

BOROUGH OF RARITAN
Planning Board Regular Meeting
MINUTES
April 23, 2025

CALL TO ORDER & FLAG SALUTE

The meeting was called to order at 6:30 p.m. in the Borough of Raritan Municipal Building. The Open Public Meetings statement was read into the record.

ROLL CALL

PRESENT: Chairman LoPresti, Councilman Tozzi, Mr. Cunningham, Ms. Carra, Ms. Windrem, Mr. Murphy, Ms. Liptak, Mr. Brown, Mr. Jayaraj, Mr. Gussman

ABSENT: Mayor Carra, Mr. DeCicco

ALSO PRESENT: Matt Flynn, Esq., Board Attorney; Joseph Brosnan, PE, PP, AICP, Board Engineer&Planner; Lou Gara, Construction Official, Zoning Officer, Board Secretary

MINUTES March 26 to be adopted in May

ENGINEERING/PLANNING REPORT

Mr. Brosnan provided a status report on the Richard St. project and the work on the new Municipal Building. The Richard St. project is moving with phase 1 being complete and phase 2 under way and will be completed by summer. Site work will begin soon on the new Municipal Building and good progress is being made. Council voted to accept the planning board resolution to declare the Agway site an area in need of redevelopment. Ms. Liptak questioned the decision to close Riverside Ave (Columbus Ave) and expressed concern about emergency vehicle access. Mr. Brosnan stated the need to remove access to Columbus Ave from First Ave for storm water improvements and that emergency services were consulted. The closure will increase response time by a few seconds to some properties and emergency services access will not be impacted.

PLANNING

CONSTRUCTION/ZONING OFFICIAL REPORT

Mr. Gara stated that the apartment building next to the Municipal Building has received a temporary certificate of occupancy and apartments are being occupied. Mr. Gara explained that in response to questions regarding the building being built on Route 28, it is a single-family residence constructed on the front property line due to the triangular shape of the lot and setback lines and that no variances were required. The structure will be a modern style home with unique features.

RESOLUTIONS

Laura Munoz Galindo Use Variance 24-008
80 East Somerset St.
Block 111 Lot 12

The resolution will be presented for adoption at the May 28, 2025 meeting

APPLICATIONS/HEARINGS

Digraziano Minor Subdivision 22-009 Extension to file deeds
Block 36 Lot 5
55 Quick Ave

Mr. Flynn explained the need for the request because the deed was not filed within 180 days of approval as required by the statute. He explained that the board could grant the extension or deny it causing the applicant to come back to the board for approval. Mr. Flynn stated he investigated the zoning and there have been no changes to the zoning code. The board deliberated.

Motion by Mr. Cunningham, **seconded** by Councilman Tozzi to approve the extension request

ROLL CALL:

AYE: Chairman LoPresti, Councilman Tozzi, Mr. Cunningham, Ms. Carra, Ms. Windrem, Mr. Murphy, Ms. Liptak, Mr. Brown, Mr. Jayaraj, Mr. Gussman

NAY: None

ABSTAIN:

Joseph Naser Site Plan 24-007
57 & 59 Lagrange St.
Block 93 Lots 1 & 2

Recused: Ms. Carra, Mr. Brown

Mr. Flynn explained that Ms. Liptak can participate in the hearing but is ineligible to vote as she was not present for the complete hearing. Mr. Flynn explained that Ms. Windrem provided an affidavit affirming that she listened to the recording of the hearing from April 23, 2025, and is therefore eligible to participate and vote on the application.

Christopher D Ferrar, Esq. referring to the stipulations from the board at the previous hearing that the applicant agreed to and would be discussing during the hearing. Mr. Aly testified to the revisions to the plan for the trash cans storage area for the two units that don't have garages. Mr. Aly presented a new exhibit showing an area in front of the building with a landscaped buffer. The units with garages will store the trash cans in the garages. Ms. Liptak questioned which units will have garages and Mr. Aly responded that with the exception of the two affordable units, all other townhomes will have garages. Mr. Aly and Mr. Ferrara testified that the trash would be picked up by a private hauler. Mr. Cunningham asked Mr. Brosnan to confirm that the driveways are of the size indicated by Mr. Aly, Mr. Brosnan stated they are. Mr. Tozzi questioned if the units would be ADA compliant and Mr. Aly stated the first-floor affordable unit will be adaptable. Mr. Ferrara stated the applicant agrees to milling and paving half of Lagrange St. after the utility tie ins are completed and will coordinate with NJ American Water. Mr. Ferrara and Mr. Aly addressed the swale and landscaping along the east side and stated a mulch bed and swale will be installed to the satisfaction of the Borough Engineer. In response to a question by Ms. Liptak, Mr. Aly described the types of plants in the landscaping plan and agreed to work with the Borough Engineer on the landscaping plan. Mr. Aly and Mr. Ferrara stated that a sidewalk will be installed to meet the existing sidewalk across the paper Street on the west side. Mr. Brosnan discussed leaving the shade tree on the east side which would have to be removed to connect the sidewalks and instead installing a crosswalk near the edge of the property. Mr. Aly agreed with Mr. Brosnan, Mr. Ferrara stipulated to leaving the tree and providing a crosswalk. There was a discussion regarding the location of the crosswalk, street parking, and safety concerns. Several board members stated that input from the police department on these issues would be helpful and is

needed. Mr. Ferrara agreed to increase the amount of landscaping, provide lighting above the doors and garages, provide a six-foot fence along the back, and install privacy fences and patios at the rear of the townhomes. Mr. Aly presented a turning radius drawing and discussed the movement of cars entering and exiting the driveways. There was a discussion regarding vehicle safety on Lagrange St. when vehicles are backing out of driveways, especially the driveway on the far west side of the development. A suggestion was made to flip the unit by moving the garage and driveway to the right side. An extensive discussion ensued regarding the ability to rent out the units, Mr. Ferrara stated that a restriction could be placed in the bylaws stating that for a period of time (and suggested one to five years), the units cannot be rented and must remain owner occupied. Mr. Aly and Mr. Ferrara confirmed the attic is for storage, or an office, or rec room, no closets, and cannot be used as a bedroom. Mr. Aly and Mr. Ferrara stated that they can investigate extra sound attenuation at the back of the buildings; the air conditioning condensers will be located in the back near the patios and privacy fences; with the Council's approval will remove pavement and plant grass and install plantings in the paper street, possibly a pocket park with benches. A discussion ensued regarding environmental concerns, Mr. Ferrara and Mr. Nasser stated that an LSRP provided oversight and documentation that was reviewed by the NJ DEP and documentation of the phase 1 and phase 2 environmental study was provided. Mr. Brosnan requested that a total impervious coverage calculation be provided and Mr. Flynn stated the site must comply with the maximum impervious coverage allowed in the redevelopment plan or the applicant would have to return to the board for a variance. Mr. Lopresti invited questions from the public for Mr. Aly. In response to a question, Mr. Aly described what a hammerhead in a driveway is. Jill Brown asked about the number of bedrooms in each unit, and asked about the amount of parking proposed, Mr. Aly stated 14 units are 3 bedroom. Mr. Flynn clarified that the plan must be compliant with the RSIS regulations. Tom Brown asked about consideration of the number of children that may reside in the homes and the impact on the school system. Mr. Aly stated the plan complies with the redevelopment plan and ordinance and they do not require any variances for this site plan. Mr. Brown asked about the trees that will be removed and if NJ Transit was contacted, Mr. Aly stated that the trees are on the developer's property and there are no easements on the properties. Ms. Nagle asked about the driveways and garages, Mr. Aly responded that the garages provide an area for storing the garbage and recycling containers, and other items, and additional storage is available in the attics. Public comment: Ms. Sloben ? 55 Lagrange St. stated that when the Council discussed vacating the paper street an ordinance was discovered that if vacated the land must be donated, Ms. Sloben requested that the Council consider amending that ordinance to allow her to receive a portion of the paper street as her husband is a handicapped veteran and she would like to construct a garage for their wheelchair van. She also stated that the area in the paper street receives a lot of garbage and dumped items and she has been cleaning that area for many years. Ms. Sloben ? also stated that she has no concern with where the residents store their garbage cans, she requests that no basketball hoop or party area be installed in the paper street. Tom Brown stated he's lived in the house over 40 years that is next to the proposed development, the factory had 35-40 cars parked daily, the proposed development will be more transient occupants, will have too many cars, Reimer, Elmer, and Coddington streets are too narrow and with cars parked on both sides and school busses on the streets it adds to the problem. He stated trains pass twice an hour, and the tracks are in line with the second-floor bedrooms, the trains create a lot of dirt and noise and he feels the proposed development will be a detriment to the neighborhood. Marilyn Nagle stated that she lived in the area for 70 years and the proposed development will be bad for the neighborhood and Raritan will lose the small-town feeling. Public session closed. Mr. Flynn asked for clarification on the driveways for the townhomes on the very westerly side; Mr. Aly responded that the two units will be flipped to allow the driveways to be on the inside instead of the outside allowing the most westerly driveway to move to the east, the driveways will have two curb openings and be the same size as depicted on the plans. Mr. Ferrara summarized the proposal and discussed the positive aspects of the development including beautiful buildings, referring to the rendering, proximity to the train station which may result in fewer cars, this is family-oriented housing which will be occupied by professionals using the services of the downtown merchants, and stated this project will enhance the neighborhood. He also stated that the proposed development complies with the redevelopment plan adopted by ordinance by the town Council, includes no variances, and will be a positive for the Borough. Mr. Lopresti opined that the positive aspects of the development outweigh the negative and called for a motion.

When a motion was not made, Mr. Flynn discussed the redevelopment plan and process, and stated that the proposal before the board, in his opinion as well as that of Mr. Brosnan, conforms with the adopted redevelopment plan. Mr. Cunningham expressed concern with the density proposed and the safety aspects of the driveways. In response to a request by Ms. Windrem, Mr. Flynn went through the conditions: trash and recycling storage, milling and paving have of the street coordinated with NJ American Water, swale and berm including plantings on the east side of the property to assist in water diversion, crosswalk to the east and avoidance to cutting down the existing shade tree(up to two crosswalks on the site), extension of the sidewalk to the west and grass and plantings subject to Council approval, shallow root shrubs near the water and sewer lines, privacy fences in the rear, 6' fence along the rear property line, attics not to be bedrooms, update architectural plans to include sound attenuation at the rear of the buildings, continuing with the LSRP and providing updates on environmental issues, bylaws of the HOA to be submitted for approval and include a three year restriction on remaining owner occupied, and compliance with the engineers memorandum. Mr. Murphy asked if the plan was brought to the redevelopment advisory board, Mr. Brosnan and Mr. Flynn concurred that the adopted plan predates the formation of the committee. When a motion was not made, Mr. Flynn stated that a motion is necessary to avoid the risk of an automatic approval. Ms. Windrem stated her only concern was regarding the safety of the westerly driveways, Mr. Brosnan stated that the plan would need to be looked at by the police regarding safety concerns. Mr. Murphy and Mr. Cunningham expressed concern with the size of the development (density) and stated that they are favor of some development at the site. Other board members expressed concern with the size of the project. Mr. Ferrara suggested that they seek preliminary approval and address the concerns when they apply for final site plan approval, Mr. Brosnan stated there are many concerns that should be addressed prior to a final site plan decision and agreed that looking at preliminary only is appropriate. Mr. Tozzi expressed concern with the size of the development and limited amount of available parking. Jill Brown asked if the board or town could be held liable for safety issues and Mr. Flynn responded, citing broad design immunity in case law and the tort claims act. Mr. Ferrara reiterated that the town considered all the information when adopting the redevelopment plan and this plan seeks no variances from the adopted redevelopment plan.

The planning board entered executive session on a motion by Mr. Cunningham, seconded by Mr. Tozzi and affirmed by all members

The planning board resumed the regular meeting on a motion by Mr. Murphy, seconded by Mr. Cunningham

ROLL CALL:

AYE: Chairman LoPresti, Mr. Tozzi, Mr. Cunningham, Ms. Windrem, Mr. Murphy, Ms. Liptak, Mr. Jayaraj, Mr. Gussman

NAY:

ABSTAIN:

Mr. Flynn went over the boards requests regarding bifurcating the application to consider preliminary approval and requiring the applicant to return for final site plan approval after amending the plans to reconfigure the units at the far east and west sides to move the garages and driveways to an interior layout as opposed to having the driveways at the ends of those buildings. He also stated that the board would like a traffic impact study and definitive input from the police regarding safety concerns, especially with the site circulation, driveways, and crosswalk locations. The board requests updated architectural plans to show the units flipped. Mr. Flynn asked if the applicant agreed to the conditions and Mr. Ferrara confirmed that they agreed.

Motion by Ms. Windrem, seconded by Mr. Murphy to approve the application with conditions, as presented, for the preliminary site plan.

ROLL CALL:

AYE: Chairman LoPresti, Mr. Cunningham, Ms. Windrem, Mr. Murphy, Mr. Brown, Mr. Jayaraj, Mr. Gussman
NAY: Mr. Tozzi
ABSTAIN: Ms. Liptak

PUBLIC COMMENT

Chairman LoPresti opened the floor to public comment. No public comments.

ADJOURNMENT

Motion by Councilman Tozzi, **seconded** by Mr. LoPresti and unanimously carried to adjourn at 9:51.

Respectfully submitted,



Lou Gara
Board Administrator/Secretary

Approved: 5/12/25