

HILLSBOROUGH TOWNSHIP BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES
JANUARY 06, 2016 - Regular Meeting

Vice Chairman Haines called the Board of Adjustment meeting of January 6, 2016 to order at 7:31 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

ROLL CALL:

Frank Herbert - Present	Frank Valcheck - Present
John Stamler - Present	Dr. Steven Sireci, Jr., <i>Chairman</i> - Absent
Helen Haines, <i>Vice Chairman</i> - Present	Steve Monte (Alt. 1) - Present
Curtis Suraci - Present	John Shockley (Alt. 2) - Present
Fred Gladstone - Present	Philomena Cellilli (Alt.3) - Present
	John Torok (Alt. 4) - Absent

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, P.P., Deputy Director of Planning/Zoning Official/Board of Adjustment Secretary/Clerk; and Lucille Grozinski, CCR.

NOTICE OF MEETING

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

ACCEPTANCE OF MEETING MINUTES

None

ACCEPTANCE OF RESOLUTIONS

None

BUSINESS FROM THE FLOOR

None

BOARD OF ADJUSTMENT BUSINESS

- Professionals' Contract Resolutions
 - Board Attorney
 - Board Engineer
 - Board Alternate Engineer
 - Board Court Reporter

A motion to approve all resolutions was made and seconded.

Roll Call: Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Gladstone - yes; Mr. Stamler - yes; Mr. Monte - yes; Vice Chairman Haines - yes. Motion carries.

- Board of Adjustment - 2015 Annual Report

There was a brief discussion on some typographical errors in the report.

A motion to approve as amended was made and seconded.

All in favor - Aye; Opposed - None. Motion carries.

PUBLIC HEARING - APPLICATIONS

Michael DUDZINSKI - File BA-15-11 - Block 174.06, Lot 7 - 34 Murray Drive. Applicant seeking 'c' Bulk Variance for relief from Side Yard Setback and other such variances, waivers, and approvals required to permit construction of a detached one car garage, on property located in R District.

Adjourned with re-notice

- Vice Chairman Haines announced this application has been adjourned to an undetermined date with further notice

Frank and Bernadette CONCHES - File BA-15-20 - Block 180.09, Lot 65 - 38 Boehm Way. Applicant seeking 'c' Bulk Variance for relief from required Rear Yard Setback and other such variances, waivers, and approvals required to permit construction of an addition on property located in the AG District. ***Adjourned with re-notice***

- Vice Chairman Haines announced this application has been adjourned to an undetermined date with further notice

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County of Somerset / SMITH & WEINBERG - File BA-15-30 - Block 173, Lot 8 - 19 Wertsville Rd. Applicant seeking Minor Subdivision approval to create two (2) lots while retaining two (2) dwelling units on one lot on property in MZ District.

- Ms. Maziarz provided clarification on the variance request. The variance was granted in 1982 is still valid and in compliance with the resolution. Therefore the Applicant is only seeking a subdivision. However, it was noted that negative criteria must be met.
- Tom Boccino was sworn in. He addressed the negative criteria and provided testimony about the county Sourland Preserve. He testified a variance is required for the lack of road frontage.
- There was a discussion about the use of the lot and consolidation of the lot to adjacent Preserve lots.
- Mr. Boccino testified that the lot may be consolidated into the future, but it will not affect its use. He indicated it is intended to be passive and trails.
- The Applicant agreed to amend the plans and relabel the name of the second dwelling from pool house to an appropriate name consistent with the approval.
- Mr. Stamler made a motion to approve as presented, seconded by Mr. Gladstone.
- Roll Call:** Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Gladstone - yes; Mr. Stamler - yes; Mr. Monte - yes; Vice Chairman Haines - yes. Motion carries.

Philip and Robin ACONE - File BA-15-29 - Block 175, Lot 88 - 415 Bigley Road. Applicant seeking 'c' Bulk Variances for relief from Minimum Lot Size, two (2) Side Yard Setbacks, Front Yard Setback, and Maximum Impervious Coverage and other such variances, waivers, and approvals required to permit re-construction of a single family dwelling destroyed by fire on property located in the R1 District.

- Philip and Robin Acone were sworn in.
- Marclese, architect for the applicant, was sworn in and described the changes proposed.
- There was discussion on the proposed basement.
- Mr. Acone addressed the drainage on the property which would not change.
- Mr. Stamler motioned to approve, seconded by Mr. Monte.
- Roll Call:** Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Gladstone - yes; Mr. Stamler - yes; Mr. Monte - yes; Vice Chairman Haines - yes. Motion carries.

Jerry SHEEN - File BA-15-19 - Block 150.02, Lot 17 - 16 Woodville Terrace. Applicant seeking 'c' Bulk Variance for relief from Maximum Impervious Coverage and other such variances, waivers, and approvals required to permit construction of a sunroom addition on property located in the R District.

- Jerry Sheen was sworn in and described the property.
- Bryan Adams, New Jersey Sunroom draftsman and installations manager, was sworn in and accepted as a fact witness.
- There was discussion about existing impervious coverage and the percentage permitted.
- Mr. Adams notes that it is an undersized lot.
- Mr. Kois explained that this lot was built pursuant to a court order.
- The Board discussed potentially removing some existing impervious coverage to reduce the total percentage.
- There was a lengthy discussion about the existing shed.
- Mr. Sheen agreed to move to relocate the shed to an existing impervious surface or remove it in order to reduce the total proposed impervious coverage.
- Mr. White calculated that moving the shed would bring the property to 30.44%
- Vice Chairman Haines suggested that 30.5% should be sufficient.
- Mr. Stamler motioned to approve 30.5% impervious, seconded by Mr. Monte.
- Roll Call:** Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Gladstone - yes; Mr. Stamler - yes; Mr. Monte - yes; Vice Chairman Haines - yes. Motion carries.

Robert and Ruth-Ann INGRAM - File BA-15-23 - Block 65, Lot 28 - 12 Nottingham Way. Applicant seeking 'c' Bulk Variance for relief from Maximum Impervious Coverage and other such variances, waivers, and approvals required to construct a sunroom addition on property located in the R District.

- Robert Ingram, applicant, and Dan Foreman were sworn in.
- Mr. Ingram testified that some of the pavers will be removed for the addition.
- Mr. Ingram testified that there is open space behind the property.
- Mr. Ingram testified they cannot buy any additional land.
- Mr. White asked about the survey provided compared to the existing conditions of the property. Mr. Ingram described the changes and testified the impervious coverage calculations are accurate.

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- Mr. Ingram testified there are no current issues with drainage on the property.
- Mr. Kois noted this development was not a court consent order but it may have been built at a higher percentage.
- There was more discussion about the existing pavers and walkway.
- There was discussion about the gutters on the addition; they will go underground, sloping towards the street.
- Mr. Stamler motioned to approve at 23% impervious coverage with gutters as proposed, seconded by Mr. Monte.
- Roll Call:** Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Gladstone - yes; Mr. Stamler - yes; Mr. Monte - yes; Vice Chairman Haines - yes. Motion carries.

Andrea & Gaetano GERACI - File BA-15-25 - Block 207.03, Lot 4 - 1 Davenport Way. Applicant seeking 'c' Bulk Variance for relief from Maximum Impervious Coverage and other such variances, waivers, and approvals required to expand an existing patio on property located in the RA District.

- Gaetano and Andrea Geraci, applicants, were sworn in.
- Mr. Geraci described the existing conditions. He testified that there have been no additions to the property since the original construction and there is no way to reduce existing driveway or walkways.
- Mr. Geraci testified they cannot buy any additional land.
- There was discussion about runoff. For this addition the water will run to the storm drain underground. He testified that there is no puddling.
- John Lazorchak, A&L Landscaping, was sworn in as a fact witness.
- Mr. Lazorchak described the drainage of the property, noting the catch basin in the back.
- There was discussion about reducing the patio. Mr. Geraci suggested 15.75% impervious.
- Mr. Stamler motioned to approve at 15.75% impervious coverage with the downspouts as proposed, seconded by Mr. Herbert.
- Roll Call:** Mr. Valcheck - yes; Mr. Herbert - yes; Mr. Suraci - yes; Mr. Gladstone - yes; Mr. Stamler - yes; Mr. Monte - yes; Vice Chairman Haines - yes. Motion carries.

CORRESPONDENCE

- None

ADJOURNMENT

The meeting adjourned at 8:29 p.m.

Respectfully Submitted by: David Kois, P.P., Deputy Planning Director/Zoning Official/Board of Adjustment Secretary/Clerk