes; Mr. Lipani – yes; Chairman Krals – yes. Motion carries.

Karen and Peter Bloom – BA-12-09

Chairman Krals stated the Board has been given two drafts to review; one stating electrical would be allowed in the garage, the other does not mention electrical service. He asked if any of the members remembered the testimony.

Mr. Dietz said I do not remember the exact testimony but they did say no utilities. I have been in construction all of my life. "Utilities" usually means sewer and water. Electric is an essential; you cannot have a building without electric. To me it was understood that they would have electric in the garage.

Mr. Lipani said I agree. The concern was that they might make the second floor a kitchen unit. The clarification of "utilities" was that the applicant was not looking to put water in.

Vice Chairman Haines said that was my general understanding as well.

Mr. Herbert said there would also be a safety issue if the building did not have electricity.

Chairman Krals said I will call for a vote for one or the other. The caveat is that the minutes of the meeting will need to be modified to reflect that was part of the application.

Mark Anderson, Esq. said my earlier agenda did not reflect the September 5th minutes were scheduled. I suggest the best thing to do with the minutes is to withdraw your approval and send it back to Mr. Kois to correct and bring it back before the Board at another time.

Vice Chairman Haines made a motion to withdraw the earlier approval, seconded by Mr. Dietz. All in favor – Aye; Opposed – none. Motion carries to withdraw the approval of the September 05, 2012 minutes. Motion carries.

A motion to approve the Bloom Resolution to include electrical service in the garage was made by Mr. Dietz, seconded by Mr. Volpe.

Roll Call: Mr. Valcheck – yes; Mr. Dietz – yes; Mr. Volpe – yes; Mr. Stamler – yes; Mr. Herbert – yes; Mr. Lipani – yes; Vice Chairman Haines – yes; Chairman Krals – yes. Motion carries.

BUSINESS FROM THE FLOOR

None

PUBLIC HEARING - APPLICATIONS

None

Chairman Krals noted there is nothing scheduled to the December 12th meeting at this time. A determination on whether to cancel the meeting will be taken after returning from Executive Session.

A motion to go into Executive Session was made by Mr. Dietz, seconded by Mr. Lipani. All in favor – Aye; Opposed – none. Motion carries.

EXECUTIVE SESSION

RE: **Jeffrey Roth** – File #BA-06-43 - The Board will convene to discuss litigation and attorney-client privilege matters.

Mark Anderson, Esq., David Kois and all members of the Board present went into Executive Session 7:38 P.M. – 8:02 P.M.

Chairman Krals called for a motion to cancel the meeting of December 12, 2012.

A motion to cancel was made by Mr. Lipani, seconded by Mr. Dietz. All in favor – Aye; Opposed – none. Motion carries.

Chairman Krals stated the Reorganization meeting for 2013 will be held at 7:00 P.M. on January 9th; the regular meeting will begin at 7:30 P.M.

Mr. Dietz expressed his thanks to Chairman Krals on behalf of the Board, for his service to the Township and wished him well in his move.

Chairman Krals responded with his gratitude for the opportunity to serve.

ADJOURNMENT

The meeting adjourned at 8:05 P.M.

Submitted by:
Debora Padgett
Board of Adjustment Clerk