

**BOROUGH OF RARITAN**  
Planning Board REGULAR Meeting  
**MINUTES**  
**FEBRUARY 23, 2023**

**CALL TO ORDER & FLAG SALUTE**

The meeting was called to order at 6:33 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  
Mayor Bray  
Councilman Carra  
Mr. Cunningham  
Ms. Carra  
Mr. Brown  
Mr. Delacruz  
Ms. Goetsch  
Ms. Sherwin (absent for roll call; arrived late)  
Ms. Windrem

**Also Present**

Larry Cohen, Board Attorney  
Stan Schrek, Board Engineer  
Lou Gara, Construction Official/Zoning Officer\*  
Joe Bronsen, Van Cleef Engineering

**Absent**

Mr. DeCicco

\*In the absence of Nancy Probst, Mr. Gara assumed the role of Board Secretary.

Chairwoman Thomas announced that the Char and Valley Wellness applications would be adjourned to March 8 at 6:30 in the interest of time with no new notice for Char but Notice to be provided for Valley Wellness.

**AS TO SPECIAL MEETING:**

**Motion** by Denise Carra, **seconded** by Adele Goetsch to hold a special meeting on March 8 at 6:30 in order to accommodate a lengthy agenda and to adjourn the Char and Valley Wellness applications to said date.

**ROLL CALL:** Ms. Thomas, Mayor Bray, Ms. Cara, Mr. Cunningham, Councilman Carra, Mr. Delacruz, Mr. Brown, Ms. Goetsch, Ms. Windrem

Ms. Thomas announced that there would likely be no new testimony after 10pm.

**ENGINEERING/PLANNING REPORT**

Mr. Schrek advised he had no new matters to report on.

**CONSTRUCTION/ZONING OFFICIAL REPORT**

Mr. Gara advised he had no new matters to report on.

**TRC UPDATE**

Ms. Thomas advised that the TRC did meet and asked Mr. Cunningham to provide a synopsis. Mr. Cunningham advised that the TRC met with Valley Wellness and made recommendations to be discussed on March 8. He further advised that the governing body approved the sale of recreational cannabis and that the impacts of that decision were also discussed.

Mr. Schrek advised that a proposal relative to property at First and Burns may need to be considered by the TRC next month. The next TRC meeting was scheduled for March 1 at 9am, without Mr. Cohen who advised he would not be available.

## **RESOLUTION**

- **AREA IN NEED OF REDEVELOPMENT – Block 53, Lots 1 & 2**  
(Tillman Street between Quick & First Avenues)

Mr. Cohen clarified that the resolution was a memorialization of action taken during the public hearing whereby it was determined that the Tillman site meets the criteria for redevelopment and as such, was referred back to Council as an area in need of redevelopment.

**Motion** by Ms. Goetsch, **seconded** by Ms. Windrem and unanimously carried to approve the resolution, as presented.

**ROLL CALL:** Ms. Thomas, Mayor Bray, Ms. Cara, Mr. Cunningham, Councilman Carra, Mr. Delacruz, Mr. Brown, Ms. Goetsch, Ms. Windrem, Ms. Sherwin

## **HEARING/APPLICATION**

- **Raritan Crossing, LLC**

**Block 116.01, Lots 25, 26.01, 27 & 27.01 & Block 112, Lot 3 (90 East Somerset Street)**

**Minor Subdivision and Preliminary & Final Major Site Plan**

*Continued from 1/25/23*

**Susan Rubright, Esq.** entered her appearance on behalf of the applicant, listing the 5 tax lots involved in the proposal to redevelop the property in accordance with the Raritan Crossing Redevelopment Plan prepared by Van Cleef Associates. She provided historical context on same and explained that the Plan was the precursor to this appearance for Site Plan approval. Ms. Rubright offered that the concerns of the neighbors and the Board were considered and would be addressed in additional engineering and architectural testimony this evening.

Ms. Rubright provided an overview of the proposal which she related includes demolition of the existing three story commercial building on the southern portion of the property and replacing it with a four story residential building with parking deck to include 12 affordable housing units in support of the Borough's obligation. She clarified that they are seeking preliminary and final Site Plan with variances.

**Dave Stires, P.E.** was sworn and qualified. He confirmed that he prepared the site plan and presented **Exhibit A6** which was marked into testimony and identified as a colorized rendering of the project overview with the landscaping plan which had been "slightly amended." He referenced a plan date of 1/25/23, revised to 2/6/23, [as submitted], referring to the exhibit as page "9 or 10" of the new plan set.

**Exhibit A7** was marked into testimony and identified only as "existing conditions." Mr. Stires identified the strip mall in the center of the lots, the 3 story building to the South, Raritan mall property further to the south and nearby residential properties.

Mr. Stires explained that clarifications and enhancements to the plans were made in order to address Mr. Schrek's comments. He advised that the plan calls for less impervious coverage that what currently exists and includes a reduction in overall flows as a result of the proposed improvements. He also advised that the storm water report had been filed with the revised plan set dated 2/23 which he reiterated, documents a reduction in runoff.

In addition to the report, he advised that a stream encroachment application and flood elevation determination had been filed with the DEP as well as 0 net fill calculations requested. He advised that they were waiting for a

national heritage data report which had been filed as well. Mr. Stires clarified that criteria have to met in light of the classification as a major development.

Mr. Schrek affirmed that final approvals would be subject to regulatory approval. A discussion ensued about whether the applicant was seeking preliminary AND final approval at this time. Ms. Rubright indicated that they were based on supplemental testimony to be provided this evening. Mr. Cohen expressed concern over the flood plain issue and opined that there were too many issues to consider final at this point. Mr. Schrek and Chairwoman Thomas concurred.

Mr. Cohen asserted that they would only be considering preliminary approval only and that final would come after outside agency approvals were secured. Stressing that Mr. Stires testified as to the applications having been made to the regulatory agency/agencies and adding that she would like to get as much done as possible, Ms. Rubright offered that if preliminary and final were to be granted, they would have the ability to make amendments. She relented and the Board concluded to move forward with the hearing for preliminary approval only.

With respect to storm water discharge, Mr. Stires testified that this was related to the parking garage. He clarified that the proposed building is 4 stories with parking underneath, identifying the parking deck above the garage on the exhibit. He testified that there was subsurface parking for 85 vehicles and explained how the lower level allows for flow based on flood elevations. Mr. Cunningham asked about the level of the first floor and Mr. Stires testified that it was almost 10' above flood elevations.

With respect to the EIS, Mr. Stires explained that the applicant had Ecoscience prepare a report (reference made to latest submission/letter dated 2/2) which resulted in a finding of historical fill but concluded that it was not part of the municipal landfill and therefore, available for residential building.

With respect to site lines, Mr. Stires indicated that Rob Larsen would discuss this as it is relative to elevations. He discussed proposed enhancements for buffering of the adjacent property to the west which he advised, Larken already discussed with the homeowner who voiced no exceptions to the plan. He advised that this would include possibly adding 2' to the existing PVC fence. The question of whether a variance would be necessary was raised but not discussed in any detail.

With respect to landscaping, Mr. Stires advised that while not shown on the site plan, 4 trees had been planted on the west side of the paper street and that they would enhance the plan as needed with additional plantings "right away." Mr. Stires identified the location of the paper street in response to a request from Mr. Cohen. He also identified the house/buffer in question.

The location of the dumpster enclosure and refuse removal was discussed. Mr. Stires indicated that it was proposed to be 27' closer to Glaser Ave. He advised that while they had looked for alternative locations, they were restricted by power lines which had been discussed with the Fire Official. He added that it would be enhanced with a masonry enclosure and testified that Glaser Ave. would have a chain, which he identified on the plan.

In response to a question from Mr. Brown, Mr. Stires advised that while the dumpsters are for the strip mall, the three currently in place would be reduced to two because garbage from the apartments would move out of the lower garage via a chute internal to the building. He testified that there would be an overall reduction of 60% in garbage generation with the elimination of the commercial garbage. He responded to further questions from Mr. Brown about the number of containers and pick up frequency. He confirmed to Mr. Cohen that solid waste from the apartments would be in the basement and added that it was pulled out to the south side so as not to impact the residential area.

Mr. Stires confirmed to Mr. Schrek that the truck turning movements work.

Mr. Stires indicated that he would defer to Mr. Troutman on parking but advised that there are 85 spaces in the garage and 133 surface spaces on the site. When asked by Mr. Cohen whether that included the spaces underground, Mr. Stires provided clarification.

Glaser Avenue access/restriction was discussed at length. Mr. Stires explained that a gate and chains were reviewed with the Fire Official and that it was agreed that the best alternative would be a Knox box with a swinging gate which he explained was part of what was identified in the Fire Official memo dated 2/14. Mr. Cunningham asked for clarification. Identifying the parking area entrances on the plan, Mr. Stires explained that there would be two separate chains/bollards right up against each other and that the aprons would not look like a driveway/both would be chained off. Mr. Cunningham made reference to a problem with this type of system at The Lena and expressed the need for assurance.

A brief discussion ensued about whether the Board could ensure that there would always be a chain by way of condition to any approval. Mr. Cohen indicated that they could. Further discussion on this ensued, with Mr. Brown expanding on the problem at The Lena, as previously mentioned by Mr. Cunningham. Mr. Gara explained that the Board did not require it/was not part of their site plan but rather, it was requested by The Lena. Mr. Cohen opined that if it were part of the site plan, it would not be necessary to make it a condition of approval. Mr. Stires asserted that the Fire Official addressed it in his 2/14 memo which not everyone had. Ms. Thomas offered to forward it.

Landscaping and lack of street trees was discussed. Calling the plan "attractive," Mr. Stires explained that the landscape architect focused trees more on the residential sides and looked at Route 206 for landscaping opportunities. He advised that in his prior approval, Mr. Gardner provided landscaping voluntarily, citing that his properties are well maintained. He offered that while they do not meet the redevelopment requirements for street trees to be placed 30' on center, they would put them where they could. A discussion ensued about whether this required a deviation. Mr. Schrek offered that more information was necessary but that this would be more of an exception. He added that circulation and fire flows still needed to be discussed.

Mr. Brown asked about the bollards on the Busky Lane side and asked for clarification on what areas would be blocked off/the location of the bollards, asserting that it has to be a chain in order to be accessible for fire trucks. Mr. Stires deferred to the locations on the plan.

Mr. Stires identified green giants placed on the west side of the existing fence where he explained the pine trees are. Mr. Cunningham commented on the view. Mr. Stires explained that there would be additional testimony in this regard from Mr. Larsen who would show the proposed perspective. He identified a new parapet wall intended to screen vehicle lights on the parking deck during evening hours. He explained that the wall would be on the west and north sides of the parking deck in response to a question about the location from Mr. Cohen and added that there would be an exhibit.

Utility services were discussed. Mr. Stires testified that in discussions with NJ American Water, they discovered an 8" line down 206 and a 16" line running east and west through the subject property and into the Raritan mall loading area together with a 6" line on Glaser which loops down to Route 206 as well as another loop on Glaser to the 16" line. Mr. Stires indicated that this was discussed with Joe Davignon whom he indicated was "ok" with the proposed plan for re-rerouting. He advised that he was sending a designed plan and that SRVSA had spoken to them, referencing a summary email sent to Mr. Schrek showing additional flow requirements for the building. He explained that they would need a TWA which an approval would facilitate, that would require endorsement from the Borough, SRVSA and final approval from the DEP.

Mr. Stires testified that PSE&G confirmed the availability of gas and electric.

Outside lighting was discussed in response to a question from Ms. Thomas. Mr. Stires testified that there would be 20' metal, down lit highlights in conformance with the requirements of the Redevelopment Plan, two of which would be located on the west side. He also advised that there would be a 6' high fence and additional landscaping/back shield across the fence line.

In response to lighting during evening hours, Mr. Stires testified that this does provide lighting for the parking deck and that other lighting is not necessary except for emergency, which he speculated could possibly be shut down by 10pm.

Mr. Stires indicated that there would be slight spillage to the west but that the back shield and trees would cover it. He identified 6 or 7 lights on the parking deck in response to a question from Mr. Cohen about the total number to be provided. He advised that current lighting would be replaced with high quality LED's. He confirmed the height of the lighting as 20' and that the parking deck is slightly higher than the level of the roadway at 20' above Glaser Ave., in response to questions from Mr. Brown.

Mr. Stires responded to questions from Mr. Cunningham about the size of the parking area accessible from Route 206, leading to the end and then the trash area. He explained that the transition area on the west end of the building from that level would be similar to now. Mr. Cunningham asked where the parking area in front that matches Glaser transitions from 60' to 52'. Mr. Stires identified it, explaining that the main entrance is at the turnaround. Mr. Cunningham asked where the transition for emergency vehicles from Glaser to the south would be. Mr. Stires testified that it was almost a straight grade. Mr. Cunningham offered that there was an 8' drop.

Ms. Rubright called upon Mr. Larsen. **Exhibit A8** was marked into testimony and identified as "perspective 4"/described as the view standing on Glaser at the intersection where the access alley is to the side of the building, showing cuts leading to the parking deck. He clarified that the elevation shown faced southeast with a perspective of standing north of the building.

Elevation calculations and changes in grade related to Exhibit A8 were discussed and testimony was provided that that the parking garage was not visible. The witness explained that the plans were prepared prior to the discussion about the 6' wall so dark shading had been added. He identified the two 6' walls designed to shield lights from vehicles.

Chairwoman Thomas solicited questions from the Board. She then opened the floor to questions from the public for Mr. Stires only.

With respect to fire engines entering the complex from Route 206, **a resident of Granetz Place** (*name unintelligible*) asked whether Mr. Stires was aware that there is only one hydrant on the corner. Mr. Gara advised that a hydrant was being put back by mall too. Mr. Stires confirmed that another hydrant would be added.

**A resident** (*name/full address unintelligible*) asked what the "other entrance" was and whether they would be able to make "the left." Mr. Stires responded that it would have the same purpose but leads to the lower area.

**Bonnie Allen of Glaser Ave.** asked whether there would still be recycling with one trash receptacle. Mr. Stires confirmed there would be two receptacles; one of which would be for recycling as a result of the overall reduction in volume of commercial trash but that they may consider putting three smaller ones.

**Irma Mooney of 34 Glaser Ave.** related that she had been misquoted several times by reporters. She expressed concerns over traffic and evacuation of vehicles as a result of viewing pictures on the website, with reference being made to the flood zone. She asked how people would be evacuated and then asked whether there was any recreation area being provided for the residents of the building.

Ms. Mooney expressed further concern about traffic with so many people being located close to the highway. Mr. Stires responded that the main entrance is higher than the flood elevation and that an evacuation plan is required as a design element.

Ms. Mooney commented that a picture shows the entire area on the Raritan Mall side under water, including part of 206 and as such, asked again how residents would get out. Mr. Stires explained that they would exit down Granetz Place to Somerset Street.

Ms. Mooney asked whether they would get out on foot. Mr. Stires identified the area and explained that they would drive out Somerset. She concluded in saying that this is a really big flood area.

**Jenny Rosa of Woodmere Street** asked what the plans for flood mitigation and increasing water retention as well as circulation on the property are. Mr. Stires spoke about changes in impervious coverage reiterated the need for compliance with DEP criteria.

She spoke about the newly proposed DEP inland flood protection rule passed last month with plans for implementation by January, 2024. She requested that the Board have a memo on it in accepting all new applications (whether final or preliminary). She questioned/expressed concerns about the methodology used for calculating elevations given testimony from a prior meeting. Mr. Stires referred to prior testimony and deferred to Rob Larsen who he related is the architect who can discuss and would provide exhibits to address those concerns.

Ms. Rosa asked whether there would be no testimony on any increase in water percolation. Mr. Stires advised that there is very little perc in the area and that the reduction in flows coming off the site are a DEP requirement. She offered that it would be nice to require new developments to implement green infrastructure.

Ms. Rubright had to interject so Mr. Stires could answer the question for the record. Mr. Schrek advised that they are aware of the new rules and referring to earlier testimony, reminded that final is being withheld because they still have to have discussions with the DEP in order to ensure the proposal fully comports with new rules, leaving the technical aspects to the engineers. As far as percability, Mr. Schrek offered that this is a metropolitan planning area with limited perc so the applicant is doing the best he can by reducing the amount of impervious coverage. He stated that they are ahead of it and reiterated that they will meet with the DEP prior to final approval.

She asked about holding off on preliminary. Mr. Schrek advised that the applicant is appearing with a plan that is compliant with the redevelopment plan that anticipates what has to be done with the DEP. Mr. Schrek confirmed that current flood regulations are currently being used and reiterated this is the reason for withholding final approvals in response to another question about same from her.

**An unidentified resident** inquired about the number of people expected to live in the complex. Chairwoman Thomas directed them to architectural testimony.

**Patrick Dinsmore of 523 Victoria St.** lamented that although the applicant promised at the last meeting to address all aspects of the EIS, it seems that all they got was a "one pager" from an unnamed environmental person. He commented that noise had still not been addressed, referencing the rooftop lounge with no set hours. He asked when that would be addressed. Mr. Cohen explained that the environmental assessment was requested because of the previous area landfill. He stated that he looked at it tonight and had questions. He asked Mr. Schrek whether they needed anything else.

Calling it a fully developed site, Mr. Schrek explained that they are trying to make some improvements that will help environmentally and that concerns with storm water are a significant portion of what they would be looking at with EIS. He reinforced what Mr. Cohen said about the purpose of the environmental assessment. With

respect to noise and lighting levels, Mr. Schrek advised that the Borough has performance standards in the ordinance that are above and beyond adequate. He added that they would be looking at the generator/ac, making reference to prior architectural testimony. He reiterated that the EIS concerns that the Board had related to storm water and the landfill.

Mr. Dinsmore offered that he would like noise to be addressed. Mr. Schrek reiterated that there are performance standards in place which the rooftop lounge would be subject to. Mr. Dinsmore asked what the hours would be. Ms. Rubright offered that this was a question for Mr. Larsen; not Mr. Stires and stated that it was not a lounge. Ms. Thomas commented that his concerns were valid but would wait for the appropriate witness to provide testimony. Mr. Schrek referenced environmental checklist item #7 in the application and reminded that Mr. Larsen covered it at the last meeting.

Mike Patente asked what the density is. Mr. Cohen asked whether he meant the number of units per acre and stated that if so, this was a question for the architect as well. Mr. Stires responded that it was quasi commercial-residential. Mr. Patente persisted, asking how many units per acre it was in "that particular portion." Mr. Stires indicated that he did not know. Mr. Patente asked whether it was 2 acres and Mr. Stires relented that it was "somewhere around there."

With respect to the rooftop, Mr. Patente commented that although the resident agreed to a 9' fence, that will not stop people from the windows on the 2<sup>nd</sup>/3<sup>rd</sup> floor or rooftop from still seeing in. Mr. Stires explained that modifications to the building were made which the architect would address.

Bonnie Allen of 11 Granetz Place asked how this is a better resolution to commercial. She explained that she is the resident depicted on "the 2<sup>nd</sup> paper" and commented on the dumpster location being even closer to her home/level with her property since the land is being raised. She advised that the dumpsters are now facing her property. Mr. Stires advised that the 6' wall was being erected for noise attenuation and that landscaping was added for buffering. He spoke to the location of the wall.

Ms. Allen asked about the height of a garbage truck which someone advised was 8'. She commented that as such, it would still be above that wall. She asked how it could be expected that 75 units would evacuate onto Granetz Place and suggested they would all be coming on to her property since everyone knows 206 floods. Mr. Stires explained that they would exit out the front parking lot onto Somerset Street.

Ms. Thomas asked whether there is a way that garbage pickups can be scheduled at a "palatable" hour. A member of the audience commented that they can be heard between 4:30 – 6:30 am. Ms. Rubright indicated that they would work on this with the private carter and the residents.

Ms. Allen lamented that she felt her question was not answered as 206 often floods. She explained that she wanted to understand it especially since the Granetz building closed for a long time. She asked if the surrounding area raises and the river floods where people will go if they have to evacuate. Mr. Stires explained that they would have to evacuate some vehicles but he wasn't sure about the people. He asserted that while 206 does flood to the south of the site, it does not to the north and identified the area in question on the plan.

Ms. Allen commented on where the water came up to [in the past] and stated that it went beyond where Mr. Stires was saying. She expressed concerns about stranding. Mr. Stires explained that an evacuation route encompassing both pedestrian and vehicular traffic would be required by the DEP and redevelopment plan.

Mayor Bray asked about the difference in elevation for the current building (where it flooded) as compared to where the first apartment would be. Mr. Stires testified that the parking garage which is the area that flooded is at 51' while the apartments are at 62' (10-11' higher than flood elevation). He testified that the elevation of the strip mall was "higher" in response to a question from Mr. Cohen.

Irma Mooney expressed concerns about the number of people associated with 75 units subject to flood water. Mr. Stires testified that the entire structure would not be 100% flooded because the south side of the building is going to allow water to enter into the parking garage and recede. At that point he explained, the garage would be cleaned and vehicles would be able to return.

Mayor Bray asked if it would be up to the property owner to address alternate housing if tenant housing were to be compromised. Ms. Rubright responded that Mr. Stires testified about the DEP requirement for an evacuation route. Mr. Cohen added/clarified that while the Board should be concerned and the Board professionals should make recommendations, it is the DEP ultimately that sets flood plain level regulations which have changed and are set to change again establishing what can be built and require an evacuation plan to include a location for where vehicles would be evacuated to (information he related would be provided in testimony).

**Kate Partridge of Second Street** asked how DEP flood levels compare to flood levels during IDA. Calling IDA “substantially and irregularly high,” the Assistant Engineer offered that could not provide a straight elevation but could get back to her with data. Mr. Stires speculated that it was 3-4’. Ms. Partridge commented on the increased frequency of 500-1000 year floods because of climate change. Mr. Schrek offered that this was recognized by the Governor and DEP, resulting in quickly changing regulations. He reiterated that this is why they are waiting to consider final approval. Ms. Partridge asserted that the speed of climate change needs to be considered and suggested that they plan for what will be. Mr. Schrek offered that they have to plan in accordance with what the regulations are.

Mr. Stires responded to a question from **an audience member** (*name unintelligible*) about the decrease in garbage as it relates to conversion from commercial to a “huge increase” in residential. Mr. Stires reiterated that it was going to go to a different location.

A female audience member who commented earlier but did not identify herself asked if there was a reason why a live/work/play situation was not considered. In replying, Ms. Rubright explained that a live/work/play situation was not part of the redevelopment plan but could be considered in the future if the developer wanted to convert it.

Mr. Cohen and Ms. Rubright redirected the audience with respect to the nature of questioning (questions relevant to Mr. Stires testimony only). Mr. Cohen reminded everyone of the nature of what the Board was charged with. Ms. Thomas suggested they proceed with the next witness.

**Rob Larsen, Architect** acknowledged being previously sworn and advised that he would have responses to topics that had been brought up last previously as well as answers to questions that had been raised.

**Exhibit A9** was marked into testimony and identified as a building plan of the 1<sup>st</sup> floor with slight revisions to sheet 4 of 9. Mr. Larsen addressed height relationships and views/privacy relative to houses to the west and north. He explained that there were three units on that end and that the home to west was 80’ away while the home to the north was 150’ away. He explained that by flipping the west facing unit, the terrace would be further from the backyard and that the corner unit facing that side was relocated to the south side/moved off the façade as a result of privacy concerns.

**Exhibit A10** was marked into testimony and identified as a site section with a perspective running east, looking south showing the vertical and horizontal relationships as if standing on Glaser, cutting through the parking deck. He referred to a superimposed photo of the home to the west and explained that Mr. Stires shot the existing top of the ridge of the home on Granetz and existing building and that the roof of the existing structure is at 95’ while the proposed structure (at 111.5’) is approximately 16.5’ higher. He provided additional testimony on elevations.

Mr. Larsen testified that the elevation of the parking deck was at 51' while the surface parking is at approximately 61' and that the black line at the edge of the parking lot is a 6' masonry wall designed to stop vehicles from turning lights towards the home. He reiterated that there were now a limited number of terraces facing the home and that additional 5' row of landscaping had been added.

With respect to the rooftop, Mr. Larsen testified that no one can stand within 10' of the edge as a result of landscaping and/or hard architecture. Ms. Thomas expressed concerns about noise there traveling at a higher level. Mr. Schrek asked whether the setback of the rooftop from the edge is regulated somewhere. Mr. Larsen testified that it is a 42" guardrail but that they will be moving activities 10' further inward.

As to noise, Mr. Larsen presented **Exhibit A11** which was marked into testimony and identified as the north/south section looking west with respect to concerns about the home on Granetz which is approximately 150' away from the façade. He testified that the top of the home elevation is 85' and that there will be a 6' wall to stop lights from shining onto Glaser Ave and integral to the trash enclosure which he identified on the cross section.

Mr. Larsen provided extensive testimony on how building height is calculated. He testified that the top of the building is approximately 16' higher than the roof of the closest home and that it is a 16.5' difference in height going from 95' to 111.5'.

Mr. Cunningham asked whether the west side of the building has windows. Mr. Larsen advised that it does but that the building is compliant with respect to setbacks. Referencing Exhibit A10, Mr. Cunningham offered that he would have concerns if he were the impacted resident/s. Mr. Larsen detailed efforts that the applicant has made in order to address those concerns (i.e... higher trees, limitations to outdoor space and additional landscaping).

Mr. Larsen declined to comment on lighting in response to a question from Mr. Brown about lighting that would be down on parking in that area but over lit on Glaser. He did discuss the pole in the fire alley that can be better controlled and household shielding/lighting designs that limit the amount of spill as components of the plan.

Mr. Schrek asked whether there would be any façade wash lighting. Mr. Larsen advised that there is not currently but expects there will be. He advised that it does not have to be on that elevation and that lighting is safety type. In response to a question from Mr. Cohen about wash lighting on the west and north sides, Mr. Larsen indicated that they would agree to no extra lighting on the west side on short no façade.

With respect to HVAC noise, Mr. Larsen reiterated that all units have internal equipment which would limit noise to the interior of the units. He testified that there would be a limited number of condensers on the roof. Mr. Larsen marked **Exhibit A12** into testimony which he identified as an aerial perspective view of the proposed structure, showing both the improved and unimproved portions of the roof. He explained that the portion furthest away from the existing residence is where the compressors for common areas would be together with potentially a small generator, all of which would be screened by parapets.

With respect to recreational noise, Mr. Larsen spoke about limitations to hours and controlled edges/presence of turf.

Further discussion ensued regarding recreational noise. Mr. Larsen reviewed the measures being taken to reduce impacts and advised that they would have limited hours and have to comply with noise ordinances. Mr. Cohen suggested that the Board could impose a condition on the hours.

Ms. Thomas asked about lighting. Mr. Larsen explained that it would be safety lighting and that there would be no spillage/after hours allowances. Ms. Thomas asked whether the roof was considered green from an environmental standpoint. Mr. Larsen responded that it does move towards green initiatives and with respect

to a question about recreation, mentioned the rooftop, amenities within the building and the hope that people would be walking around Raritan.

Mr. Larsen explained that the stairs to the main entrance have to come out above flood level (10') and that the entire north side is above flood level. As for the evacuation plan, he testified that the client will create a management plan to return residents in the event of evacuation.

Mr. Larsen spoke about refuse. He testified that there would be an enclosed internal system which would manage store and compact garbage which would ultimately be brought to the south side for collection. He expanded on the mechanics of the process in response to a question from Mr. Brown.

Mr. Larsen responded to a question from Ms. Sherwin about sidewalks with respect to pedestrian and bicycle access. He spoke about a sidewalk all along the building with pedestrian access out to Granetz and Glaser as well as existing sidewalks along the front of the center. As for bike access and storage, he indicated that there was sufficient space downstairs to store/hang bikes and bike racks around which would be added to the plans.

Ms. Sherwin asked about guidance for people riding bicycles on Rt. 206 heading downtown. Mr. Stires offered that they could add way finding signage and mentioned the sidewalk leading to Granetz as well as access out to Orlando Drive via the mall site.

Ms. Thomas asked about whether any bikshare programs were considered. Mr. Larsen indicated that the client tends to stay ahead of those trends.

Mr. Larsen spoke about noise from weekly generator testing in response to concerns about same from Ms. Thomas. He testified that it would cycle at noon.

Mr. Larsen identified points of entry/sidewalk areas on Exhibit A6 in response to another question about sidewalks in the back from Ms. Sherwin.

Mr. Larsen spoke about access to the roof in response to a question from Mr. Brown. He confirmed the location of the access point for Glaser as it relates to the ramp/stairs being raised to street level at the behest of Mr. Cunningham. Mr. Stires added that they would be ADA compliant. Mr. Larsen testified that if the parking lot does see water, the surface in question would unlikely flood. He confirmed that pedestrian egress would still be possible even with chains at the behest of Mr. Brown.

Mr. Larsen testified that the area around the building/path would be a stabilized grass surface that could still accommodate vehicles but would be safe for dogs to walk on. Mr. Schrek clarified that it is the same pervious material used in other applications that does not count towards coverage and creates green space around the building.

In response to a question from Mr. Brown, Mr. Larsen testified that they are planning to replace the current [white] fence with a taller one which may require a variance and which he related they discussed with the neighbor. He responded to questions from Ms. Goetsch about a postal room/mail delivery.

Mr. Larsen advised that the presence of [24 hour] on site management would be addressed in response to a question about same from Mr. Cohen.

The Chairwoman solicited questions from the Board of Mr. Larsen. There were none. She opened the floor to questions from the public.

**Greg** (*last name unintelligible*) of **Glaser Ave** related that he asked for trees in addition to the higher fence and proposed a gate rather than a chain as a result of prior experience with a chain on Granetz.

**Paul Malarcher** asked about bike storage in the parking deck and whether there would be charging for ebikes in that area as well. Mr. Larsen explained that there would be power in that area but deferred the question to the applicant.

Mr. Larsen responded to fire safety concerns from Mr. Cunningham. He explained that there would be a code compliant three hour concrete deck separation.

**An audience member** (*name/address unintelligible*) expressed concerns about traffic, as it relates to children and pet safety and about where children/families would play. He related that the question he asked previously about recreation had to do with the likelihood of increased foot traffic on Glaser. He opined that it was not a safe environment for families. Mr. Larsen spoke about the anticipated demographic based on Rutgers data which does not include a lot of school age children and explained that recreation was provided for on the roof.

Jenny Rosa asked about the existing height of 34' and proposed height of 60'. Mr. Larsen asked for clarification as those dimensions did not resonate with him. Jenny related that it was in a document provided by Ms. Rubright. Ms. Larsen asserted that he stood by his testimony and explained at length how the calculations are performed, referencing Mr. Stires chart. He offered that it was confusing because of the change in grade around the building.

Referencing the side yard setback being "less than allowed," Ms. Rosa asked for confirmation that it would not increase any shadow cast onto the neighbors. She asked about the reason for "waiving that variance." Mr. Larsen asserted that he provided testimony on the relationship of the building to the home on the west side. He explained that the variance is not on that side of the building and that the current bldg sits about 30' from Route 206 while the proposed building would be at 35' where 50' is required. Mr. Larsen spoke about shadowing and asserted ultimately that the impact of the shadow cast to the west would be limited/minimal and in compliance with zoning for height.

Ms. Rosa asked whether a rain garden was contemplated as a mechanism to capture/filtrate water. Mr. Larsen spoke about the benefits of the green roof as a sustainable design initiative.

**A resident of Glaser Ave.** (*unidentified/unintelligible*) expressed concerns about vehicular traffic with respect to the entrance into the parking garage and cars coming out to the busy 206 intersection. While he ultimately deferred to the traffic engineer, Mr. Larsen explained that they looked at multiple point of access making reference to testimony provided by Mr. Stires about the need to leave grade above flood level. The resident commented that there was 30' from 206 to get in/out of the garage.

Bonnie Allen expressed concern about impacts of the 4 story building on their solar system, particularly in the summer. Mr. Larsen opined that shadows of a 48' building in high summer sun would not impact a west facing home 150' away.

The Board took a recess at 8:53 and returned at approximately 9:08.

**Jay Troutman, Traffic Engineer** sworn and qualified.

Referencing a traffic report on file dated 11/10/22, he provided a summary of his findings.

Mr. Troutman testified that the proposal seeks to remove 36,000 s.f. of traffic generating space and replace it with a less impactful traffic pattern. He testified that while there would be no difference in weekday morning trips, a substantial change in traffic would be realized during afternoon weekday peak hours with an anticipated decrease of 178 trips. He offered that it would be the same during peak hours on Saturdays, anticipating a

decrease of 200 trips. He concluded that traffic intensity on the site and surrounding streets that the driveways access would be decreased.

Mr. Troutman spoke about the traffic relocation plan, referencing 85 garage spaces potentially and 37 in the low area potentially for a maximum of 122 vehicles. He advised that the site of a “walkable” parking facility would be located about 4 minutes away by car at 575 route 28 (Raritan Valley Prof Center) and would be governed by a license agreement with that property which is owed/managed by applicant as well. He added that at peak, a large number of the overall parking on site (287 spaces), is unused (estimating 180 empty spots). He explained that the residents would be informed of the plan in the lease and that the landlord would arrange for transportation.

**Exhibit A13** was marked into testimony and identified as Sheet 4 of the Site Plan on file, entitled “project overview site” by Mr. Stires with a parking chart added. Mr. Troutman testified that the RSIS requirement is 144 but that residential demand could be accommodated given the 85 garage spaces together with the 32 in the other area. He explained that 71 were adjacent for retail where 98 are required; resulting in a shared situation during the day where retail would be more prevalent. Including the 20 shared spaces, Mr. Troutman offered that code for parking would be met at 147.

Mr. Cohen asked for clarification with respect to 144 being required for residential and only 117 solely being dedicated for same. Mr. Troutman clarified that the other 30 were allotted for in the shared parking situation.

An extensive discussion on a possible disparity ensued between Mr. Troutman and Mr. Cohen. Mr. Troutman explained how the 10% discount for EV ready spaces, amounting to 14 spots impacted the final calculations. Further discussion on calculations ensued. Mr. Cohen offered that shared parking makes a difference and asked whether RSIS could be satisfied by using shared parking. Mr. Troutman asserted that it could. Mr. Schrek affirmed this.

Mr. Troutman testified that there was one dedicated space per unit in the garage. An extensive discussion about the EV spaces ensued in response to a question from Mr. Cunningham about whether the 14 EV spots would be dedicated solely to EV vehicles.

Concerns about the adequacy of parking were discussed, particularly with the presence of the Tai quan dao studio which Mr. Brown offered by itself completely fills the parking in the back. Mr. Cunningham reminded that the prior approval addressed parking for employees.

Further discussion ensued about how the overall parking requirement of 242 spaces for the entire site is met given the EV credit which brings the number down to 218 and therefore allows for the residential requirement to be met. Mr. Troutman reviewed calculations again.

Mr. Troutman responded to a question from Ms. Thomas about circulation with respect to the shared parking as well as the “vertical area to the right.” He testified that it would include a two way aisle and that cars would turn around to exit. Ms. Thomas questioned the feasibility of adding a turnaround given current circulation challenges that already exist. Ms. Rubright offered that the turnaround is more in the residential area and indicated that it would be discussed further. Mr. Troutman opined that it would improve circulation. He confirmed that an average vehicle can maneuver the turn in response to a question from Ms. Thomas.

Mr. Troutman confirmed to Mayor Bray that the 85 spaces under the garage were dedicated to resident parking and that anyone with a second vehicle would have to park above. He offered that their experience relates primarily to one car couples, particularly given walk ability to the train. Mayor Bray lamented that it takes away from retail. He asked that a condition of approval be added with respect to the relocation plan making transport for residents mandatory in the interest of safety.

A discussion ensued about employee parking in response to a question from Ms. Thomas. Mr. Troutman deferred to the “adjacent spaces.” He testified that while the typical parking demand is 1.5 spaces per unit, this is not normally realized given proximity to the train and younger demographic. Mr. Troutman confirmed that proximity to public transportation allows for a reduction in RSIS requirements (from 1.8 to 1.5) in response to a question from Ms. Rubright.

Mr. Cohen asked Mr. Troutman to provide testimony with respect to safety with respect to the entrance/exit onto 206. Mr. Troutman opined that it would be safer given the anticipated 200 trip decrease and that the traffic pattern would be more compatible at such a lower intensity. Mr. Cohen commented that the current building is dense and active. He asked whether an amendment to the DOT permit would be necessary given the change in use. Mr. Troutman testified that it would not given the lower traffic intensity.

Mr. Brown asked about parking for the urgent care anticipated to move to the existing building. Mr. Troutman offered that he was uncertain as to whether that tenant is moving. Mr. Brown advised that it currently has dedicated parking. Mr. Troutman reiterated that he was uncertain as to which tenants were moving.

Mr. Troutman confirmed that the configuration of the lot would not be changing in response to a question from Ms. Goetsch. She too expressed concerns about issues with parking needs due to the karate and urgent care businesses. Mr. Troutman advised that it would be addressed on the Site Plan.

Chairwoman Thomas solicited questions from the Board. There were none. She opened the floor to question of the witness.

Irma Mooney asked about ADA spaces for residents and others. She mentioned the dedicated parking for the urgent care and stressed that there needed to be a safe place for drop off of children and a need for overflow traffic. She offered that turning around/backing up with cars parked parallel to 206 is difficult. She asked about the ability of tow trucks to access the site and commented on the dangers of the turn due to tractor trailers speeding on 206.

**An audience member** (*unidentified/name unintelligible*) asked how guests would be prevented from parking along Glaser and Granetz given the younger demographic and shared parking situation, sharing that this is already a current issue. Mr. Troutman asserted that there was adequate parking close to the building. The audience member stated that “clearly” there is not for guests. Mr. Troutman reiterated that in his opinion, there is. The audience member mentioned the summer and the deck.

**Chris Allen of 11 Granetz Place** asked whether the study looked at how busy it is there given the earlier discussion regarding bicycle traffic/safety. He offered that the infrastructure is not there for the building and mentioned congestion as a result of building in neighboring towns. He asked whether this was contemplated as well. Mr. Cohen explained that the number of units was dictated by the redevelopment plan and reminded that Mr. Troutman’s testimony was such that there would be less traffic generation than existing given the change in use.

**Erica Landesberg of Meehan Ave.** asked where they landed on the numbers [parking space requirements]. Mr. Cohen explained that the reason the calculations weren’t working was because of Mr. Troutman basing the 10% deduction off of residential only, creating a discrepancy. He clarified that the numbers work once the deduction is taken from the gross number of spaces. Mr. Troutman concurred. Ms. Thomas clarified that the numbers comport with the RSIS requirement.

Referring to it as an existing hardship, Ms. Windrem asked how wide the driveway entrance is from 206. Mr. Troutman explained that pulling the building further away given the new side yard setback will open it up a little but that it is 50’ wide currently.

Ms. Sherwin asked whether the current connection between the building and Raritan mall where people cut through would be closed. Mr. Troutman indicated that it would not be. She asked whether there was a concern that cars can still come through there at high speeds. Mr. Troutman testified that while the properties would still be connected, there would be less traffic.

Kate Partridge asked whether the parking dedicated to tenants would be included in their rent. Mr. Cohen explained that the Board's policy on this is that it would have to be, was made clear. She asked about where delivery trucks like Amazon would park. Mr. Troutman advised that they would use the turnaround and that an entrance point for packages would be identified. Ms. Partridge expressed concerns about this. Mr. Troutman offered that this is what the circle is for. Ms. Rubright asked for clarification. Mr. Troutman asserted that they would not block circulation.

Questions arose about the current width of the driveway. **Al Testafano of 75 First Ave.** asked specifically. Mr. Troutman reiterated that it is 50' wide.

**Patrick Dinsmore of 5243 Victoria Street** asked for a breakdown of trip generation. Mr. Troutman reiterated that there would be a decrease of about 200 peak hour trips spread over all entrances, likely resulting in a decrease of 50 trips from what is being experienced currently.

Bonnie Allen asked whether access to Busky Lane was going to be removed. Mr. Troutman testified that it would continue. Ms. Allen lamented that this could affect bussing in the morning. Mr. Troutman referred to the decrease in traffic generation. Ms. Allen made reference to people cutting through towards Hillsborough and Mr. Troutman again referred to the anticipated decrease in trip generation.

Ms. Rubright asked whether Planning testimony to be provided by Mr. Larsen should proceed or whether they should adjourn to next month. Mr. Cohen offered that time needed to be left for public comment. The hearing was closed and Mr. Cohen announced that it would be carried to March 22 without further Notice.

Chairwoman Thomas opened the floor to general public comment on anything EXCEPT the application.

**Mike Patente** offered that while he was not against apartments, he and his children have lived in Raritan all of their lives and that apartments are changing the whole perspective of the town because of "transient people." Mr. Cohen reminded him that he could not comment on the application. Mr. Patente asserted that he could comment on anything he wanted to. Ms. Thomas allowed him to continue.

Mr. Patente offered that he understood that the Board has a tough job and that they are trying to help businesses while looking out for residents, garbage coming out from the building is going to get paid for by the town. Addressing the parking engineer's testimony, he asserted that there is no way that there is going to be enough parking, referencing intensity guidelines. Making reference to Stonebridge at 17.5 units per acre, he opined that this was too many units per acre and that the footprint is too big, causing "bad vibes" for the surrounding community.

Several audience members applauded. Ms. Thomas warned him about commenting further on the application.

Ms. Partridge asked what the advantage is for the town.

Referencing "a whole dissertation" Mr. Patente gave on the application, Ms. Rubright asked the Board disregard anything he spoke about along with any other dissertations given by anyone else commenting on the application despite the Chairwoman's direction as it was disrespectful to her. Mr. Cohen agreed, clarifying that the public hearing had been closed so comments should not have been entertained on it.

Ms. Partridge asked why there were so many big projects and again asked what the advantage is for town. Referencing infrastructure, she suggested that Somerville had gone too far already. Ms. Thomas explained what the advantages of working with a developer by way of redevelopment agreement were in as much as it gives the Board more leverage in what gets done since it can't be prevented. Mr. Cohen offered that it has a lot to do with state laws for Affordable Housing. Ms. Thomas explained that the Board takes into consideration whether a matter is going to be litigious and takes the concerns of residents into consideration as well, in an effort to get things to work without affecting quality of life.

Ms. Partridge commented on affordable housing that was already available in private homes. Ms. Thomas offered that these facilities often offer better living situations. Further discussion ensued between Ms. Partridge and Ms. Thomas.

**An unidentified audience member** asked how the decision was made to legalize recreational marijuana and why it wasn't put out for a decision by town/got through so "secretively." Ms. Thomas explained that this was not Board jurisdiction. She deferred to the Mayor and Council member. Councilman Bray provided historical context beginning with the allowance for medical cannabis in 2021. He asked to see the Minutes and addressing Councilman Bray, said he told him when he went door to door that it was not going to happen. Ms. Thomas redirected him, reminding him that this was not the venue for this discussion. The audience member stated that it was on the agenda. Ms. Thomas clarified that what was on the agenda was an application for a change in parking that will be heard on March 8<sup>th</sup>. She clarified that is not with respect to whether the use is allowed but rather for parking related to the site.

Directing her comments to the Mayor, **Susan Mosca Grosso of Sherman Ave.** stated that at the last Council meeting she asked him about recreational marijuana and he said it had not been decided yet. She expressed frustration about having to read in the Breeze that it had been approved. Mayor Bray explained that it was voted on at Council. Ms. Montegrosso continued to direct comments about what transpired in 2020 at Council towards Mayor Bray. Ms. Thomas reiterated that this was not the venue for this discussion. Ms. Montegrosso offered that recreational is retail and is going to cause a big influx of people. Ms. Thomas explained that this is why the Planning Board is dealing with the parking piece.

**Roger Kopt of 1120 Route 22** asked for clarification on what the Board had decided with respect to parking for the recreational marijuana facility. Ms. Thomas clarified that this would be discussed on March 8 when they appear.

Ms. Montegrosso commented that recreational is a "done deal." Mayor Bray said he would be happy to discuss in the hallway.

**An unidentified audience member** asked about whether they were able to provide the number of affordable units needed which was asked for at a prior meeting. Mr. Cohen explained that it is a designated number assigned by the Court, needed by 2025. Reading aloud from page 12 of the Fair Share Plan, Joe Bronson advised that the satisfaction of the third round obligation is 293 affordable units. The audience member asked when counting began. Mr. Cohen explained that a number have already been done. The audience member asked again when counting started. Ms. Thomas explained that the Borough had been dealing with this since she came on the Board in 2005 when it was under COAH. She asserted that Raritan has stayed on top of it as much as possible and better than a lot of other towns which is why so many large developments are being built in neighboring towns.

**An unidentified audience member** asked whether the Borough could build it themselves in order to satisfy the requirements and not deal with any more developments. Calling it a complex issue, Mr. Cohen spoke about the financial implications of doing this as it would affect taxes. He deferred to the information on the website.

An unidentified audience member offered that there was a snowball effect because the more population you get, the more affordable housing you need. Mr. Cohen explained that since the 70's, the courts decided that it was a constitutional issue

Multiple simultaneous comments were proffered by unidentified or indistinguishable audience members. The Public comment portion was closed shortly thereafter.

The Chairwoman adjourned the meeting at approximately 10:55 p.m.

**Approved:** \_\_\_\_/\_\_\_\_/\_\_\_\_