

BOROUGH OF RARITAN
Planning Board REGULAR Meeting
MINUTES
June 28, 2023

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
Mayor Bray
Councilman Carra
Mr. Cunningham
Ms. Carra
Mr. Decicco
Mr. Delacruz
Mr. Brown
Ms. Goetsch
Ms. Sherwin*
Ms. Windrem
Ms. Debellis

Also Present

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

Absent

Mr. Delacruz

*Arrived late; not present for roll call.

APPLICATIONS/HEARINGS

Ms. Thomas announced that the following matters would be carried to July 26, 2023 **without further Notice:**

- **SD & RR, LLC (Block 95, Lots 12 & 13)**
17 & 19 Colfax Street
Preliminary & Final Site Plan
- **AMRUTHA, LLC (Block 44, Lot 5)**
31 Frelinghuysen Avenue
Minor Site Plan with Variances
- **BOSCAINO, MICHAEL & SARA (Block 98, Lot 10)**
45 East Somerset Street
Minor Site Plan with Variances

OTHER BOARD BUSINESS

The Board welcomed new member Kathy Debellis who was sworn in by Mayor Bray.

*Sammi Sherwin arrived at 6:36.

ENGINEERING REPORT

Mr. Schrek advised that despite a delay in closing on “the apartments,” Friday, the contractor had been monitoring the site and that performance guarantees were going to be transferred. He explained that they want to meet with the Borough and Duke Farms in order to discuss a parking plaza and walkway access, with the Plaza area tying into an AARP grant as well as being related to connectivity with the train.

Mr. Schrek spoke about the previously awarded TAP grant from 2016 which he explained, would be moving forward after delays resulting from Covid/DOT slowdowns. He explained that an additional \$650,000 was secured, thanks to Councilman Carra and that the plans were currently being reviewed by Historic Preservation after having undergone environmental review. He related that review of final design was needed, speculating that it could go out to bid either late in the season or 2024. Ms. Thomas asked that they keep driving the project forward.

Mr. Schrek advised that the PNC Bank building had been purchased for use as Municipal office space. He related that the Police Department would remain in the current building which would be slated for renovations using an additional \$6,300,000 in grant money secured as a result of Councilman Carra’s efforts. He explained that a consistency review before the Board would be required once Council adopts an enabling ordinance, with timeframes for construction tied in to this. He also spoke about the correlation of this project with the parking study given changes in parking downtown resulting from increased availability due to the location of police vehicles.

Ms. Thomas congratulated Mr. Bronsen on his promotion to Planner.

CONSTRUCTION/ZONING OFFICIAL REPORT

Mr. Gara provided updates on the following:

- Janssen – Large volume of work still underway.
- Labcorp – Work still underway with various updates/revisions to plans/project.
- Nik’s pub – Exceeded what permit was issued for but straightened out; will be moving forward with new Architect.
- Drug store - Still in flux.
- Corner Tavern – Received Zoning inquiry from Realtor. Plans to reopen restaurant not likely going to happen; may lease.

TECHNICAL REVIEW COMMITTEE

Ms. Thomas advised that while the TRC had not met, they would be convening in order to meet with applicant Amrusa LLC regarding design issues on July 5th at 9am. Availability was discussed.

APPLICATIONS/HEARINGS

BUONOCORE, EDWARD & KIM (Block 90, Lot 2)

3 Wall Street

Bulk Variances

Ms. Rubright entered her appearance on behalf of the applicant and provided an overview of the application as it relates to an existing developed property on an undersized lot in a developed part of the Borough. She explained that the case for relief would be made under the flexible “c” criteria with respect to lot size, side yard setbacks and impervious coverage.

Kim Buonocore was sworn in and provided historical context with respect ownership and the reasons for seeking relief. Mrs. Buonocore related that her family had been living in the home with their 3 sons for 27 years and decided to expand [rather than purchase a new home] in order to accommodate a second bath and a fourth bedroom. She discussed current constraints such as two of her sons in their 20's having to share a room and the inconvenience of having only one bath which is located on the second floor. She explained that laundry facilities would be moved upstairs, in the kitchen area for logistical reasons.

Ms. Buonocore related that despite trying to minimize the extent of relief, there was no way to avoid variances because of the lot being undersized. As to the side yard variance, she testified that she spoke to the neighbor who would be most impacted and that he submitted a letter which she offered to provide. She related that she would not be proceeding if he had an objection to her proposal. She testified that she also spoke with the neighbor in the rear and that the home on the other side of her is a three family. Ms. Rubright offered to mark the letter into testimony as an exhibit. Mr. Cohen asserted that this would not be necessary in light of Mrs. Buonocore's testimony which was accepted.

Four photos [of the house and neighborhood] were distributed, marked into testimony as **Exhibit A-1** and discussed. Mrs. Buonocore described the first photo as a view of the neighboring homes (to the right and left of hers). She described the second photo as a view of 6 and 8 Wall Street (across the street), the third photo as a view of the subject property as well as 5 and 7 Wall Street (single family homes) and the fourth photo as a view of their house as well as the homes at 1 and 3 Wall Street.

Mrs. Buonocore addressed comments in Mr. Schrek's report regarding a tree on the subject property which she related was slated for removal due to health/viability. She identified the tree in question as a Japanese Maple and expressed her willingness to replace it, if required. Further discussion ensued in response to questions from Mr. Cunningham.

Mrs. Buonocore provided testimony specific to mitigation of storm water impacts with respect to the impervious coverage variance. She related that after meeting with landscapers, she is hoping to install a rain garden which there is adequate room for that she has been exploring on the Rutgers website. Chairwoman Thomas endorsed this. Mr. Shrek offered that this should be a condition of any approval and spoke about guidelines/restrictions.

Chairwoman Thomas opened the floor to questions. There were none.

Mark Yarrington, AIA was sworn and qualified. The survey (in the application packet) and floor plan were marked into testimony as **Exhibit A-2 and Exhibit A-3**, respectively.

Mr. Yarrington provided dimensional testimony for the lot and building and identified the variances for existing conditions as minimum lot area, minimum lot width, maximum lot coverage, front yard and side yard setbacks. Mr. Cohen clarified that there were three variances required as the minimum lot area, lot width and front yard setbacks were existing nonconformities.

Mr. Yarrington discussed existing conditions in the neighborhood and testified that the proposal was consistent with same. Photos of existing conditions which Mr. Yarrington indicated were taken about a year ago were entered into testimony as **Exhibit A-4** and discussed. He made reference to ceiling height, the water heater flue location, existing shower and lack of closet space in particular. He referred to a

previously marked exhibit with reference to the front of the house.

Mr. Yarrington provided justification for the location of the addition, suggesting that it would meet goals for functionality as well as budgetary restraints. Referencing Exhibit A-3 [identified as the floor plan with a revision date of 1/3/23], he reviewed the interior layout, as well as exterior/color schemes.

Chairwoman Thomas opened the floor to questions from the public. There were none.

Ms. Rubright reviewed testimony on lot coverage, runoff mitigation measures (proposed rain garden) and tree removal, citing a willingness to replace same in connection with Mr. Schrek's review letter. Mr. Schrek offered that the tree would likely be problematic for construction anyway.

Ms. Rubright reviewed the rationale for the variances (lot coverage and setbacks in particular). She offered that strict application of the ordinance would result in practical difficulties and unnecessary hardship that would be inconsistent with the general purpose and intent of the ordinance. She explained that because the lot is undersized and narrow, there is no way to build an addition that would not impact the side yard or impervious coverage.

Ms. Rubright offered that the applicant tried to minimize the extent of relief needed as much as possible. As to the positive criteria, she asserted that the hardship criteria under c2 would be met since the improvements to the house would also benefit the neighborhood, resulting in a better zoning alternative.

As to negative criteria, Ms. Rubright asserted that there would be no substantial detriment to the public good and that the proposal would not substantially impair the intent/purpose of the zone plan as the lot is already nonconforming and the applicant making effort to minimize impacts. She reminded that Notice had been provided and did not result in any objections from the neighbors. Mr. Cohen added that it also meets the "a" criteria as it would not be inconsistent with the neighborhood. Ms. Rubright offered that the side yard setback and coverage are consistent with other properties in neighborhood.

Motion by Councilman Carra, **seconded** by Mr. Brown to approve the application with conditions, as discussed. Mr. Schrek added that in addition to purpose "a," purposes "b" and "i" of the municipal land use law would be promoted with a grant of the variances. Prior to voting, Chairwoman Thomas confirmed that Mr. DeCicco recused.

ROLL CALL:

AYE: Chairwoman Thomas, Mayor Bray, Councilman Carra, Mr. Cunningham, Ms. Carra, Mr. Brown, Ms. Goetsch, Ms. Sherwin, Ms. Windrem, Ms. Debellis

NAY:

ABSTAIN: Mr. DeCicco

PUBLIC COMMENT

There were no audience members present and as such, there was no public comment.

ADJOURNMENT

Motion by Mr. Cunningham, **seconded** by Ms. Carra to adjourn at 7:33.