

BOROUGH OF RARITAN
Land Use Board Meeting
MINUTES
September 22, 2021

CALL TO ORDER & FLAG SALUTE

The meeting was called to order at 6:35 p.m. in the Borough of Raritan Municipal Building. Ms. Thomas read the open public meetings statement into the record.

ROLL CALL

Present

Debra Thomas
Mayor Bray
Mr. Cunningham
Mr. DeCicco
Ms. Carra
Ms. Goetsch
Ms. Windrem
Mr. Brown
Mayor Bray (*Absent for roll; arrived at 6:46*)

Also Present

Larry Cohen, Board Attorney
Stan Schrek, Board Engineer (*Arrived at 6:53*)
Angela Knowles, Board Planner
Lou Gara, Zoning/Construction Official

Absent

Councilman Carra
Mr. Delacruz
Ms. Sherwin
Mr. Sinagra

MINUTES

The Minutes of August 25, 2021 were tabled for revision.

PLANNER'S REPORT

Ms. Knowles advised that the Borough was awarded an NJEDA grant which would enable them to partially fund an Area in Need of Redevelopment study for the Raritan Mall site. She advised that she made a presentation on accessibility planning at the Bloustein School Studio and that the Mayor would soon be attending one of their classes.

Ms. Knowles provided updates on work being done through the Regional Center Partnership on funding for improved bike lockers and renewal of the plan endorsement process. She advised that the Somerset County Planning Partnership was looking for feedback on Somerset Street. She provided information on upcoming workshops that the County is looking for feedback for via surveys (Cultural/Heritage/Farmland Preservation/Open Space).

Larry Cohen spoke about new legislation regarding electric charging stations which makes them exempt from Site Plan and requires them to be part of any new multi family (5+ units) development.

CONSTRUCTION OFFICIAL REPORT

Mr. Gara advised that Johnson & Johnson was still “moving along” and that Block 81 would soon be operating under a temporary CO.

Mayor Bray arrived at 6:46.

TRC MEETING UPDATE

Mr. Cunningham confirmed that no TRC meetings had been held and that there were none scheduled.

AD HOC COMMITTEE (Cannabis Dispensaries)

Mr. Cunningham advised that there had been no new activity but that he had spoken to Sarah Trent.

PEDESTRIAN BIKE & SAFETY

Ms. Knowles advised that she had nothing new to report.

PUBLIC HEARING

- **Area in Need of Redevelopment Study (Raritan Crossing LLC/“Larken”)
Block 116.01, Lots 25,26.01,27&27.01 and Block 112, Lot 3**

Mr. Cohen provided an overview of the procedures associated with the public hearing and swore in Ms. Knowles who went on to provide her qualifications.

Referencing her report dated June 26, 2021, Ms. Knowles provided details about all of the parcels, including information on how they were chosen, how they are accessed and how circulation in and around them works. She testified that all five of the parcels in question qualify as an area in need of redevelopment based upon criteria established under the Redevelopment Law.

Mr. Schrek arrived at 6:53.

Ms. Knowles explained that while the parcels only have to meet 1 of the 8 criteria, 2 of them meet criterion D, all meet Criterion H and 3 meet ‘Section 3.’ Making reference to a table of criteria in her report, Ms. Knowles explained what the significance of each criterion/section was.

Mr. Cohen advised that Notice had been made in accordance with the statutes governing same.

The report entitled “Area in Need of Redevelopment Study, Block 116.01, Lots 25,26.01,27&27.01 and Block 112, Lot 3, Borough of Raritan, New Jersey” (Dated 6/26/21 and written by Angela Knowles, PP/AICP) was marked into testimony as **Exhibit A-1**.

The Chairwoman opened the floor to questions/comments from the Board.

With respect to 200’ notifications, Mr. Brown asked whether the neighbors are individually noticed. He was advised that they were not as the statute only provides for Notice in the newspaper.

Mr. Cunningham offered that Criteria H could apply to anything. He asked what the advantage would be of declaring the area one in need of redevelopment. Ms. Knowles advised that Criteria H “could not be the only criteria” and then explained how a Redevelopment Plan allows for the Borough and developer to find a mutually beneficial plan under which Zoning could be amended rather than having a developer use variances

to accommodate a proposal/concept.

The Board Attorney addressed comments from Mr. Brown about the effects on revenue because of tax abatements.

A brief discussion ensued between Mr. Schrek and Mr. Cohen. Mr. Cohen clarified that the Board is making a determination as to whether criteria is being met so that Council could follow through with their recommendations/make alterations to same.

Ms. Knowles confirmed that the study stays the criteria have been met in response to a question from Ms. Goetsch.

Mr. DeCicco spoke about the timeliness of the study given that it predates the recent flooding that came from Hurricane Ida which he offered should be taken into consideration. Mr. DeCicco asserted that it should not move forward until the State and/or Federal Government has a change to weigh in.

Ms. Thomas opened the floor to questions of the public at 7:11.

Susan Rubright, Esq. appeared on behalf of Raritan Crossing, LLC. She asked Ms. Knowles whether 2.25 acres of the entire site all qualify under Section D. Ms. Knowles affirmed that they do and read the criteria. Ms. Rubright asked her to confirm that they qualify under Section H which she did. Mr. DeCicco expressed concerns about flooding. Mr. Schrek and Ms. Rubright briefly discussed same. Mr. Cohen offered that if the property is in a flood zone, that could qualify. He proceeded to read an excerpt from page 17 (casualty).

Ms. Rubright offered that her client, Mr. Gardner had testimony to offer with respect to continuing vacancies. Mr. Cohen asserted that his testimony should be limited to present conditions.

David Gardner identified himself as Managing Member of the LLC that owns the property and was sworn in. Mr. Gardner provided testimony on what has happened since March and how the recent flooding affected the property. He spoke at length to the impact that the long term vacancies and (moreover) non-payment of rent by existing tenants (Retro Fitness in particular) has had on the business.

Mr. Cohen and Ms. Rubright had a brief exchange about the potential impact of the flooding on the redevelopment determination. Mr. Cohen offered that the flood situation would be taken into consideration.

Mr. Cunningham offered that the stores near the Bagel shop were not flooding. He clarified that he Dollar Store was where the flooding occurred. He explained that he parking lot was enlarged when the paper road was vacated and mentioned accessibility to Glaser Ave that had been accomplished. He acknowledged the vacancies and opined that the only visible "blight" was in the area of the small stairs near the kickboxing place. He asserted that while the Dollar Store may be in need of redevelopment, the strip mall is still viable. He offered that the rear lot fills with water due to drainage issues.

Ms. Thomas spoke about the functionality of the site mainly due to parking issues. She offered that piecemealing it would not provide for a viable, consistent design and suggested that flooding issues would have to be remediated. Mr. Cunningham stated that he hopes "it's not the houses on Granetz."

Mr. Schrek offered that the plan that follows is a joint effort between the developer and the Board. Mr. Cohen addressed use of the word "blighted" and clarified that the Board should be considering whether the area could be put to better use.

Ms. Goetsch stated that Ms. Knowles never said the strip mall was blighted.

Mr. Brown offered that 6 years ago, the owner did a lot of work and spent a lot of money improving the site. He asked how the site could go from the most active strip mall in town to this. He stated that while they had lost tenants, they had also gained some and offered that the vacancies occurred during the pandemic. He asserted that people need services available there and related that there had only been "1 accident."

Mayor Bray offered that redevelopment does not mean 100% residential.

Ms. Thomas spoke about traffic patterns and asserted that all the Board was doing was deciding whether the areas outlined in the study (not Glazer) would constitute an area in need of redevelopment. She asserted that Council would decide what actually goes there and reminded the Board to focus on the task at hand.

Mr. Cohen advised that if the governing body adopts the Redevelopment Ordinance, the Board would get to comment. He expressed the need to get a sense from the members whether there was a majority. In an informal poll, the Board members provided the following comments:

- Ms. Carra stated that the mall has lost its appeal and that circulation is lacking. She stated she would like to see a new design as well as traffic calming measures.
- Mr. Brown abstained from commenting.
- Ms. Windrem offered that a lot could be done with it since the current state of it is "not appealing."
- Ms. Goetsch stated that it needs it.
- Mr. Cunningham acknowledged that the area "is in need."
- Mayor Bray offered that the Borough needs to seize the opportunity and has the chance to do so with someone they have worked with previously.
- Mr. DeCicco opined that they have to wait, citing the recent disaster (Ida).
- Ms. Thomas offered that it could be a catalyst for development on neighboring properties such as Shop n Stop.

Motion by Mayor Bray, **seconded** by Ms. Goetsch to declare **Block 116.01, Lots 25,26.01,27&27.01 and Block 112, Lot 3** an Area in Need of Redevelopment and to adopt a resolution memorializing this decision.

ROLL CALL:

Aye: Ms. Thomas, Mayor Bray, Mr. Cunningham, Ms. Carra, Ms. Goetsch, Mr. Brown, Ms. Windrem

Nay: Mr. DeCicco

Abstain:

DISCUSSION

- **Block 81 Parking**

Mr. Schrek explained that Council was approached about designating special parking areas on Second Ave. & Third St. for use by Uber. Mayor Bray advised that this was not going to come to fruition.

On street parking due to the inadequacy and/or affordability of onsite parking for the Block 81 development was discussed. Mr. Schrek advised that parking was discussed at the Planning Board because of the Transit Oriented Development designation and that while the developer got a discount for RSIS, he is now charging tenants to park. This discussion came about because a resident asks for resident parking only on Second & Third. A brief discussion ensued as to how to head this kind of issue off in future large scale developments. Mr. Cohen asserted that this is an issue to be addressed by Council and opined that permits should not be given. Mr. Schrek spoke about the Site Plan. Mr. Brown asserted that testimony was provided that there would be designated parking. Mr. Schrek advised that the testimony was 1.4 spaces per apartment. Mayor Bray explained that prohibiting on street parking and providing parking decals for residents of the homes would have to be enabled by ordinance.

- **Downtown Economic Development Plan**

Ms. Knowles advised that the plan which was developed by consultants through a grant is now ready for adoption. She provided a brief overview of the components of the plan and advised that the Board would need to set a public hearing date in order to amend the Master Plan. Ms. Knowles introduced Ashwaria (Assistant Planner).

Mr. Brown offered that they have to be careful not to misunderstand the term "redevelopment." Ms. Knowles explained that plans associated with area in need of rehabilitation are redevelopment plans. Mr. Brown stated that this infers the entire town. Mr. Cohen offered that the distinction contemplates the use of existing structures. Mr. Knowles offered that it could be called a Rehab Plan. Mr. Cohen offered that it could be called a Development Plan. Ms. Knowles clarified that this would be if the Town designates it as an area in need of rehabilitation. Mr. Brown suggested that would hopefully include access to funds. They concluded to refer to it as a Redevelopment Plan with a rehabilitation area/Downtown Improvement Plan.

A brief discussion ensued on when to schedule the hearing for the Master Plan amendment.

PUBLIC COMMENT

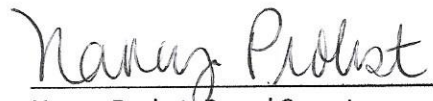
Ms. Thomas opened the floor to public comment at 8:25.

Mike Patente asked whether the Master Plan changes include changes to "make the town multi-family again." Ms. Knowles explained that they are looking for opportunities. Mr. Patente explained that they don't want an existing problem with absentee landlords to get worse.

ADJOURNMENT

Motion by Mr. Cunningham, seconded by Mayor Bray and unanimously carried to adjourn at 8:27.

Respectfully submitted,


Nancy Probst, Board Secretary

APPROVED 11/17/21