

BOROUGH OF RARITAN
Land Use Board Meeting
MINUTES
October 27, 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
Councilman Carra
Mr. Cunningham
Mr. DeCicco
Ms. Carra
Ms. Goetsch
Ms. Windrem
Mr. Delacruz
Ms. Sherwin

Also Present

Larry Cohen, Board Attorney
Stan Schrek, Board Engineer
Lou Gara, Zoning/Construction Official

Absent

Mayor Bray
Mr. Brown
Mr. Sinagra

MINUTES

The Minutes of August 25, 2021 and September 22, 2021 were tabled.

PLANNER'S REPORT

Mr. Schrek reported on behalf of Ms. Knowles that the Borough received an EDA grant to perform a redevelopment study on the Stop n Shop property.

CONSTRUCTION OFFICIAL REPORT

Mr. Gara advised that Labcorp and Johnson & Johnson were still proceeding and that façade improvements to Angelone's were moving along. He advised that while there had been some speculation/conversations, there had been no formal applications submitted for Main Street or Stop n Shop.

TRC MEETING UPDATE

A brief discussion ensued about continuing discussions regarding a redevelopment plan/area in need study for LaGrange Street. Mr. Schrek advised that the owners of Raritan Crossing are not ready. The members concluded to hold off setting up a meeting until after the new year.

AD HOC COMMITTEE (Cannabis Dispensaries)

Mr. Cunningham advised that the State had recently authorized +/- 12 applications but that Raritan was not affected by this. He suggested that they reconvene after the new year in order to discuss new activity at the State level as well as any new applications.

PEDESTRIAN BIKE & SAFETY COMMITTEE

Ms. Thomas reported on behalf of Ms. Knowles that there had been no new activity.

DISCUSSION

November Meeting

Motion by Ms. Goetsch, **seconded** by Councilman Carra and unanimously carried to move the November meeting to 11/17 because of Thanksgiving.

ROLL CALL:

AYE: Ms. Thomas, CM Carra, Mr. Cunningham, Ms. Carra, Mr. DeCicco, Mr. Delacruz, Ms. Goetsch, Ms. Windrem, Ms. Sherwin

NAY:

ABSTAIN:

PUBLIC HEARING

Downtown Raritan Economic Development Study – Master Plan Amendment

Mr. Cohen confirmed that no one in the audience was in attendance for this matter. He explained that it could not proceed because of a Notice issue. **Motion** by Carra, **seconded** by Ms. Windrem and unanimously carried to adjourn the hearing to 11/17/21.

ROLL CALL:

AYE: Ms. Thomas, CM Carra, Mr. Cunningham, Ms. Carra, Mr. DeCicco, Mr. Delacruz, Ms. Goetsch, Ms. Windrem, Ms. Sherwin

NAY:

ABSTAIN:

Ms. Thomas advised that the Edgewood Raritan matter could not be heard until 7pm because that is the time that the applicant erroneously Noticed for. As such, the Board proceeded to the Orlando Heights Realty LLC hearing on completeness.

APPLICATIONS/HEARINGS

- Orlando Heights Realty, LLC
Block 116, Lot 13
Use Variance, Preliminary & Final Site Plan [Bifurcated Application] - COMPLETENESS ONLY

Michael O'Grodnick, Esq. entered his appearance on behalf of the applicant. He explained that the Use Variance would be to allow for residential development on the site of the old Zeus factory. He related that the proposal is for a 70 unit luxury rental apartment building and that the application would be supplemented to include a traffic impact study.

A brief discussion ensued about the checklist. Mr. Schrek advised that there is no checklist for a bifurcated application. He recommended that the [bifurcated portion] of the application be deemed complete for hearing. Mr. Cohen clarified that it would be for use, waivers and bulk variance relief as the use is not permitted in the OMR zone. The proximity of the proposal to the Planned Residential Development Overlay Zone was discussed. Mr. O'Grodnick advised that his analysis looked at both zones.

Mr. Cohen asked whether to defer bulk variances to site plan even though the relief is significant. A discussion ensued as to whether to discuss the bulk variances in the discussion on the use. Mr. Schrek advised that it was sufficient enough to deem complete. Mr. O'Grodnick explained that Art Bernard's report is already done.

Mr. Cohen advised Mr. O'Grodnick to be prepared to discuss the set aside as the property is not part of

affordable housing. A brief discussion ensued as to when to start the hearing. Mr. O'Grodnick offered that it would make sense to start in January. The application was deemed complete for the purpose of hearing and scheduled for hearing in January.

Motion by Mr. Cunningham, **seconded** by Ms. Sherwin and unanimously carried to deem the application complete for hearing.

ROLL CALL:

AYE: Ms. Thomas, Mr. Cunningham, Ms. Carra, Mr. DeCicco, Mr. Delacruz, Ms. Goetsch, Ms. Windrem, Ms. Sherwin

NAY:

ABSTAIN: CM Carra

- Edgewood Raritan LLC
Block 87, Lot 9 (33 Second St.)
Preliminary & Final Site Plan

Mr. Cohen clarified that the Board would consider completeness issues only on the matter this evening. For the benefit of a sizable audience, he provided an overview of the application/completeness process as well as hearing protocol, including procedures for testifying. Ms. Thomas clarified that the hearing would proceed on November 17, 2021 at 6:30, without further Notice provided the application was deemed complete this evening.

Kate Partridge of 52 Second Street asked about Notice. Ms. Thomas reiterated that new Notices would not be mailed.

Pasquale Marago, Esq. entered his appearance on behalf of the applicant and indicated that he could address any deficiencies. Mr. Cohen indicated that if they were to carry completeness, they could start the public hearing at the same meeting. Mr. Marago introduced **Engineer, David Stires** and property owners, **Joe and Jack Nasar**.

Mr. Schrek explained the difference between temporary and permanent waivers. Mr. Stires reviewed Mr. Schrek's October 22 review memo, item by item. The only permanent waiver requested was from EIS. Mr. Cohen explained what this meant.

Mr. Marago stated he would confirm that item 2b (pg. 2) and item 2f (pg.3) were submitted. With respect to item 2g (pg. 3), Mr. Marago confirmed that the applicant is the owner. Mr. Gara confirmed that item 2a (pg. 2) was on file. Mr. Stires represented that 2h (on pg. 3) was done. He requested a temporary waiver from item 2i (on pg. 3) and advised that cost estimates would be submitted upon completion of the project in connection with 2j (also on pg. 3).

With respect to #4 on pg.4, Mr. Gara confirmed that the Checklist for Green Development goes to the EC. A member of the public (unidentified but presumably a member of the EC) indicated that he had not seen it.

Mr. Schrek recommended that the application be deemed complete for hearing on November 17, 2021 at 6:30 pm.

Councilman Bray recused.

The hearing was scheduled for November 17 at 6:30. Mr. Cohen confirmed that the plans/application were on file and could be provided by Lou Gara. He confirmed that they were also posted to the website.

Ms. Thomas commented that it was great to see community involvement.

Kate Partridge questioned whether the EIS should be waived, especially if large areas of the lot were being removed given that the street saw significant flooding during Ida.

Rob Holland of 44 Second Street commented on transparency/access to plans. He explained that he took off last Friday to see them in person only to find they were not available. Mr. Gara assured him the plans were on the website and that he was [uncustomarily] out of the office on extended leave.

Mr. Cohen reiterated that the Planning Board meeting would be held on 11/17. Ms. Sherwin pointed out a discrepancy with meeting time on the Borough Calendar. Ms. Thomas acknowledged that the November and December meetings had been showing a 7pm start time which was since fixed.

Mr. Cohen explained the guidelines for members of the public who wish to participate in the hearing. He explained that written statements could not be accepted by the Board in advance.

Ms. Thomas spoke about public participation. Mr. Cunningham offered that the Board takes the opinions of the public seriously. Ms. Thomas explained that sometimes when the Board is not in a position to deny an application, they can condition it to make it more palatable, making public input all the more important.

Motion by Ms. Goetsch, **seconded** by Mr. Delacruz and unanimously carried to deem the application complete with temporary waivers as indicated and permanent waivers as discussed.

ROLL CALL:

AYE: Ms. Thomas, Mr. Cunningham, Ms. Carra, Mr. DeCicco, Mr. Delacruz, Ms. Goetsch, Ms. Windrem, Ms. Sherwin

NAY:

ABSTAIN: CM Carra


PUBLIC COMMENT

Ms. Thomas opened the floor to public comment at 7:35.

ADJOURNMENT

Motion by Ms. Goetsch, seconded by Mr. DeCicco and unanimously carried to adjourn at 7:35.

Respectfully submitted,


Nancy Probst, Board Secretary

APPROVED

11/17/21