

**BOROUGH OF RARITAN**  
Land Use Board Meeting  
**MINUTES**  
December 18, 2019

**CALL TO ORDER**

Mr. Miller called the meeting to order at 7:00 p.m. and read the open public meetings statement in accordance with the law.

**FLAG SALUTE & ROLL CALL**

**Present**

Mr. Miller  
Mayor McMullin  
Mr. Carra  
Mr. Cunningham  
Ms. Thomas  
Mr. Gausz  
Mr. Delacruz  
Ms. Goetsch  
Ms. Carra  
Mr. DeCicco  
Ms. Sherwin

**Absent**

Mr. Sinagra  
Ms. Krajewski

**Also Present**

Susan Rubright, Board Attorney  
Angela Knowles, Board Planner  
Lou Gara, Construction/Zoning Official

**Not Present**

Stan Schrek, Board Engineer

**MINUTES**

**Motion** by Mr. Gausz, **seconded** by Mr. Cunningham to approve the **October 23, 2019 Minutes** by voice vote.

**Motion** by Ms. Thomas, **seconded** by Mr. Gausz to approve the **August 14, 2019 TRC Minutes**, [as amended] to reflect the proper spelling of Mr. Schrek's name.

**Roll Call:**

**Aye:** Mr. Miller, Ms. Thomas, Mr. Gausz

**Nay:**

**Abstain:**

**ENGINEERING REPORT**

Chairman Miller provided an update on Mr. Schrek's behalf. He related that site work was ongoing at Labcorp, Block 81 and Raritan 503. He also advised that site work had begun at the Learning Center.

**PLANNING REPORT/ PEDESTRIAN BIKE & SAFETY COMMITTEE UPDATE**

Ms. Knowles advised that planning for the emerging centers grant had been discussed with the NJTPA relative to the economic development study for Somerset Street. She related that there would be public outreach and that a stakeholder advisory committee would be formed. Ms. Knowles advised that she would

pass along information on the New Jersey Historic Trust funding for heritage tourism grants and other historic preservation grants to the Heritage/Cultural Commission and asked that any interest in other grants be shared with her. Ms. Knowles provided an update on the Bike Pedestrian Safety Committee. She advised that a draft of the plan had been presented and that they are looking at linkages/mapping for existing conditions together with the results of the walkability audits. She related that a public session would be held soon to discuss proposed improvements. Mayor McMullin offered that LabCorp is very anxious to meet with the Committee. She related that they are looking for a design from them.

#### **TRC MEETING UPDATE**

Chairman Miller confirmed that there were no TRC meetings held and none scheduled.

#### **CONSTRUCTION/ZONING OFFICIAL**

Mr. Gara provided updates on the following projects: Janssen - Major construction going on daily; Labcorp - Wants TCO for the addition; Learning Center - Foundation underway and going "well"; Raritan 503 - Received a call regarding a medical use a few months ago which was referred to the Board; 575 Rt. 28 - Third building is occupied.

Mr. Gara advised that Burlington Coat Factory is coming to the former Toys R Us site and that a national eyeglass chain is looking at the former AT&T store near Jersey Mike's. He advised that there were two new houses downtown and commented that this was the busiest year he had ever seen. Ms. Rubright stated that most of the activity took place in 2017. Mr. Gara commented on the scope of the work at the Janssen site. He confirmed that there had been no activity on the Shop n Stop site in 6 months. Mayor McMullin offered that the County did some work for the Borough on that and Mr. Miller advised that it is in the County's Master Plan.

#### **DISCUSSION/OLD BUSINESS**

##### **Medical Marijuana Alternative Treatment Centers Ordinance**

Chairman Miller advised that the Board sent a revised ordinance to Council in November reflecting their desire to make ATC's a conditional use. Mayor McMullin confirmed that no action had been taken by Council on it since. The Board Attorney clarified that the Board would have to wait for further direction from Council.

#### **DISCUSSION/NEW BUSINESS**

##### **Borough Resolution 2019-09-142 Authorizing/Directing the Land Use Board to prepare a Redevelopment Plan for Block 93, Lots 1&2 (57&59 LaGrange Street) pursuant to N.J.S.A.40A:12A-7(f)**

Frank Linnus provided background on the matter and explained the purpose of the resolution. He advised that the Board needed to designate professionals to work on the plan. He provided an overview of the procedures and spoke about interplay between the governing body and the Board. Chairman Miller clarified and the Board agreed to designate Mr. Linnus, Mr. Schrek and Ms. Knowles as the professionals charged with preparation of the plan.

**Motion** by Ms. Goetsch, **seconded** by Ms. Thomas to authorize the professionals to put together a draft redevelopment plan to present to the Planning Board for review.

##### **Roll Call:**

**Aye:** Mr. Miller, Mayor McMullin, Mr. Cunningham, Ms. Thomas, Mr. Gausz, Mr. Delacruz, Ms. Goetsch, Mr. DeCicco, Ms. Sherwin

**Nay:**

**Abstain:** Councilman Carra, Ms. Carra

## APPLICATION

- **Hlinka**  
**11 Bell Ave. (Block 50, Lot 4) - Bulk Variances**

Applicant/Homeowner **Christina Hlinka** and her architect, **Robert Hernandez** were sworn in. Ms. Hlinka described the home and provided an overview of the proposed first floor addition which she related would be designed to accommodate a growing family as well as aging parents.

The Chairman opened the floor to questions of Ms. Hlinka. There were none.

Referencing a plot plan dated 8/25/19, Mr. Hernandez provided his qualifications and described the proposal. He spoke about the relief that would be required with respect to the side yard, impervious coverage and preexisting nonconformities. This led to a discussion about the materials the driveway is made of as it relates to the impervious coverage calculation. Mr. Hernandez clarified that it is paved/that the calculation on Formosa's plan did include a **paved** driveway.

Referencing a drawing identified as "Exhibit A-1, Sheet 2 of 2" of the plan set, Mr. Hernandez provided testimony on the impervious coverage as well as the floor plan. He addressed the items in Ms. Knowles review letter and confirmed that he would consult with Formosa Engineering with respect to the final plans.

There was an extensive discussion about the impervious coverage and the potential requirement/need for drywell/s. Mr. Hernandez testified that Formosa Engineering told Mrs. Hlinka she would not need a drywell. Mrs. Hlinka explained that they would be doing something similar but more cost effective which would be located under the deck. Mr. Hernandez offered that an alternative solution to a drywell would/could be utilized and suggested they work it out with Mr. Schrek. He offered that they would add the drywell if there was no other option.

Chairman Miller opened the floor to questions of the witnesses. Ms. Rubright asked them about them questions in connection with the proofs for a c (1) variance. They confirmed that they were unable to obtain any additional property given the location, that the proposal was designed so as not to further encroach on the side yard and that they would not be exacerbating existing variances. Ms. Knowles concurred with Ms. Rubright's comments and added that the Environmental Commission who would be concerned about the impervious coverage, would appreciate any solution geared towards mitigation.

Chairman Miller opened the floor to public comment at 7:41. There was none.

Further discussion about mitigation and wording of the resolution ensued. Ms. Rubright reviewed the prospective conditions of approval. The Board concluded to have Mr. Schrek work with Formosa in order to find a suitable alternative. Ms. Thomas suggested use of a rain garden. A discussion ensued about the actual increase versus net increase. Chairman Miller asserted that they want something that mitigates runoff. Ms. Rubright affirmed that the applicant would work with Mr. Schrek on a mechanism to mitigate the additional impervious coverage and that she would work with Mr. Shrek on the language for the resolution. The net square footage and whether a net loss Mr. Hernandez spoke about was discussed further. Mr. Hernandez confirmed that it was shown in the calculations on Formosa's plan. Further discussion on the calculations ensued.

**Motion** by Mr. Gausz, **seconded** by Mr. DeCicco to approve the application with conditions as enumerated by the Board Attorney.

**Roll Call:**

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

**Nay:**

**Abstain:**

**MISCELLANEOUS**

Mayor McMullin announced that this would be his last meeting. Calling it "the most productive Board" he had ever been a part of, he offered that he was proud of the volunteers and felt "privileged" to be associated with them. Chairman Miller thanked him for his leadership and added that this would be his last meeting as Chairman.

**PUBLIC COMMENT**

The Chairman opened [and subsequently closed] the floor to public comment at 7:55.

**ADJOURNMENT**

**Motion** by Ms. Thomas, **seconded** by Mr. DeCicco and unanimously carried to adjourn the meeting at 7:55.

Respectfully submitted,

  
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Nancy Probst, Board Secretary

Approved 1/22/20