BOROUGH OF RARITAN
Planning Board Meeting
MINUTES
July 25, 2018

CALL TO ORDER & FLAG SALUTE

The Chairman called the meeting to order at 7:00 p.m. in the Raritan Municipal Building. He 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 November 30, 2017 and The Star Ledger on January 10, 2018. 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.

ROLL CALL

Present:	Mr. R. Miller	**Absent:**	Ms. D. Thomas
	Mayor C. McMullin		Mr. M. DeCicco
	Councilman N. Carra		Mr. R. Zack
	Mr. W. Cunningham		Mr. J. Krajewski
	Mr. J. Gausz		
	Ms. A. Goetsch		
	Mr. T. Delacruz		
Also Present:	Lindsay Cambron, Esq. (for Susan Rubright, Board Attorney)		
	Stan Schrek, P.E.		

MINUTES

Motion by Mr. Gausz, **seconded** by Ms. Goetsch and unanimously carried to approve the **April 25, 2018 Minutes**, as presented.

ROLL CALL

Aye: *Chairman Miller, Mayor McMullin, Councilman Carra, Mr. Cunningham, Mr. Gausz, Mr. Delacruz, Ms. Goetsch*

Nay:

Abstain:

TRC UPDATE

The Chairman advised that there were no meetings coming up. The 04/26/18 TRC Minutes were carried.

ENGINEERING & PLANNING REPORTS

Mr. Shreck provided status updates on Quick Check, Block 81, Labcorp, the Zeus property and the small strip mall on Route 202. In the absence of Ms. Knowles, there was no Planning report.

ZONING OFFICIAL REPORT

Lou Gara acknowledged that he would be resuming his duties to the Board.

APPLICATIONS

Information Technology
1003 US Highway 202 (Block 31, Lot 4.01)
Site Plan (Walking Trail)

Marcia Zalewski entered her appearance on behalf of the applicant. Ms. Zalewski provided an overview of the application which she explained would incorporate a closed route natural walking path around the property including pervious pavement, a bridge and signage.

George Folk, P.E. of David Stires Associates was sworn and qualified.

Exhibit A-1, identified as a colorized version of Sheet 2 of the plan set was marked into testimony. Mr. Folk oriented everyone to the site and explained that the work would be done in two phases [north, then south]. He related that the proposal included pervious pavement, benches and instructional signage; the latter of which he explained is required by the DEP with respect to the wetlands on site. Mr. Folk explained that they would be seeking a DEP General Permit #17 for two areas on the site that transition into the wetlands buffer.

Mr. Folk requested and was granted waivers for administrative items 1,3,4,6 and 7 of Mr. Shrek's July 23 review letter. He indicated he would comply with items 2 and 5.

Completeness Determination
Motion by Mr. Gausz, **seconded** by Mr. Delacruz and unanimously carried to deem the application complete for hearing.
ROLL CALL
Aye: *Chairman Miller, Mayor McMullin, Councilman Carra, Mr. Cunningham, Mr. Gausz, Mr. Delacruz, Ms. Goetsch*
Nay:
Abstain:

Mr. Folk testified that they would comply with [technical] items 1-4 and 8. As to item 5, he testified that a bench would be provided on the plan. ADA compliance was discussed. As to item 6, Mr. Shrek explained that if not for public use, the proposal would be subject to development fees. Ms. Zalewski acknowledged that the applicant was aware of the fees. With respect to item 7, Mr. Folk explained that they did not add the pervious area into the impervious coverage calculations because doing so would create a [deminimus] overage. Mr. Shrek offered that this was acceptable for this application since the zoning ordinance does not recognize pervious pavement. Mr. Shrek asked that this be brought to Ms. Rubright's attention along with two other items that need to be addressed in a future ordinance update.

With respect to item 9, Mr. Folk testified that the project received County approval and that he would check the status of the Soil Conservation approval. He testified that the DEP application had been submitted and that he would follow up on Police and Fire comment as there had been none to date.

Mr. Folk acknowledged Mr. Shrek's request to talk later about a pedestrican bridge over the spillway. Mayor McMullin realted that he spoke to Mr. Stires and that the Borough is interested in the connection as they want to work with Johnson&Johnson, Carlisle and Stonebridge in order to connect up to Tillman with respect to a bikeway leading under the overpass on First Avenue to an improved intersection at Labcorp. Paul Romberger who identified himself as the Regional Facilities Manager, acknowledged in the affirmative. Mayor McMullin clarified that this would be for an east-west connection on that side of the tracks, coming out of the Johnson&Johnson facilities. Mr. Shrek indicated that there were grant opportunities with the DOT.

The Chairman opened the floor to questions of Mr. Folk at 7:30. There were none.

Ms. Cambron summarized the relief being requested as well as the special conditions attached thereto.

Motion by Councilman Carra, **seconded** by Mr. Cunningham and unanimously carried to approve the variances, with conditions as discussed and as outlined by Ms. Cambron.

ROLL CALL

Aye: *Chairman Miller, Mayor McMullin, Councilman Carra, Mr. Cunningham, Mr. Gausz, Mr. Delacruz, Ms. Goetsch*

Nay:

Abstain:

East Ridge NJ, LLC
119 Route 202 (Block 29, Lot 1)
Minor Subdivision

Kimberly Bennett, Esq. of Fox Rothschild entered her appearance on behalf of the applicant. Ms. Bennett provided an overview of the application which she explained would involve the elimination of one use variance.

Tung To Lam, P.E. of Bohler Engineering and Lawrence Harder, applicant/owner were sworn in.

Mr. Harder explained that the purpose of the subdivision was to create a new tax lot for the tenant which he testified would give him flexibility and would not affect the site physically. The need for cross easements was discussed with respect to shared parking and continuous maintainence.

Completeness Determination

Mr. Schrek recommended waivers for items 1-7 on page 4 of his review letter for purposes of completeness. He stipulated that he would need to review each deed in connection with the easements if the subdivision was approved and recommended that this be a condition of the approval.

Motion by Mayor McMullin, **seconded** by Ms. Goetsch and unanimously carried to deem the application complete for hearing.

ROLL CALL

Aye: *Chairman Miller, Mayor McMullin, Councilman Carra, Mr. Cunningham, Mr. Gausz, Mr. Delacruz, Ms. Goetsch*

Nay:

Abstain:

The status of Quick Check's opening and potential tenants for the retail site were discussed briefly.

Exhibit A-1 entitled "Phasing Exhibit" was handed out and marked into testimony. Mr. Lam identified the line of demarcation drawn in red, clarifying that there were no physical barriers. The effect of a reduction in lot size on previously granted bulk variance relief and an increase in impervous coverage was discussed in accordance with item 4 in Mr. Shrek's review letter. Mr. Lam testified that they would comply with all items in Mr. Schrek's letter. He testified that they had received County approval and just needed a signature.

The Chairman opened the floor to questions of Mr. Lam and Mr. Harder.

Patrick Dinsmore of 523 Victoria Street asked about the location of the second trash enclosure on the retail lot. Mr. Lam testified that the location was the same as shown on the prior approval.

Ms. Cambron outlined the prosective conditions of approval, as discussed with clarification from Chairman Miller. The new variances created by the subdivision were discussed (as shown on Exhibit A-1). Ms. Cambron resumed with outlining the prospective conditions of approval.

Motion by Mayor McMullin, **seconded** by Councilman Carra and unanimously carried to approve the application, with conditions as discussed.

ROLL CALL

Aye: *Chairman Miller, Mayor McMullin, Councilman Carra, Mr. Cunningham, Mr. Gausz, Mr. Delacruz, Ms. Goetsch*

Nay:

Abstain:

MISCELLANEOUS

Mr. Schrek reminded the Board about the Stormwater Management requirement under the MS4 permit.

A discussion ensued about forming an ad hoc committee in order to discuss marijuana dispensaries. Chairman Miller related that he would ask the Board Attorney to compile some information for discussion purposes and asked that the Board members advise him as to their interest in participation.

PUBLIC COMMENT/ADJOURNMENT

The Chairman opened the floor to public comment at 8:16.

Tom Brown asked about the status of redevelopment on LaGrange Street. Mr. Shrek advised that he had a discussion with the applicant's attorney but that there was nothing "solid." Mr. Brown related that there was activity at the former sewing factory [storage of tires/removal of items from the building]. Mr. Shrek related that the last plan they saw was for a concept plan. Mayor McMullin offered that it might fall under Mr. Mulcahey's purview.

Motion by Mr. Gausz, **seconded** by Mr. Cunningham to adjourn at 8:19.

Respectfully submitted,

Nancy Probst

Nancy Probst, Planning Board Secretary

APPROVED 8/22/18