

**BOROUGH OF RARITAN**  
Planning Board Meeting  
**MINUTES**  
August 23, 2023

**CALL TO ORDER & FLAG SALUTE**

The meeting was called to order at 6:34 p.m. in the Borough of Raritan Municipal Building. Mr. Cunningham read the open public meetings statement into the record.

**ROLL CALL**

**Present**

Ms. Thomas  
Mr. Cunningham  
Councilman Carra  
Ms. Goetsch  
Mr. DeCicco  
Mr. Brown  
Ms. Sherwin  
Ms. Debellis

**Also Present**

Larry Cohen, Board Attorney  
Stan Schrek, Board Engineer  
Joe Bronson, P.P.  
Lou Gara, Construction/Zoning Official\*

**Absent**

Mayor Bray  
Ms. Carra  
Ms. Windrem

\*In the absence of Nancy Probst, Mr. Gara acted as Board Secretary.

**APPROVAL OF BOARD MINUTES**

**Motion** by Councilman Carra, **seconded** by Mr. Brown to approve the Minutes of July 26, 2023 by voice vote. *Ms. Thomas and Ms. Goetsch abstained.*

**ENGINEERING REPORT**

Mr. Schrek provided an update on the purchase of the PNC Bank property and proposed improvements to the existing Municipal building. He advised that Council introduced an ordinance to enable public parking and asked Mr. Cohen whether a Master Plan consistency review was needed. Mr. Cohen advised it was not. There was a brief discussion about the need for a zone change in the B1 in order to facilitate the government use.

With respect to the Regional Center Partnership, Joe Bronson advised that the County is working on reapplication on behalf of the Borough and as such, he would be working on compiling information relative to the Master Plan and the Recreation Plan in particular, in the interest of completing required worksheet. He suggested that it might be worthwhile to investigate the Recreation Plan next year. Timeframes for amendment to the Master Plan were discussed.

The Board welcomed Jacqueline Richardson who Mr. Schrek introduced as an intern.

**CONSTRUCTION/ZONING OFFICIAL REPORT**

Mr. Gara provided the following updates on current projects:

- Construction started at the gas station on Somerset Street.
- Construction well underway at the old Mugs/Niks on Main Street with improvements to the façade to be visible in the next few weeks.
- Construction on the Janssen campus moving along “well” with new projects in the permitting process
- Progress at Labcorp “slow and steady.”
- New permits being processed for Raritan Crossing as a result of tenant relocation from the other building to the front of the strip mall.

Mr. Gara responded to a question from Chairwoman Thomas about a meeting with Duke Farms. Mr. Shrek advised that nothing needed to be put on the record at this time. Mr. Gara explained that the Borough Attorney had spoken to the property owner’s attorney and that any visible activity (on the site in question) was due to work being done in order to “secure the site.”

**TECHNICAL REVIEW COMMITTEE**

Chairwoman Thomas advised that there had been no TRC meetings held.

**APPLICATIONS/HEARINGS**

Chairwoman Thomas announced that no new testimony would be heard after 10pm.

- **AMRUTHA, LLC (Block 44, Lot 5)**  
31 Frelinghuysen Avenue  
*Minor Site Plan with Variances*

**Susan Rubright, Esq.** entered her appearance on behalf of the applicant. She explained that they are in the process of preparing a Site Plan, (post TRC meeting) and would be requesting an adjournment to a date uncertain given the necessity of new Notice. Adjournment to a date uncertain was granted.

- **VALLEY WELLNESS (Block 41, LotS 2 &3)**  
405 Route 202  
*Amendment to Condition of Prior Approval*

**Tim (last name inaudible)** identified himself as Head of Operations for Valley Wellness and provided historical context relative to offsite parking for employees which included a requirement of vehicular transportation to their facility from an offsite parking location. He explained that the business opened for Adult Use on 5/2/23 and that DOT approval had been secured relative to the sidewalk which has been in use since June. He explained that they have since secured ten parking spaces at the Raritan train station with the assistance of the Borough Clerk.

Mr. Cohen provided an overview of the condition of approval. Mr. Schrek explained that the applicant had satisfied the conditions of their approval [resolution] and that the site was working “as expected.” Ms. Thomas offered her observations relative to parking and opened the floor to questions/comments from the public. There were none.

**Motion** by Mr. Cunningham, **seconded** by Councilman Carra to amend the prior condition of approval requiring vehicular transport from off site spaces to the facility.

**ROLL CALL**

AYE: Ms. Thomas, Councilman Carra, Mr. Cunningham, Mr. Brown, Ms. Goetsch, Ms. Sherwin,  
Ms. Debellis

NAY: Mr. DeCicco

ABSTAIN:

Mr. Cohen advised that the change would take effect immediately and that a memorializing resolution would be prepared for the next meeting.

- **BOSCAINO, MICHAEL & SARA (Block 98, Lot 10)**  
45 East Somerset Street  
*Minor Site Plan with Variances (Continued from July 26, 2023)*

**Applicant, Sara Boscaino** entered her appearance and was reminded that she was still under oath. Mrs. Boscaino reviewed prior testimony and explained that they were returning in order to speak about the affect any increase in height would have on adjoining lots and the neighborhood in general. She testified that they “were advised” that “the height variance” was in character with other two story garages in the area. She spoke about a large existing tree that she offered would help provide buffering in the rear and surmised that they could add a tree or two for mitigation purposes, if thought to be necessary.

Referring to Mr. Schrek’s review memo, she spoke about the intended use of the space a bonus room with no bedroom or bathroom for use by her husband during the day and her children, after that. Mrs. Boscaino testified that the neighboring garage, (referred to in prior testimony) is 25’ high while they were asking for 22’ as an alternative to an expansion into the rear that would impact impervious coverage.

A brief discussion regarding the relief ensued. Mr. Cohen clarified the purpose of the variance. Mrs. Boscaino testified that the current height of the garage is 16.’ Mr. Cohen spoke to the lack of professional testimony with respect to the proofs for a c1 or c2 variance. Suggesting that it could be precedent setting, Mr. Schrek offered that it was being made into a two story. He stated he was not comfortable that the negative criteria had been met regardless of the alleviation of impacts to impervious coverage. He recalled architectural testimony that the height could be dropped down and discussed mitigation techniques relative to architectural treatments.

Mr. Cohen asked whether they consulted with their Architect. Mrs. Boscaino explained that he already brought it down from 24’ which he felt should have been the “proper” height and related that his opinion was that bringing it down more might create an eyesore. Mr. Shrek revisited opportunities for lessening the impacts via architectural design opportunities. Precedent setting was discussed.

Chairwoman Thomas pointed out that the neighbor has 25.’ A discussion ensued about the photo of the neighbor’s garage that was marked as an exhibit at the last hearing. Ms. Thomas confirmed that she had lisented to the audio from the prior hearing and as such, asked to see the photo. Further discussed ensued about the neighboring pre-existing non conforming structure.

Mrs. Boscaino asserted that her Architect advises against lowering the roofline, reiterating that he felt it would be more of an eyesore. Ms. Thomas suggested that while their intentions were good, it was difficult to decide without direct testimony from the Architect. Further discussion on this ensued.

Mrs. Boscaino was asked to provide the dimensions of the garage. She testified that it was “basically” 20x20. Ms. Thomas acknowledged the inconvenicne of having to return next month and as such, offered an alternative tied to voting with a condtion of approval relative to the height. Mr. Cohen asserted that this was not a viable solution. Mr. Cununigham concurred that it would be helpful to hear from the Architect.

Mr. Cohen offered that a resolution could be drafted in advance of the next meeting and adopted simultaneous to any approval, as a way to mitigate any further delay. Chairwoman Thomas offered to poll the Board. A brief discussion ensued. Mrs. Boscaino agreed to return on 9/27/23 with her Architect.

**Motion** by Ms. Sherwin, **seconded** by Ms. Goetsch and unanimously carried to adjourn the matter to 9/27/23

without further notice and authorize the Board Attorney to prepare a resolution in anticipation of adoption simultaneous to any approval.

**ROLL CALL**

AYE: Ms. Thomas, Councilman Carra, Mr. Cunningham, Mr. Brown, Ms. Goetsch, Ms. Sherwin,  
Ms. Debellis, Mr. DeCicco

NAY:

ABSTAIN:

- **SD & RR, LLC (Block 95, Lots 12 & 13)**  
17 & 19 Colfax Street  
*Preliminary & Final Site Plan*

The Board Attorney confirmed that Notice was in order.

**Susan Rubright, Esq.** entered her appearance on behalf of the applicant and provided an overview of the application for redevelopment of the property which is currently occupied by a deteriorating brick building and a single family house. She reminded the Board that a Use Variance was granted in April, 2022 for eight (8) apartments and that revised architectural testimony had been provided in the Spring by James Cutillo. Ms. Rubright explained that there would be an adaptive re-use of the brick on the old building in the construction of a new code complaint building. She reminded that during prior Engineering testimony, the applicant agreed to plan revisions including supplementation of drainage, changes to circulation, lighting and landscaping which had been undertaken.

Mr. Cohen acknowledged a continuation of the hearing from April, 2023 with respect to voting eligibility. Ms. Rubright made reference to Mr. Schrek's review memo of August 15. Mr. Gara confirmed that Ms. Debellis listened to the audio from the meeting but that Mr. DeCicco did not. Ms. Rubright confirmed that revised plan were submitted.

**Matthew Clark, P.E.** acknowledged that he reminded under oath. He discussed the following revisions to the Site Plan:

- Updated Survey (to gain better understanding of drainage).
- Updated Site Plan (reference made to Sheet 2).
- Modifications to Circulation elements (turnaround and maintainence of ADA stall location/removal of one other space/relocation of refuse area to island).
- Elimination of retaining wall(s) and infiltration trench (additional details of inlets provided, re-grading, modification of detention system - upsized in order to offset changes).
- Modifications/enhancements to Landscaping (additional plantings/buffering) as designed by a Landscape Architect.
- Modifications to Lighting (upon consultation with a lighting representative and in conjunction with the Board Engineer).

Mr. Clark testified that they would work with Mr. Shrek in order to provide alternate lighting. Mr. Shrek provided details on his suggestion of mounted low voltage lighting. Mr. Cohen affirmed that lighting would be revised to the satisfaction of the Board Engineer.

Making reference to Mr. Schrek's recent review memo, Mr. Clark indicated that they would comply with his suggestions to provide more length and more appropriate sloping and change the proposed doghouse manhole to a doghouse inlet as it relates to the tie in to the storm system in the street. Mr. Shrek advised that the inlet was shown on the plan. Mr. Clark indicated that they would comply with other technical requests as

well, pointing out that the biggest improvement was to the drainage system.

Mr. Clark testified that they would comply with any other technical issues tied to filings with other agencies. Mr. Schrek confirmed that he was comfortable with the revisions to drainage. Mr. Bronson explained that the expanded survey revealed that the retaining wall would have caused issues which the revised drainage compensates for.

Mr. Clark related that he spoke to Dan Lawson and offered to meet with him in the event of further comments. He confirmed that the building will be sprinklered, as discussed in prior testimony.

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

The revised Site Plan referenced by Mr. Clark in testimony was marked as **Exhibit A-5** in hindsight.

**Landscape Architect Jim Mazzucco** was sworn and qualified. Mr. Mazzucco provided an overview of the proposed landscaping and buffering/changes from the prior plan. **Exhibit A6** was identified as a landscape plan dated August 8, 2023 and marked into testimony.

A discussion ensued as to whom would provide testimony as to the variance required from the size of the buffer. Ms. Rubright indicated that the Planner would provide testimony. Mr. Schrek read aloud from his review memo and asserted that it would be more appropriate for Mr. Mazzucco to speak on this. Ms. Rubright held that it would be provided by the Planner.

A discussion ensued over whether the relief constituted a waiver or a variance and further discussion ensued as to who the appropriate professional to provide testimony with regard to same would be. Mr. Cohen provided clarification. Mr. Mazzucco testified that the proposed landscaping is the most that could fit, given the constraints of the property/based on current design.

Tree maintenance issues were discussed in response to a comment on the shade trees from Mr. Cunningham. Ms. Rubright asked whether the Board wanted to go over plantings. Chairwoman Thomas declined.

Chairwoman Thomas opened the floor to questions of the witness.

**Eric Jacobs of 25 Coddinton Street** asked about the height of the buffer. Mr. Mazzucco testified that the evergreen hedge (shown on the plan to be 7-8' high) would be 15-20' tall.

Ms. Rubright offered that the new survey should have been marked as **Exhibit A-7**.

**Professional Planner, Sean Moronski** was sworn and qualified. He provided proofs for the variances under the c-2 criteria.

Speaking to the frontyard and making reference to A5/Sheet 2 of 9, Mr. Moronski testified that a setback of 10.7' was proposed where 25' is required. He testified that the setbacks for the existing development on Lots 12 and 13 are 12.9' and 6.8', respectively which he testified were in keeping with the neighborhood where nonconforming setbacks of varying degrees exist. Mr. Moronski asserted that this allows for an adequate turning radius, site circulation and buffering.

As to the sideyard setbacks, Mr. Moronski testified that the setback of 0.35' for a portion of the building would help with design and provide privacy from patios/terraces and help with meet standards for driveaisles. Mr. Moronski testified that there had been "substantial" improvements made to the initial design with respect to maximum improved lot coverage and thusly, drainage (proposed at 81.9% where 30% is allowed).

Mr. Moronski suggested that the proposed height is not out of character and in scale with the surrounding neighborhood/structures. He explained that while the height is conforming at 31.75 where 35' is permitted, the number of stories needed to accommodate 4 bi-level units (three) is not, given the maximum of 2.5 permitted.

Mr. Moronski testified that at 700-770 s.f., the proposed units (including the COAH unit) comply with the maximum net floor area per dwelling of 1000 s.f.

Mr. Moronski offered that the proposal advances purposes A, G and H of zoning and that the improvements accommodate not only parking on site, but circulation as well. As to the negative criteria, he testified that there would be no substantial detriment to the public good and reiterated that they would be accommodating parking at a scale relative to the neighborhood. He spoke about historical neighboring uses and testified that the building would meet all applicable safety standards.

Mr. Moronski testified that the scale of lighting would be reduced in an effort to minimize impacts. Referencing Exhibit A6, he testified that fencing and landscaping along the east and rear lot lines would also serve to minimize impacts.

Mr. Moronski testified that there would be no impairments to the Zoning Ordinance or the Zone Plan and reminded that in addition to affirming Master Plan goals #1 and 2, the criteria for the D1 variance had been met.\* He spoke about the design waivers with respect to off street parking (parking screening), parking space size (said to be consistent with RSIS), lighting fixtures as noted and the buffer zone. He called the drive aisle "adequate" in size and offered that there was sufficient screening from light.

Mr. Cohen suggested that there was an added benefit in light of the COAH unit.

\*Ms. Rubright subsequently made reference to [Price v. Himeji, LLC, 69 A. 3d 575 - 2013](#).

Chairwoman Thomas opened the floor to questions of the witness.

Mr. Moronski identified the refuse area in response to a question from Mr. Brown. Ms. Rubright confirmed that residents are responsible for taking their own garbage to the dumpster in the absence of an onsite management company.

**Joyce Friche of 445 Vanderveer Road** asked about ADA complaint EV charging. Mr. Moronski explained that one make ready space is required. The applicant's team indicated that there is an ADA space on the plan. Mr. Cohen asserted that they have the right to install the equipment at any time.

**Melinda Russo** identified as the owner of the Ice Cream store on Somerset Street asked whether the current building would be torn down and a new building constructed. Mr. Moronski affirmed that this was correct.

Ms. Rubright spoke about adaptive re-use of building materials, inclusion of affordable housing and their decision to bifurcate the application as it relates to [Price v. Himeji](#) in her closing statement.

Chairwoman Thomas opened the floor to questions/comments on the application. There were none.

Mr. Cohen provided a synopsis.

**Motion** by Councilman Carra, **seconded** by Ms. Sherwin and unanimously carried to approve the application with conditions, as discussed.

**ROLL CALL**

AYE: Ms. Thomas, Councilman Carra, Mr. Cunningham, Mr. Brown, Ms. Goetsch, Ms. Sherwin, Ms. Debellis  
NAY:  
ABSTAIN: Mr. DeCicco

The Board recessed at approximately 8:07 and returned (called back to order) at 8:13.

- **JANSSEN PHARMACEUTICALS, INC.  
Block 2, Lot 18 (1000 Route 202)  
Site Plan**

**Tom Letizia, Esq.** entered his appearance on behalf of the applicant. Mr. Letizia explained that Janssen had undertaken the upgrade and modernization of several buildings on their 5 acre campus and provided an overview of prior (recent) approvals.

Mr. Letizia explained that the proposed improvements included construction of a 355 space parking lot west of Building 1000 in an area previously occupied by an RD building which was demolished in 2020. He explained that a previously granted parking variance from 2019 allowed for less parking based on Site Plan improvements shown at that time and conceptually showed banked parking areas for accommodation of 1741 spaces in the future. He explained that it did not restrict future parking and that the parking approval identified on the current site plan was not identified as a banked parking area in 2019 because of the existence then of the RD building. He spoke about the benefit of the location for the proposed lot.

In addition to the parking lot, Mr. Letizia explained that the proposed small building expansion of 1500 s.f. on the east side of Building 1000 which would require 4 parking spaces covered by the previous variance would create a circulation corridor aimed at alleviating congestion and improving overall flow. He related that the proposal meets Site Plan regulations and does not include any new variances or design waivers and reviewed the submission waivers for Preliminary and Final Site Plan. Mr. Bronson indicated that he was in agreement.

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

**ROLL CALL**

AYE: Ms. Thomas, Councilman Carra, Mr. Cunningham, Mr. Brown, Ms. Goetsch, Ms. Sherwin, Ms. Debellis,  
Mr. DeCicco  
NAY:  
ABSTAIN:

**Adolf Montana, P.E.** was sworn and qualified. Mr. Montana identified **Exhibit A1** as an “Overall Site Plan rendering, dated March 27, 2019” and marked it into testimony. He provided an overview of the campus and associated buildings, together with proposed parking area.

**Mr. Montana identified Exhibit A2** as “CRO1/Parking Lot rendering,” last revised to June 16, 2023 and marked it into testimony. He identified the proposed parking lot as well as the location of 5 ADA compliant and 6 EV spaces. He discussed accessibility/access points and identified 24’ drive aisles, pointing out 2 way traffic and speaking about the size of the spaces. Mr. Montana identified a proposed canopy which he related was included for screening purposes as well as the drive aisles. He discussed the sidewalk configuration near the ADA and EV spaces as it relates to the existing sidewalk.

Although he did not expressly identify it as an exhibit, Mr. Montana made reference to “CRO2,” as a “Building Additional rendering dated August 18, 2023” and discussed same. He identified the driveway/access and

sidewalk.

With respect to the coversheet and changes to any bulk standards, Mr. Montana explained that while there were no changes to minimum lot area, width or setbacks; there was a proposed change to impervious coverage with 25-28% proposed where 40% is allowed.

Mr. Montana discussed the number of parking spaces, explaining that the campus is required to have 4851 spaces with an additional 4 for the expansion, resulting in a total of 4855. He testified that they currently have 3,110 and will have 3465 post construction with a new banked space requirement of 1390. He then returned to [sheet or exhibit??] A-2 for reference purposes and discussed topography, drainage and surface runoff/design in particular. He explained that the designation as a major development triggered the new green infrastructure requirements of NJAC 7:8 which went into effect in March, 2021. He testified that they were adjusting water quality and that they were exempt from the groundwater recharge requirement.

Mr. Montana reference "Exhibit A3" (presumed to be "CRO2") which he referred to as a colored rendering of the expansion. Mr. Shrek clarified that the Borough accepted this application and deemed it administratively complete prior to July 16, 2023 when the new inland flood rules were promulgated. Mr. Letizia clarified that even if it wasn't, there was another consideration that because no outstanding permit to the DEP was required, it would be governed by their existing stormwater regulations/Stormwater Control Ordinance as of March, 2020.

Mr. Montana again returned to "Exhibit A3" and discussed elevations and drainage. He pointed out the addition of a bioretention system to meet requirements and provided details on drainage system design/explained how roof water is addressed. Making referencing to "A2," he reviewed landscaping and lighting. He returned once more to "A3" which he referred to as the Building Addition rendering to discuss lighting details.

Mr. Cunningham asked about new landscaping. Mr. Montana identified it on the plan.

Chairwoman Thomas opened the floor to questions of the witness.

**Joyce Fritchie** asked about a police officer being stationed back on "28." Ms. Thomas explained that this was not a question for this witness or the Planning Board and directed her to the proper jurisdiction.

Mr. Montana responded to questions from Mr. Bronson about the inlets in the ADA parking spaces and details on the canopy walls. He confirmed that there was no issue with circulation and no change to utilities.

**Tim Fells, Architect** was sworn and qualified. Mr. Fells reviewed the architectural design based on renderings, as submitted and provided testimony as to the need for the addition and about building materials.

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

Mr. Cohen asked for clarity on the number of banked spaces.

Mr. Letizia provided a closing statement.

**Motion** by Councilman Carra, seconded by Mr. Brown and unanimously carried to approve the Site Plan, with conditions as discussed.

**ROLL CALL:**

AYE: Ms. Thomas, Councilman Carra, Mr. Cunningham, Mr. DeCicco, Mr. Brown, Ms. Sherwin, Ms. Goetsch,

Ms. DeBellis

NAY:

ABSTAIN:

**MISCELLANEOUS**

Councilman Carra advised that there would be a public information session on the Route 202/First Avenue Jug handle in the Community Room on August 31 from 6-8pm. A brief discussion on the proposal ensued.

**PUBLIC COMMENT**

Chairwoman Thomas opened the floor to public comment. There was no public comment.

**ADJOURNMENT**

**Motion** by Mr. Cunningham, **seconded** by Ms. Sherwin and unanimously carried to adjourn at 8:52.

Respectfully Submitted,

Nancy Probst