

BOROUGH OF RARITAN
Planning Board Regular Meeting
MINUTES
October 25, 2017

CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the Raritan Municipal Building. The Chairman read the Open Public Meetings statement 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 19 and Star Ledger on January 26, 2017. 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 was directed to include this statement in the Minutes of this meeting.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor C. McMullin
Councilman Z. Bray
Mr. W. Cunningham
Ms. D. Thomas
Mr. J. Gausz
Mr. D. Fortkus
Ms. A. Goetsch
*Mr. M. DeCicco**

Also Present: Susan Rubright, Board Attorney
Stan Schrek, P.E.
Angela Knowles, P.P.
Lou Gara, Construction/Zoning Official

Absent: Mr. R. Miller
Mr. T. Brown
Mr. R. Zack
Mr. E. Wilde
Mr. J. Krajewski

**Arrived late (7:14)*

ELECTION OF CHAIRPERSON

Motion by Mr. Gausz, **seconded** by Mr. Fortkus and unanimously carried to elect Bill Cunningham as Chairman in the absence of both Rick Miller and Tom Brown.

ROLL CALL

Aye: *Mayor McMullin, Councilman Bray, Mr. Cunningham, Ms. Thomas, Mr. Gausz, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

Ms. Rubright introduced Lindsey Cameron whom she advised would be observing the meeting.

MINUTES

Motion by Mr. Gausz, **seconded** by Mr. Fortkus to adopt the **September 27, 2017** meeting Minutes, as presented.

ROLL CALL

Aye: *Mayor McMullin, Councilman Bray, Ms. Thomas, Mr. Cunningham, Mr. Gausz, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

ENGINEERING REPORT

Mr. Schrek related that compliance review for Quick Check was underway with site construction scheduled to begin soon. He advised that compliance review was also underway for Fortitude Fitness and that interior demo work had been done. With respect to Block 81, Mr. Shrek advised that he was reviewing compliance documents. He related that although he had signed off on compliance for the site on Route 202, no preconstruction meetings had been held given issues potentially related to financing. He explained that LabCorp was slowly proceeding towards compliance while working with the State on their TWA.

CONSTRUCTION/ZONING OFFICIAL REPORT

Mr. Gara related that the apartment building behind the post office would likely get a CO by Friday. He advised that permits had been issued for renovation of the office use at the liquor store site and that the 'shell' of the Larkin building was up with Building #2 having been fully renovated and presently occupied by Somerset Pediatrics.

PLANNER'S REPORT

Ms. Knowles provided an update on the status of the Master Plan Reexamination. The Land Use Plan Element in particular was discussed at length. Redevelopment, zoning and design standards were also discussed. Ms. Knowles offered that the Master Plan would serve to provide several action items which would be discussed at an upcoming formal hearing.

APPLICATION/HEARING

Grzebyk (Block 98, Lot 7.03)
10 Coddington Street, Raritan
Bulk Variance Relief

Angela Knowles recused herself at 7:25.

Mr. Gara confirmed that Notice for the hearing was in order.

George Folk, P.E. entered his appearance on behalf of the applicant. He and the applicant, Antoni Grzebyk were sworn in.

Mr. Grzebyk testified that he purchased the property in 1997 as a two family home with a lot on the right side that had been subdivided. He explained that although he had intended to build a house for his daughter on the lot, his plans changed and as such, he would like to build a garage there.

Referencing an exhibit size version of Sheet 2 of the plan set, Mr. Folk spoke to the extension of the existing stone driveway and roof covering over the exterior deck in order to accommodate a one car garage.

Mr. Folk spoke to the need for relief with respect to the location of the garage (setbacks) and impervious coverage. He offered that the garage would be in keeping with the neighborhood. Mr. Schrek confirmed that there would be no mitigation necessary with respect to coverage. Drainage was discussed. Mr. Shrek offered that the stone drive should be maintained so as not to exacerbate the existing condition. At the behest of Mr. Cunningham, Mr. Folk confirmed that the structure would be a one car garage. The Board Attorney clarified that it would be 500 square feet in size and the property owner testified that there would be two doors [left at 6' wide and right at 8' wide] rather than any overhead doors.

Aesthetics of the structure were discussed. Ms. Thomas offered that the siding should be the same color as the house. Lighting and landscaping were discussed. Mr. Grzebyk testified that there would be two small lights

over the deck so none would be needed on the garage itself. Mr. Schrek offered that there was no space for landscaping.

The Chairman opened the floor to public comment at 7:44. There was none.

The Board Attorney reviewed the conditions of approval with respect to the keeping of the stone driveway, drainage and lighting. She reviewed the proofs with respect to c1 and c2 variances and offered that the positive criteria had been met. Mr. Shrek offered that the only negative impact was the increase in impervious coverage. Mr. Folk offered that the garage would eliminate an existing condition with respect to parking not permitted in the front yard.

Motion by Ms. Thomas, **seconded** by Mr. Gausz and unanimously carried to approve the application with conditions as enumerated by the Board Attorney.

ROLL CALL

Aye: *Mayor McMullin, Councilman Bray, Mr. Cunningham, Ms. Thomas, Mr. Gausz, Mr. DeCicco, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

EXECUTIVE SESSION

Ms. Rubright announced that the Board would be entering into Executive Session in order to discuss pending litigation regarding the Planning Board and the Fair Share Housing Center.

Motion by Councilman Bray, **seconded** by Ms. Thomas to enter into Executive Session at 7:55.

ROLL CALL

Aye: *Mayor McMullin, Councilman Bray, Mr. Cunningham, Ms. Thomas, Mr. Gausz, Mr. DeCicco, Mr. Fortkus, Ms. Goetsch*

Nay:

Abstain:

The Board returned from Executive Session at 8:29. Ms. Rubright provided a brief summary of the discussion.

MISCELLANEOUS

Ms. Thomas related that Duke Farms had opened the arboretum on the inside and that the gate would open in November.

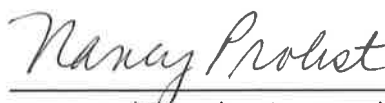
PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Motion by Mr. Fortkus, **seconded** by Mr. Bray to adjourn at 8:30.

Respectfully submitted,



Nancy Probst, Planning Board Secretary

APPROVED 11.29.17

BOROUGH OF RARITAN
Planning Board Executive Session
MINUTES
October 25, 2017

The Board motioned into Executive Session at 7:55 p.m. An announcement was made that the session was being held in order to discuss matters of pending litigation.

The Board Attorney explained that a lawsuit had been filed against the Borough, the Planning Board and JMF Developers by the Fair Share Housing Center in an attempt to revoke immunity and void the approval in response to the number of affordable units. She provided an update on the status of negotiations between and among the parties and advised that the Borough and the applicant could settle by way of Consent Order. Ms. Rubright announced that a global settlement had been reached on Tuesday given JMF Developers' agreement to provide twenty affordable units rather than six. She explained that the lawsuit was being dismissed based on several conditions but that it had to come back before the Planning Board for approval on the nature of the settlement.

Mayor McMullin spoke at length to the court proceedings.

Mr. Cunningham asked about the associated costs. A brief discussion ensued about how the FSHC is funded.

Potential dates for a Whispering Woods Hearing were discussed.

Motion by Mayor McMullin, **seconded** by Mr. Gausz and unanimously carried to conclude Executive Session at 8:29.

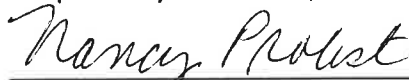
ROLL CALL

Aye: Mayor McMullin, Councilman Bray, Mr. Cunningham, Mr. Gausz, Ms. Thomas, Mr. DeCicco, Mr. Fortkus, Ms. Goetsch

Nay:

Abstain:

Respectfully submitted,



Nancy Probst, Planning Board Secretary

APPROVED 11.29.17