

**BOROUGH OF RARITAN**  
Planning Board REGULAR Meeting  
**MINUTES**  
May 25, 2022

**CALL TO ORDER & FLAG SALUTE**

The meeting was called to order at approximately 6:30 p.m. in the Borough of Raritan Municipal Building. Chairwoman Thomas read the open public meetings statement into the record.

**ROLL CALL**

**Present**

Chairwoman Thomas  
Councilman Carra  
Mr. Cunningham  
Mr. Delacruz  
Ms. Carra  
Mr. Brown  
Ms. Goetsch  
Ms. Windrem

**Also Present**

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

**Absent**

Mayor Bray  
Mr. DeCicco  
Ms. Sherwin

**MINUTES**

**Motion** by Ms. Goetsch, **seconded** by Ms. Carra and unanimously carried to approve the Minutes of **April 27, 2022** as presented, by voice vote.

**ENGINEERING REPORT**

Mr. Schrek introduced his colleague, Joe Bronson. He provided an update on the following matters:  
Riparian – was talking to Cunningham

**CONSTRUCTION/ZONING OFFICIAL REPORT**

Mr. Gara advised that construction was almost complete at LabCorp and Johnson&Johnson. He related that Vella was working through engineering/compliance issues and spoke about property maintenance there in response to comments about same from Chairwoman Thomas. Mr. Schrek elaborated on the engineering issues. Mr. Brown asked whether the issues had been addressed at the Raritan Mall site and Mr. Gara advised that they had.

**TECHNICAL REVIEW COMMITTEE**

Chairwoman Thomas provided an overview of what transpired at the last meeting with respect to the proposal for LaGrange Street. She related that Mr. Cohen suggested they use a Condo Association rather than an HOA and that they also discussed their ability to move the building after the street vacation. Mr. Schrek advised that they would be revising the Redevelopment Plan. Chairwoman Thomas advised that the Committee also explained the redevelopment process to representatives of the Raritan Mall site.

## RESOLUTIONS

The following resolutions were carried: (1) Janssen Pharmaceuticals, Inc. (1000 U.S. Route 202 Block 2, Lot 3.01 & 18); (2) Janssen Pharmaceuticals, Inc. (920 U.S. Route 202 Block 2, Lot 17); and (3) Janssen Pharmaceuticals, Inc. (700 U.S. Route 202 Block 2, Lot 16).

### **Edgewood Raritan LLC (Block 87, Lot 9) - 33 Second Street** *Use Variance, Preliminary & Final Site Plan with Bulk Variances*

**Motion** by Mr. Delacruz, **seconded** by Ms. Goetsch to approve the resolution memorializing the approval, (as presented).

ROLL CALL:

**AYE:** Chairwoman Thomas, Ms. Carra, Mr. Delacruz, Ms. Goetsch, Ms. Windrem

**NAY:**

**ABSTAIN:** Mr. Brown, Mr. Cunningham, Councilman Carra

### **SD & RR, LLC (Block 95, Lots 12 & 13) - 17 & 19 Colfax Street** *Use Variance*

**Motion** by Councilman Carra, **seconded** by Mr. Cunningham to approve the resolution memorializing the approval, (as presented).

ROLL CALL:

**AYE:** Chairwoman Thomas, Ms. Carra, Mr. Delacruz, Mr. Brown, Ms. Goetsch

**NAY:**

**ABSTAIN:** Councilman Carra, Ms. Windrem

### **Middle Valley Partners, LLC DBA Valley Wellness (Block 41, Lots 2&3)** *Preliminary & Final Major Site Plan with Variances*

**Motion** by Ms. Goetsch, **seconded** by Mr. Delacruz to approve the resolution memorializing the approval, (as presented).

ROLL CALL:

**AYE:** Chairwoman Thomas, Councilman Carra, Mr. Cunningham, Ms. Carra, Mr. Delacruz,  
Mr. Brown, Ms. Goetsch, Ms. Windrem

**NAY:**

**ABSTAIN:**

## DISCUSSION

### **RARITAN CROSSING (Block 116.01, Lots 25,26.01, 27 & 27.01 and Block 112, Lot 3)**

Mr. Cohen provided an overview of the process for designating the property an Area in Need of Development. He advised that Council passed an ordinance with respect to same which prompted a return of the Redevelopment Plan to the Planning Board for review. He clarified that this was not a public hearing but rather, a discussion in order to decide whether to endorse the Plan which Mr. Schrek had prepared.

Mr. Schrek spoke about the purpose of the Plan and in providing a comprehensive overview, pointed out the importance of language on page 7 in particular [as it relates to access points from Route 206]. He advised that limited sight distances would be remediated.

With respect to Master Plan consistency, Mr. Schrek spoke at length about the relevance of the riverfront, support from Duke Farms and how the plan would help drive economic development. He discussed the goals and objectives of the Land Use Plan as well as consistency with the Regional Center Plan. Mr. Schrek spoke about the relationship between the Plan and the existing ordinance in light of the overlay zone that would be created in order to facilitate it.

Section 4 as it relates to development standards for the zone was discussed at length. Building and site design (massing and materials/sustainability in particular), circulation, parking, lighting, landscaping, pedestrian access and affordable housing requirements were discussed as well. Mr. Schrek made reference to page 26 as it relates to Redevelopment Housing Law.

**Rob Larsen** identified himself as the Architect responsible for building design. Referencing a 3d rendering with a perspective from the air, Mr. Larsen discussed flooding concerns, residential access, unit count/breakdown and the proposed active green roof. He discussed renderings with other perspectives and also identified access points on the Site Plan.

Mr. Schrek explained that while the plan provides for Zoning, the proposal would still need Site Plan approval. The green roof amenity was discussed.

Mr. Larsen responded to questions from Mr. Cohen about impervious coverage. Stormwater Management (and how the new regulations would affect the proposal) was discussed at length. Flooding concerns were discussed. Mr. Larsen indicated that they would be able to accommodate an evacuation line.

Mr. Cunningham offered that the plan was conceptually pleasing. Ms. Goetsch agreed.

A discussion between the Applicant's attorney, Susan Rubright and Mr. Cohen ensued about whether the timing of any resolution memorializing the approval would impact the Council's ability to proceed with introduction of the enabling ordinance. Counsel for the Board and the Applicant concluded that it would be acceptable to adopt a resolution in June and have the Board Clerk advise Mr. Colvin of the action taken this evening. Ms. Thomas stressed the need for the process to move efficiently. Mr. Shrek offered to Ms. Rubright that he did not anticipate any significant changes from Council.

Mr. Cohen confirmed that adopting the memorializing resolution in June would have no impact on the Applicant's ability to proceed timely. **Motion** by Ms. Goetsch, **seconded** by Mr. Delacruz to adopt the Redevelopment Plan and refer same to Council.

ROLL CALL:

*AYE: Chairwoman Thomas, Ms. Carra, Mr. Delacruz, Mr. Brown Ms. Goetsch*

*NAY:*

*ABSTAIN: Councilman Carra, Ms. Windrem*

**APPLICATIONS**

**Riverview at Raritan/Orlando Heights Realty (Block 116, Lot 13)**

***Bifurcated Use Variance***

Councilman Carra recused at approximately 7:29.

**Attorney Michael O'Grodnick** entered his appearance on behalf of the applicant. He explained that the proposal would include demolition of two existing buildings in order to construct a 4 story, 70 unit apartment building with an elevated parking deck that would be consistent with the goals of the Master Plan. Mr. O'Grodnick spoke about negotiations regarding a secondary access point for ingress/egress to John Street as it relates to emergency access/flooding. He explained that with 158 9x18 stalls proposed, there would be parking in excess of RSIS requirements. He then spoke about the bulk standards/impervious coverage and provided a witness list.

Referencing the existing lot width condition, Mr. Cohen asked whether they would be seeking relief for bulk variances now. Mr. O'Grodnick related that this would be part of Site Plan. Mr. Cohen indicated that the letter he sent had "different numbers." Mr. Schrek spoke about this Board's past practices with respect to relief for bulk standards in bifurcated applications. Mr. Cohen affirmed that they would only be dealing with the Use Variance at present.

**Engineer, Tibor Latincics** was sworn and qualified. He marked Exhibits A1-A4.

**Exhibit A-1** was identified as the existing footprint. Making reference to a picture of an architectural rendering, Mr. Latincics explained that they would be reducing the footprint to 23,000 s.f.

**Exhibit A-2** was identified as the proposed 4 story building with 70 apartments. Mr. Latincics identified a secondary access point and responded to a question from Mr. Schrek about an easement. Mr. O'Grodnick indicated that they have a commitment with respect to same. Mr. Schrek asked if they were aware of gore in the properties on the existing survey from 20 years ago. Mr. Latincics identified the existing driveway/primary entrance at Orlando Drive. Emergency and vehicular access was discussed and identified in response to a question about same from Mr. Cohen. Functional use through the easement was discussed. Mr. O'Grodnick advised that the applicant would not be opposed to restricting use for emergency only. A brief discussion ensued about whether this could affect the use variance. Mr. Schrek asserted that this would be an issue for Site Plan.

Mr. Brown offered that a previously approved/constructed development, The Lena no longer has restricted access. Mr. Schrek advised that they are required to have it and that testimony would be provided by the Traffic Engineer.

Mr. Latincics provided testimony as to unit counts (34 one bedroom, 32 two bedroom, and 4 three bedroom with a 15% set-aside for affordable housing. He provided testimony with respect to parking showing 56 spaces at the lowest level with 102 at grade [on Exhibit A2].

Mr. Latincics testified that at 70.3%, there would be a 20,000 s.f. reduction in impervious coverage. He discussed improvements that would be made to stormwater management as well. Mr. Schrek cautioned against the use of pervious pavement. The connection for sanitary sewer was discussed. Mr. Latincics advised that water service was available on Johnson and Elizabeth.

<sup>8</sup>Mr. Latincsics discussed the zoning schedule/analysis included in the plan. He testified that there would be adequate parking and that primary access would be via Orlando Drive with emergency access on John and Elizabeth.

Mr. Brown asked about the bump out on the east side. Mr. O'Grodnick advised that it is a multipurpose room amenity.

Roof heights were discussed. Mr. Latincsics explained how measurements were taken and testified that they would comply with ordinance requirements. Mr. Brown asked if they were comparable to The Lena. Mr. Latincsics elaborated.

Mr. O'Grodnick responded to a question from Mr. Cohen about the availability of sewer. Mr. Cunningham commented on sewer capacity, as compared to The Lena.

Chairwoman Thomas opened the floor to questions from the public at 7:53. There were none.

**Exhibit A-3** was presented with respect to impervious coverage. **Exhibit A-4** was identified as the proposed project.

**Traffic Engineer, Rianna Kirchof** was sworn and qualified. Ms. Kirchof spoke about access and testified that trip generation would be relatively the same with an increase in passenger traffic being offset by a decrease in commercial traffic. Mr. Brown recalled testimony from the Traffic Engineer for The Lena about the lack of impact of traffic on the downtown area which, he related turned out to be accurate. Mr. Schrek related that he was pleased with the traffic patterns. Mr. Cunningham cautioned about the cumulative negative effects of other proposed projects in the area (Orlando Drive, Hillsborough and Branchburg in particular).

Chairwoman Thomas opened the floor to questions from the public at 8:02. There were none.

**Planner Christine Cofone** was sworn and qualified. Ms. Cofone testified as to site suitability and confirmed that the standards for the PDR Zone were used for comparison purposes as it relates to density. In a discussion of the positive criteria, Ms. Cofone referenced Mr. Bernard's October 21, 2020 report and testified that the proposal would advance the purposes of the MLUL under sections A, D, E, G and I in particular. She testified that the negative criteria would be satisfied as there would be no adverse impact on traffic and that the benefits of the project would outweigh the detriments.

Ms. Cofone testified that the proposal would comport with the goals of the Master Plan. A discussion ensued about why the Borough didn't include residential in the zone based on a comment from Mr. Cohen. Mr. Cohen prompted Ms. Cofone to provide testimony on why the site was particularly suited for the level of density proposed. Ms. Cofone testified that there would be a reduction in impervious coverage, that the site could support it and about the need to incentivize for redevelopment. Ms. Cofone responded to a question from Mr. Cohen about why it would not be suitable at a lower density.

Mr. Cohen pointed out that an inclusionary development also advances the purposes of the MLUL. Ms. Cofone concurred. A discussion about the density of The Lena ensued in response to a question from Mr. Brown about same.

Ms. Cofone concluded her presentation and Mr. Cohen recapped.

Chairwoman Thomas opened the floor to questions from the public at 8:30. There were none.

**Motion** by Ms. Windrem, **seconded** by Mr. Cunningham to approve the application with conditions, as enumerated by the Board Attorney.

ROLL CALL:

**AYE:** Chairwoman Thomas, Mr. Cunningham, Ms. Carra, Mr. Delacruz, Mr. Brown Ms. Goetsch

**NAY:** Ms.

Windrem

**ABSTAIN:**

Councilman Carra returned at 8:28.

**40 E. Somerset Street (Block 109, Lot 1)**

***Preliminary & Final Major Site Plan with Variances***

***(Completeness Only)***

Michael O'Grodnick, Esq. reviewed technical details of the plan such as the redesign of curb cuts, creation of additional parking spaces and access points. Mr. Schrek recommended that the application be deemed complete in accordance with Mr. O'Grodnick's comments.

**Motion** by Ms. Goetsch, **seconded** by Ms. Windrem and unanimously carried to deem the application complete.

ROLL CALL:

**AYE:** Chairwoman Thomas, Councilman Carra, Mr. Cunningham, Ms. Carra, Mr. Delacruz, Mr. Brown, Ms. Goetsch, Ms. Windrem

**NAY:**

**ABSTAIN:**

**DISCUSSION**

**BOROUGH RESOLUTION 2022-05-084 AUTHORIZING PRELIMINARY INVESTIGATION FOR THE REDEVELOPMENT OF BLOCK 53, LOTS 1 and 2**

After a brief discussion, Chairwoman Thomas clarified that the Board would be voting on whether to recommend that the area be sent to Council for study. Mr. Cohen clarified that they would be authorizing Mr. Schrek to proceed with a Redevelopment Study.

**Motion** by Mr. Delacruz, **seconded** by Ms. Carra and unanimously carried to recommend that Mr. Schrek proceed with preparation of a Redevelopment study.

ROLL CALL:

**AYE:** Chairwoman Thomas, Councilman Carra, Mr. Cunningham, Ms. Carra, Mr. Delacruz, Mr. Brown, Ms. Goetsch, Ms. Windrem

**NAY:**

**ABSTAIN:**

**BOROUGH RESOLUTION 2022-05-083 AUTHORIZING PRELIMINARY INVESTIGATION FOR THE REDEVELOPMENT OF BLOCK 80, LOTS 15, 16, 17, 18, 19 20, 20.01 AND 20.02**

After a brief discussion, the Board concluded to authorize the study of these parcels as an area in need of redevelopment.

**Motion** by Ms. Goetsch, **seconded** by Mr. Brown and unanimously carried to recommend that Mr. Schrek proceed with preparation of a Redevelopment study.

ROLL CALL:

**AYE:** Chairwoman Thomas, Councilman Carra, Mr. Cunningham, Ms. Carra, Mr. Delacruz,  
Mr. Brown, Ms. Goetsch, Ms. Windrem

**NAY:**

**ABSTAIN:**

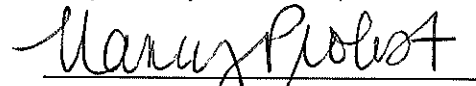
Mr. Cohen spoke directly to Mr. Schrek regarding the funding agreement. A brief discussion ensued between Mr. Schrek and Mr. Cohen regarding language relative to eminent domain in the Redevelopment Plan for Raritan Crossing.

**PARKING STUDY**

Discussion on the parking study was tabled.

**Motion** by Councilman Carra, **seconded** by Mr. Cunningham to adjourn at 8:45.

Respectfully submitted,



Nancy Probst, Board Secretary

APPROVED 7/27/22