

App.
7/22/15

RARITAN PLANNING & ZONING BOARD
22 First Street
RARITAN, NEW JERSEY

Minutes of November 19, 2014 Meeting

Present: Mayor Liptak

Chairman, T. Granahan
Ms. D. Thomas
Mr. W. Cunningham
Mr. R. Rispoli
Mr. J. Gausz
Mr. T. Brown
Mr. D. Forktus

Absent: Councilwoman Cara
Mr. R. Miller

Also Present: Susan Rubright, Esq.

Chairman Granahan called the meeting to order at 7:30 p.m.

Flag Salute

Board Secretary reads the Open Public Meeting Notice as follows:

This meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Courier News on January 11, 2014. In addition, copies of the notices were posted on the bulletin board in the Municipal Building, on the Raritan Borough website, and filed in the Office of the Borough Clerk. They were also sent to those people who have requested and paid the cost for mailing same. Notices on the bulletin board have remained continuously posted. Proper notice having been given, the Board secretary is directed to include this statement in the minutes of this meeting.

Minutes:

Approval of October 22, 2014 minutes

Engineer's Report: No report

Zoning Officer's Report: No report.

Miscellaneous:

Old Business:

Readoption of the Resolution for Raritan Real Estate, LLC with modifications.

Unedited version of the Resolution was signed in error. Motion made to adopt the corrected Resolution made by Mr. Cunningham and 2nd by Mayor Liptak. Members of the Board were in agreement and Ms. Thomas abstained.

Bagelicious Site Plan and Use Variance for Block 96, Lot 13, 25 East Somerset Street. B-1 Zone.

Attorney Rubright notified the Board that this is the applicant's 2nd request for an adjournment and recommends the Board require applicant to renotice.

Chairman Granahan agreed to adjourn the application to the January 25th meeting requiring the applicant to renounce.

Motion made for renounce by _____ and 2nd by J. Gausz. All members of the Board in agreement.

Raritan Public Library, Block 11 Lot 1; 54 East Somerset Street. Site plan and use variance application for an approval for an addition to the Library.

Mr. Rispoli and Mayor Liptak recused themselves from this hearing.

Robert Pearle, Esq. is representing the Raritan Public Library. Attorney Rubright states to Attorney Pearle that the ordinances are prepared and adopted by the governing body and the municipality does need to appear for approval unless it specifically exempts itself. Attorney Rubright believes she and the applicant's attorney interpreted the ordinance to read that the municipality did not specifically exempt itself from having to obtain planning board approval for this application. She also states that should it deem to do so, Council is advised that it can pass an ordinance to exempt itself.

Seeking to allow for expansion of the Raritan Public Library of 600 sq. ft. to provide for a community room.

Swearing in of Mr. Ron Rispoli from the Raritan Public Library Board of Trustees.

Mr. Rispoli states the Board of Trustees is looking for an additional 600 sq. ft. of space to allow a community center. He states the Library has not been updated and is unable to accommodate the current demands needed for space and patrons. The community center will accommodate meetings, programs for both adults and children. Maximum occupancy will allow 60 people and as the street parking is sufficient, further demand is not required.

Mr. Rispoli states the Basilone Museum which is currently upstairs will be brought downstairs and placed on the walls of the community center.

Swearing in of David Stires

Mr. Stires states access will remain the same and there will be the removal of the secondary ramp. Overall increase will be 590 sq. ft. The continuous raised bed which drains out to Wycoff and Glasier will have no increased flow to neighboring properties however, Mr. Stires states that Mr. Rispoli has suggested two alternatives: 1) current pavers (approximately 450 sq. ft. be replaced with pervious pavers or; 2) adding a drywell. Ms. Thomas states she can put the Library in touch with a company which can give a demonstration on pervious pavers and this will remain open for discussion at this time.

Mr. Stires states that they are not proposing any impact to the on street parking. Ms. Thomas questions if another handicapped space will be necessary with the addition. Mr. Shreck states there is an existing depressed curb to which the Boro has a contract to have corrected, they can pull one space to add for one additional handicapped space. Mr. Rispoli states parking on East Somerset Street is not optimized due to the lack of delineated painted lines.

Swearing in of Mr. Anthony Iovino; Pratt Institute graduate and licensed architect in the State of NJ since 1991.

Exhibits are marked as A1 – photos of the existing building; A2 – renderings.

A1 shows part of the additions becomes engulfed by the addition and the rendering has the new phase look to the doors and windows facing Wycoff. Mr. Iovino states the local historic board is in agreement with the current proposal. The 1974 addition is all book staff. The current L shaped room will now be

straight. The back of the 74 addition will also have double doors added to add access to the new assembly room. Air conditioning units will be buffered for sound with a solid fence and landscaping.

Chairman Granahan is concerned that there are currently no exits in the staff's room and would like to see one of the windows converted into an exit in the event of an emergency.

Mr. Iovino confirms that there will be no changes effecting the public or residences due to the addition on the library. He feels the positives in adding on outweigh the negatives.

Open to Public for questions or comments:

Unidentified resident states that he agrees with the painting of the stripes for parking.

Conditions for site plan:

- Applicant will replace the existing pavers with pervious pavers or pervious substances;
- will work with the boro engineer in regards to the rainwater project for capturing rain water for landscaping purposes;
- lighting on the handicap ramps
- buffering and landscaping of AC units
- appeal to council for parking delineation and to clean up easements

Motion to approve the preliminary and final site plan approval for the addition as well as approve for the expansion of the preexisting D1 or D2 variance, C variance for impervious coverage, setbacks and parking. Mr. Brown makes the motion and is seconded by Ms. Thomas. All voting board members approve.

Mayor and other board members are asked to rejoin the forum.

New Business:

Barbieri Bros., LLC. Site plan and use variance application for Block 109, Lot 1.03. B-1 Zone.

Bill Robertson, Esq., of DiFrancesco, Bateman & Hoffman, council for the applicant is present.

Attorney Robertson states the applicant received site plan approval to construct a 3 story multiuse building in 2005-2006 with office and retail space on the first floor. Applicant is seeking to amend the prior site plan approval and to seek a use variance to put apartments on the first floor.

Swearing in of Robert Gazzele; licensed engineer since 1990. Has appeared before numerous boards in the surrounding communities.

Mr. Gazzele's office has been involved in the site plan since 2005. He states the slab has not yet been poured but the utilities are in place. He states there are significant changes to the surrounding area since the approval in 2005.

Original approval was for a 3 story building with retail and offices on the ground floor and residential units on the 2nd and 3rd floors with 56 parking spaces. Applicant is asking for the ability to eliminate the retail spaces and instead add residential units to the ground floor. Modifications which have been made are as follows:

- reduction in the amount of needed parking spaces
- increased green space
- updated lighting to LED fixtures
- addition of brick patio

Actual building footprint has no change.

Testimony of James Kyle, previously sworn in at prior meeting.

Mr. Kyle is familiar with and has visited the subject property. Applicant is seeking relief on the use variance for the proposed residential units on the ground floor where not permitted; the D5 density variance. Apartments on 2nd and 3rd floor will be approximately 900 sq. ft and the ground floor units approximately 608 sq. ft. 1 bedroom apartments.

Exhibit A3 shows sliding doors out to Elizabeth Street. Originally the building was constructed of brick. Applicant would like permission to change and remove brick from the area above the overhang and instead use a mix of brick for the ground floor with siding for the 2nd and 3rd floors.

Mr. Kyle feels that the building will positively promote public welfare by offering ground floor residential units which may be unavailable in the boro. There will be onsite amenities for the residents and the new plan has reduced impervious coverage by 10%. Land use plan preserves the residential plan of the B1 District. It also strengthens vitality by not competing with offices and businesses in the district. New residents will continue to support the B1 District businesses.

Enhanced quality of proof – circumstances have changed since the ordinance was put in place and approved. In 2005-2006 financing changed dramatically. Chairman Granahan asked Mr. Kyle to describe the change in the financial landscaping. Mr. Kyle stated that the applicant has been unable to obtain financing to construct the project as it was approved as lenders were concerned for the security of their investment.

Mr. Kyle states that Jeff Otto (NJ real estate expert) through analogies has indicated that the current market in NJ is as follows:

- NJ currently has an 11 year supply of age restricted housing
- NJ currently has a surplus of retail space until 2031; and
- NJ currently has a surplus of office space until 2043

Currently, the supply for multifamily housing is only enough for the next 2 ½ months. D5 Density Variance – 15 units approved, they have 25.3. Memo from Mr. Maski stated the standard is different than the D1 variance and it needs to be determined as to whether or not the site can accommodate the additional density.

C1 Floor plan consists of 1 9x12 bdrm., LR, DR, kitchen, mechanical closet with laundry in each unit. No storage in bldg. other than mechanical and bdrm closets.

Chairman Granahan to Mr. Kyle: Applicant should have secured finances when application was approved.

Mr. Kyle: Financing could have been obtained if the bldg.. was flipped with the post office.

Chairman Granahan: Time between approval and financial crisis is 3 years.

Mr. Kyle: Mr. Barbieri has attempted to obtain financing since the application was approved.

Chairman Granahan: How much space is between the wall and the fence?

Mr. Kyle: 12 ft.

Chairman Granahan: Fence to curb?

Mr. Kyle: 4 ft.

Chairman Granahan: That proximity to the curb may be inappropriate. No one has thought to offer testimony on the changes to the upper units. There has been no discussion on other issues because of the commitment to the original footprint.

Mr. Kyle: Given the depth of the lot not much can be done to change the footprint.

Ms. Tomas recommends use of the first floor for amenities for the tenants and to eliminate the ground floor residential units. She feels 600 sq. ft. is inappropriate living space and it appears the units are being crammed in for financial gain.

Mr. Brown is concerned that the front yard is on the curb. Mr. Cunningham and Mr. Forktus are in agreement with the concerns of the other board members. Mr. Rispoli feels the applicant needs to consider an emergency system such as a generator so the residents of this building are not a burden to the borough in the event of an emergency.

Chairman Granahan states if the applicant is seeking relief, there needs to be something unique about the design.

Mr. Kyle asks for an adjournment and Attorney Rubright states a two month adjournment can be granted without the need for further notice.

Swearing in of Pat Barbieri; Applicant, Branchburg, NJ.

In 2005, applicant went to Fulton Bank to obtain a loan for this and other projects. In 2008, the bank rescinded their loan. Applicant then went to several different banks and it was recommended they try to lease out the first floor of the building for at least 5-7 years. He states if the board is unhappy with the 1 bdrm. units, he will come up with something different.

Chairman Granahan recommends they rethink the project and do something viable for the space.

Public Comments: None.

Motion to adjourn made by [REDACTED] and seconded by [REDACTED]. All approved.

Respectfully submitted,

Lisa Snyder