

Township of Hillsborough – BOARD OF ADJUSTMENT

APPROVED Meeting Minutes

June 3, 2026 – 7:00 pm

Vice Chairman Robert Movshin called the June 3, 2026, Board of Adjustment meeting to order at 7:02 pm and led the flag salute.

NOTICE OF MEETING

Vice Chairman Movshin stated this meeting has been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 (“Sunshine Law”). Notice of this meeting has been provided to the officially designated newspapers; the Township Clerk; posted on the Township’s Website; and available at the Hillsborough Township Municipal Complex. Application documents /plans have been made available on the Township’s website:

<https://hillsboroughnj.portal.civicclerk.com/>. Complete application files are available in the Planning and Zoning Department for inspection Monday to Friday from 8 am to 4 pm, in accordance with the public meeting notice.

ROLL CALL

Present - Frank Herbert	<i>Absent</i> - Tom Ramsey, <i>Chairman</i>
Present - Tim Lockburner	Present - Jim Wohlmacher
<i>Absent</i> - Helen Haines	<i>Absent</i> - Richard Zygadlo (<i>Alt. 1</i>)
Present - Robert Movshin, <i>Vice Chairman</i>	Present - John Oliver (<i>Alt. 2</i>)
Present - Mildred Molina	

Also in attendance: Marcella McLaughlin *Assistant Planning Director / Zoning Official / Board Secretary*; Mark Anderson Esq., *Board Attorney (Woolson Anderson Peach, P.C.)*; Mark S. Mayhew PE, CME, 2025, *Board Engineer (Pennoni Associates)*; Tina Restuccia, CCR, *covering Board Court Reporter*.

CONSIDERATION OF MEETING MINUTES

- None

CONSIDERATION OF RESOLUTIONS

- **Bhavani Veerapaneni – BA-25-06**

Ms. Restuccia states the Board members eligible to vote on the matter.

Motion: Mr. Lockburner motions to approve, seconded by Ms. Molina.
There were no further comments from the Board

Roll Call:

Yes - Mr. Herbert	Yes - Ms. Molina
Yes - Mr. Lockburner	Yes - Mr. Wohlmacher
Yes - Vice Chairman Movshin	

Motion carries.

- **Railsedge Management, LLC – BA-25-06**

Ms. Restuccia states the Board members eligible to vote on the matter.

Motion: Mr. Lockburner motions to approve, seconded by Ms. Molina.
There were no further comments from the Board.

Roll Call:

Yes - Mr. Herbert	Yes - Ms. Molina
Yes - Mr. Lockburner	Yes - Mr. Wohlmacher
Yes - Vice Chairman Movshin	

Motion carries.

BOARD OF ADJUSTMENT BUSINESS

- Mr. Herbert proposes adding to the bylaws a limit on how long an application can be carried without being heard. He suggests six months to a year.
- Mr. Anderson states it can be established by ordinance or Board bylaws.
- The Board agrees to discuss at the next meeting.

BUSINESS FROM THE FLOOR (*Open to public comment for matters not on the agenda*)

- None

PUBLIC HEARING - APPLICATIONS

- **Phoenix Carriage Farm, LLC – BA-24-07 (TOD 12/31/26 EXT)** - Block 200.10, Lot 4 (Formerly Block 200.B, Lot 4) – 2 Clerico Lane. Applicant seeking Preliminary and Final Major Site Plan Approval; ‘d’ use variance; ‘c’ bulk variances; and waivers for construction of four walk-up restaurants in cargo containers; 46 two-story townhouse apartments spread over four buildings; an amphitheater and stage behind the existing brewery; with associated improvements, on Property located in the GC, Gateway ‘C’ Zone. Property is also identified in the Historic Preservation Plan Element, Hillsborough Township Master Plan, Township of Hillsborough Somerset County, Adopted April 5, 2001, as located within the Proposed Clerico Lane Historic District, and listed as Hillsborough Historic Site #36 (“Van Nuys House”). ***Applicant adjourned from January 21, 2026 agenda with notice. Requested to be further adjourned to December 2, 2026 with notice.***

Motion: Mr. Wohlmacher motions to carry the application to December 2, 2026, with notice, seconded by Mr. Oliver. Mr. Anderson states if the previously mentioned bylaw is added after the extension date of this application, it would not apply to this application.

Roll Call:

Yes - Mr. Herbert	Yes - Ms. Molina
Yes - Mr. Lockburner	Yes - Mr. Wohlmacher
Yes - Vice Chairman Movshin	Yes - Mr. Oliver (<i>Alt. #2</i>)

Motion carries.

- **Millenium Car Wash – BA-25-04 - (TOD 07/31/26 EXT)** Block 180.01, Lot 4 (Formerly Block 179) – 876 Route 206. Applicant is seeking a 'd' use variance to convert covert two of the existing four car wash bays into two oil change bays, leaving two remaining car wash bays, on property located in the R / Residential Zone District. ***Applicant’s Legal Notice determined not sufficient to be heard on June 3, 2026, adjourned to the September 16, 2026, Agenda with Notice.***

Participants: Michael Fedun, Esq., Singer & Fedun, LLC. - Applicant’s attorney; Michael Ford, PE, PP, Van Cleef Engineering - Applicant’s Engineer; John McDonough, LA, PP, AICP, - Applicant’s Planner.

Motion: Mr. Lockburner motions to adjourn September 16, 2026, with notice, seconded by Mr. Wohlmacher.

Roll Call:

Yes - Mr. Herbert	Yes - Ms. Molina
Yes - Mr. Lockburner	Yes - Mr. Wohlmacher
Yes - Vice Chairman Movshin	Abstains - Mr. Oliver (<i>Alt. #2</i>)

Motion carries.

- **John Lazorchak - File BA-24-12** - Block 11, Lot 18 – 703 Amwell Road. Applicant seeking "c" bulk variances and waivers for various improvements to the existing single-family dwelling, on property located in the AG, Agricultural Zone. The applicant was adjourned from the January 21, 2026 reorganization meeting agenda to approved June 3, 2026 meeting agenda with notice.

Participants: Kenneth R. Quabeck, RA, Quabeck Architecture, LLC – Applicant's Architect; Michael Ford, PE PP, Van Cleef Engineering – Applicants Engineer.; Paul Gleitz, PP, AICP, L & G Planning – Applicant's Planner.

- 1) 7:09 pm start of hearing.
- 2) **John Lazorchak** is sworn in and introduces himself. He summarizes the application which includes but is not limited to brief history of the building, discussions with the Historic Preservation Commission and their recommendations.
- 3) **Kenneth Quabeck**, architect for the applicant, introduces himself. He describes the property including comparison to other properties in the historic district and discusses the interior and what contributes to making it uninhabitable. He explains their plan to restore and add-on to create a four-bedroom home with two-car garage. He states the existing cesspool will be abandoned-in-place, large shed will be removed and new septic system will be installed along with the necessary utilities for the property. He states they made changes to the porch columns based on HPC recommendations. He discusses the variances which include but are not limited to impervious coverage, relief of 12.4% which will allow him to expand the house slightly and incorporate the driveway with egress out to Amwell Rd; front yard setback with proposed porch; minimum lot area – 10 acres minimum required in the AZ, 1.09 acres existing & proposed; minimum setback – 400 feet require, 249 feet existing & proposed and is a pre-existing, non-conforming condition; minimum lot depth – 400 feet required, 175 feet exist & proposed and is a pre-existing, non-conforming condition.
- 4) Mr. Quabeck discusses the plans stating Exhibit-1 is the existing plans for the existing historic structure and Exhibit-2 shows the current elevations and the small porch at the rear, due to disrepair, is the only thing being removed from the structure.
- 5) Mr. Herbert asks what the front set-back is from the county right-of-way and what does adding the porch on bring it to
- 6) Mr. Quabeck states it is about 6.68 feet and with the porch will be 4.3 feet.
- 7) A Board member asks if this is a historic home.
- 8) Mr. Quabeck confirms it is listed on the Township Historic Preservation Plan Element for the Hillsborough-Neshanic Historic District.
- 9) A Board member asks if it is correct that they would not be able to confirm to this property if the historic structure did not exist.

- 10) Mr. Quabeck confirms with all the setbacks they would not have a buildable area in the agricultural zone.
- 11) Mr. Herbert asks what the Township Historic Preservation Commission's concerns were and if their preference is restoration over demolition.
- 12) Mr. Quabeck confirms.
- 13) Vice Chairman Movshin opens to public comment.
- 14) There is no public comment.
- 15) Mr. Mayhew states in their letter they expressed concerns about the driveway and that there should be testimony justifying why a lesser variance would not work.
- 16) Mr. Quabeck defers the question to Mr. Ford's testimony and discuss vehicle's needing ability to access the garage.
- 17) Mr. Mayhew asks, based on the width, if there is an intent to allow for two card to park side-by-side.
- 18) Mr. Quabeck states no and discusses their method of determining an appropriate size.
- 19) There is a discussion about vehicle maneuverability in the driveway.
- 20) **Michael Ford** is sworn in and states his credentials.
- 21) Mr. Ford acknowledges the need for onsite parking due to the location on Amwell Road and offers some options for the driveway layout.
- 22) Mr. Mayhew states his office would be comfortable with allowing Mr. Ford to develop a plan to reduce the area by 300 sq. ft
- 23) Mr. Ford lists the responses received from outside agencies including but not limited to D&R Canal Commission acknowledging the project is exempt from their review, and a 'pending application' for the 'flood hazard area verification' from NJDEP. He discusses the Pennoni review letter.
- 24) Mr. Ford states the property has public water service with a low-grade septic system and a new design which would be subject to Board approval. He discusses the stream corridor and how it creates a hardship for building on the property.
- 25) Mr. Mayhew points out the stream corridor is discussed in his May 9, 2026 review letter. He asks Mr. Ford for purpose of the record, if he agrees to address all the comments in the review letter and offers to discusses any he has concerns with.
- 26) Mr. Ford states the applicant has no objection.
- 27) Mr. Mayhew states there are several stream corridor variances and waivers which the applicant has requested and asks Mr. Ford or Mr. Quabeck to speak to the reasons. He states his office does not object to the term "hardship" and briefly describes the stream corridor exhibit document.
- 28) Mr. Herbert asks for clarification on where the conservation area is on the property.
- 29) Mr. Mayhew asks if it is possible for the DEP, when reviewing the repairing zone, to determine it is more than 50 feet as is currently anticipated and if so, what can be done to deal with it.
- 30) Mr. Ford states they have prepared for up to 150 feet. He discusses why they believe it will remain at 50 feet.
- 31) Mr. Mayhew states his office is comfortable with the recommendations they made, including the conservation easement recommendation and reminds an approval would be contingent on the DEP.
- 32) Vice Chairman Movshin asks for clarification on Mr. Mayhew's chart where the proposed 50 feet buffer is located and if it is approved what would be permitted in that area, in comparison to a conservation easement; would a shed be permissible.
- 33) Mr. Mayhew explains it is less restrictive than a conservation easement but does not know if a shed specifically is permissible.
- 34) There is a discussion about the location of the easement.

- 35) Mr. Anderson asks if that area that is designated as subservice infiltration basin is intended to mitigate the sum of the excess impervious coverage and if so to what extent it mitigates.
- 36) Mr. Ford confirms and explains it is an ordinance requirement.
- 37) Mr. Mayhew confirms Mr. Ford is correct regarding the ordinance requirements.
- 38) Mr. Anderson asks him to review the impervious coverage calculations and discuss how much of the total is mitigated by stormwater.
- 39) Mr. Ford states he believes it is the difference between the 12.4 and 8 allowed.
- 40) Mr. Anderson asks if he is proposing 100% mitigation of the excess over 8%.
- 41) Mr. Ford confirms.
- 42) Mr. Anderson asks him to discuss the FHA line.
- 43) Mr. Ford explains how the FHA line is determined.
- 44) Mr. Anderson states, in general, the Board approves applications, should they be approved, by impervious percentage and asks if they have an agreement that the impervious coverage for this property will be reduced by 300 feet.
- 45) Mr. Ford confirms.
- 46) Mr. Anderson offers an alternative that if the Board approves, it be by square footage.
- 47) existing lot as it pertains to the right-of-way, the purposes, positive and negative There is a discussion about the figures.
- 48) Vice Chairman Movshin opens to questions from the public for this witness.
- 49) There is none.
- 50) **Paul Gleitz**, planner for the applicant, is sworn in and states his educational and professional background.
- 51) Mr. Gleitz reminds the property is in the Agricultural (AG) district and discusses some of the purposes in the AG district. He points out other properties with homes in AG districts. He describes the property including but not limited to the reduction of the criteria.
- 52) There was a discussion about Historic Preservation Commission requests.
- 53) Mr. Gleitz states they will comply with their recommendations regarding the porch columns and windows.
- 54) Mr. Anderson asks if the county right-of-way is proposed to be widened in front of this property.
- 55) Mr. Gleitz explains why it is necessary to dedicate frontage to the county-right-of-way and confirms the applicant is prepared to implement this.
- 56) Chairman Ramsey opens to questions from the public for this witness.
- 57) There are none.
- 58) Vice Chairman Movshin closes to public comment.
- 59) Mr. Herbert states it is a good proposal, rehabilitating a forgotten building and with considerations from the HPC. Other members agree rehabilitating a building is a positive thing.

Motion: Mr. Herbert motions to approve with conditions: the Board Engineer's recommended approvals from DRCC, Somerset County Soil Conservation District, NJDEP Flood Hazard Permit, Conservation Easement (per the board engineer as described in the hearing), revised driveway area plan and impervious maximum of 5,605 sf., seconded by Mr. Wohlmacher.

Roll Call:

Yes - Mr. Herbert

Yes - Ms. Molina

Yes - Mr. Lockburner

Yes - Mr. Wohlmacher

Yes - Vice Chairman Movshin

Yes - Mr. Oliver (*Alt. #2*)

Motion carries.

6o) 8:37 pm end of hearing.

ADJOURNMENT

A motion to adjourn was made by Lockburner, seconded by Mr. Wohlmacher. Motion carries unanimously.

8:37 pm meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*