

**BOROUGH OF RARITAN
PLANNING BOARD
MINUTES**

February 25, 2026

A YouTube video of the meeting is available on the Borough website

CALL TO ORDER & FLAG SALUTE

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

ROLL CALL

Present

Chairman LoPresti
Mayor Tozzi
Councilman Harwood
Ms. Windrem
Mr. Cunningham
Mr. Gara
Mr. Murphy
Mr. Brown
Mr. Gussman
Mr. Jayaraj
Ms. Thomas

Also Present

Matt Flynn, Board Attorney
Joe Brosnan, Board Engineer/Planner
Lou Gara, Construction/Zoning Official, Board Secretary

Absent

MINUTES

Motion by Ms. Windrem, **seconded** by Mayor Tozzi to approve the Minutes of January 28, 2026, as presented.

Roll Call:

Aye: Chairman LoPresti, Mayor Tozzi, Councilman Harwood, Ms. Windrem, Mr. Cunningham, Mr. Gara, Mr. Murphy, Mr. Brown, Mr. Gussman, Mr. Jayaraj, Ms. Thomas

Nay:

Abstain:

PROFESSIONAL REPORTS

Mr. Brosnan discussed comments he received from the NJ DOT regarding the Richard St project and that his firm will be moving forward with bids once that is worked out. Mr. Brosnan stated they are working on the Busky Lane sewer project. Mr. Cunningham asked if they were looking at the elevation of Busky Lane and Mr. Brosnan stated that he would be reviewing that as well.

Mr. Gara discussed the progress of the Kid's United soccer training facility, the new Italian Deli, and the Coffee shop on Somerset St.

APPLICATIONS/HEARINGS

Chairman LoPresti proceeded with the agenda items and began with the amended affordable housing element and fair share plan. Mr. Flynn confirmed that proper notice was made and swore in Jim Kyle, PP/AICP, of Kyle McManus

Associates. Mr. Flynn stated that the public will have the opportunity to ask questions and comment during the public portion.

Mr. Timms of 1 Lagrange St. approached the microphone and began to address the board, Mr. Flynn swore in Mr. Timms and advised that it was the Chairmans decision to allow Mr. Timms to address the board or continue with agenda items, Chairman LoPresti allowed Mr. Timms to proceed. Mr. Timms raised concerns regarding the master plan reexamination and the proposed amended fourth round affordable housing plan. Mr. Timms expressed concern regarding the possible conflict of interest by Chairman LoPresti and his previous business relationship with Jim Kyle and Architect Rocco Campanella and provided a document that was marked as exhibit P1. Mr. Flynn stated in his opinion it is not a conflict of interest. Mr. LoPresti asked Mr. Kyle to proceed, and Mr. Timms asked Mr. Flynn why he stated it is not a conflict of interest. Mr. Flynn responded that Mr. LoPresti is not benefiting in any way, he was appointed by the governing body, and Mr. Kyle was hired by the Borough and not by Mr. LoPresti. Mr. Timms questioned the relationship of the law firm Savo Schalk and Mr. Flynn responded. Mr. Timms requested a vote on the recusal to participate by Chairman LoPresti. Mr. Flynn advised that Mr. LoPresti can voluntarily recuse or the board can make a motion to have Mr. LoPresti recused. Ms. Windrem asked if they could table the matter until they receive more information. Mr. Flynn discussed the deadline of March 15, 2026, for the Borough to adopt and submit the affordable housing documents. Ms. Thomas stated that she is not comfortable voting on anything until these issues are addressed and asked what items that are on the agenda are impacted. Mr. Cunningham asked if we could get independent counsel to review this and report to the board in the interest of transparency. Mr. Cunningham stated he has concerns with Mr. Kyle and questioned if he was acting in the best interest of the Borough or the State.

Motion by Mr. Cunningham to have independent counsel review the conflict-of-interest concern, seconded by Mr. Gussman.

Roll Call:

Aye: Chairman LoPresti, Mayor Tozzi, Ms. Windrem, Mr. Cunningham, Mr. Gara, Mr. Murphy, Mr. Brown, Mr. Gussman, Mr. Jayaraj, Ms. Thomas

Nay: Councilman Harwood

Abstain:

Mr. Flynn stated that considering the vote on the motion, he could not represent the planning board in the affordable housing matters on the agenda. Mr. Flynn stated he would abide by the opinion offered by the independent counsel and in a previous matter before the board although he had a tangential relationship because his law firm represented the applicant on another matter he recused and the appointed conflict attorney participated in that meeting. Mayor Tozzi stated he would ask the council to hold a special meeting between March 9 and March 15, 2026. Mr. Cunningham stated he is not accusing anyone of wrongdoing and would like to see a mechanism in place to alleviate public concerns, Ms. Thomas agreed and stated that the affordable housing requirements are sensitive issues and would like to see everything spelled out with I's dotted and T's crossed. Patrick Dinsmore stated his concern with the possibility of a conflict of interest by Mr. Flynn and submitted a document marked P2, Mr. Flynn responded. Mr. Strauss commented that the board should have nameplates displayed so the public can identify the members, Mayor Tozzi stated he will investigate having nameplates purchased. Mr. Murphy commented on his confidence in Mr. Flynn and stated the board should not be moving forward without his expertise. Mike Pattente commented that he appreciates the meetings being posted on YouTube. A member of the public (a name and address were not provided) stated the address for Borough Hall on the calendar has not been updated. Jill Brown read from a document and provided it, the document was marked exhibit P3. Mr. Flynn requested a motion to carry the amended fourth round affordable housing plan and master plan reexamination to the special meeting on March 9, 2026. Mr. Flynn stated his office will send public notice to the official newspapers.

Motion by Mr. Cunningham, seconded by Mr. Brown to carry the amended fourth round affordable housing plan and master plan reexamination to the special meeting on March 9, 2026, all were in favor by voice vote, none opposed.

Mr. Timms commented about the need for council to hold a meeting prior to March 15, 2026, and Mr. Flynn responded that Mayor Tozzi previously stated he would coordinate with Council to hold a meeting between March 9, 2026, and March 15, 2026.

ADJOURNMENT

Motion by Mr. Cunningham, seconded by Mr. Brown and unanimously carried to adjourn at 7:14.

Respectfully submitted,



Lou Gara, Board Administrator/Secretary

Approved: 3 / 9 / 26

A/ PB#23-004
Lopresti-Clearview, LLC
465 West Union Avenue
Block 71, Lot 11
(continued hearing)

P-1
1 page
2/25/26
[Signature]

Mr. Belardo indicated that this is the second hearing and that the use variance was removed so this matter is now before the Planning Board. The mayor read the transcript of the first meeting and is eligible to vote.

Mr. Michael O'Grodnick, Esq. of the Savo, Schalk Law Firm appeared on behalf of the applicant who is returning to the board for preliminary and final major site plan approval to remove an existing building and its related site improvements, and propose improvements to construct a three-story mixed-use building, consisting of fifteen (15) total residential units, with an office space and retail space on the first floor, on a property located Block 71, Lot 11, which is known as 465 West Union Avenue. The property is located in the Mixed-Use, MU-2 Zone. They revised the plans after the last hearing as follows:

1. Eliminate the use variance necessitated by insufficient retail on the first floor.
2. Reduced the stories on the building from four stories to three.
3. Revised the layouts and floor plans to reduce the apartments from sixteen (16) to fifteen (15).

Mr. O'Grodnick then described the existing conditions and the location of the property. He indicated that application proposes to reduce the impervious coverage with a landscaped buffer around the perimeter of the property from 96% to 77.4%. He described the proposed mixed-use building, the enclosed parking, and vehicle access to the site from Clearview Place. They are requesting a variance for parking where 29 spaces are required and 20 are proposed.

Mr. Belardo then swore in George Folk, Rocco Campanella, Scott Kennel, and James Kyle and indicated for the record that the board professionals have been previously sworn and remain under oath for the balance of the year and this hearing.

Mr. O'Grodnick called on his first witness, George Folk, PE. The board accepted his qualifications. He testified that the plans were redesigned to reduce the number of units and the height of the building, decreased the amount of impervious cover and provided a 6-foot-high vinyl fence, with landscaping along the fence to buffer the residential neighbor to the north. He stated that he did not have any issues with any of the comments in the July 24, 2024, letter issued by T&M. He then went on to discuss numerous items in the report.

The meeting was opened to the public for questions, no one from the public had questions of Mr. Folk.

Mr. O'Grodnick called on his second witness, Rocco Campanella, architect. The board accepted his qualifications. He described the changes to the plan. By increasing the retail space, the parking was reduced to twenty (20) spaces. The second floor did not change from the first presentation and will contain eight (8) units, four (4) one-bedrooms and four (4) two-bedrooms. The third floor was revised and will contain two (2) one-bedrooms, three (3) two-

MINUTES

**BOROUGH OF RARITAN
REGULAR MEETING**

TUESDAY, JULY 16, 2024
6:30 P.M. – EXECUTIVE SESSION
7 P.M. – REGULAR SESSION

p-2
2 pages
2/25/26
AM

This Regular Meeting of the Governing Body of the Borough of Raritan was called to order by Mayor Carra in the Meeting Room of the Raritan Municipal Building, 22 First Street, Raritan, NJ 08869 at 6:30 p.m. on Tuesday, July 16, 2024.

Mayor Carra announced the Regular Meeting was called pursuant to applicable portions of the Open Public Meetings Act. Adequate Notice of this Regular Meeting was posted in Borough Hall, on the Borough website and communicated to *The Courier News*, *The Star Ledger* and *The Breeze* on January 3, 2024.

ROLL CALL

Present: Council President Tozzi, Councilman Agrawal, Councilman Armahizer, Councilman DiGraziano, Councilman Fritzingler, Councilman Patente
Also Present: Borough Administrator Colvin, Acting Borough Clerk Mathewson, Borough Attorney William Robertson and Borough Engineer Joseph Brosnan
Absent:

INVOCATION AND FLAG SALUTE

Councilman Fritzingler

EXECUTIVE SESSION

Resolution No. 2024-07-116

Entering Executive Session

1. Personnel
Administration, Police
2. Attorney Client
Alpine Way
3. Shared Services
Municipal Court

On motion by Council President Tozzi, seconded by Councilman Agrawal, Council moved to approve Resolution No. 2024-07-116.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

Council convened in Executive Session at 6:33 p.m.

EXECUTIVE SESSION ADJOURNMENT

Council moved to reconvene in Regular Session unanimously.

Council exited Executive Session, and resumed Regular Session at 7:01 p.m.

Mr. Paul Loschiavo requested permission to restore the dog park for his Eagle Scout project. The restoration would create an environment specifically for dog play. Before he can start this project, Mr.

Loschiavo needs permission from Borough Council. Council President Tozzi stated that it sounds like a great idea and Council must check with the insurance company before authorizing the project.

PUBLIC COMMENT

(In accordance with Section 29-1 of the Code of the Borough of Raritan, there shall be a five-minute limit per speaker)

Mayor Carra opened the Public Comment portion of the meeting for members of the public wishing to speak.

Roger Copt, 1120 Rt 202: Mr. Copt stated he was handing out a list of facts regarding the Raritan Mall and was asking for Council to confirm if they were accurate. He started asking if the mall was currently zoned as commercial only, to which the Mayor confirmed. He continued asking multiple questions regarding changes to zoning possibilities, current pending code violations written to the property owner, among others. The Mayor and Borough Attorney responded, and discussion ensued about the issues Mr. Copt believes are surrounding the Raritan Mall. Mr. Copt suggested that Council hold the landlord accountable and not consider a zoning change until he complies with the outstanding violations and fixes up the current mall.

Karen Eastlund, 114 Avonridge Rd: Ms. Eastlund stated she was here on behalf of the Historical and Cultural Committee and was requesting the old street signs that are in the barn behind Public Works. The committee feels that the signs are a part of history, and they would like to keep some if not all of them for repurposing. She is seeking Council's approval to go through the collection and see what is salvageable. Ms. Eastlund added that the committee is aware that the street signs are town property and advised Council that they plan to be used for display purposes only. Council President Tozzi advised Ms. Eastlund that the signs will be voted on during business section of the agenda so that all the members of Council can vote on the matter.

Erica Landesberg, 21 Meehan Ave: Ms. Landesberg expressed her concerns regarding the proposed zoning change for Raritan Mall property. She stressed the flooding issues in that location as well as environmental concerns due to that property at one time being a dump. Ms. Landesberg stated that Raritan lacks the infrastructure to support the rapid growth from a five-story apartment complex. She then stressed that Council needs to think and plan for community-oriented development that could address the real needs of the residents of Raritan.

Patrick Dinsmore, 532 Victoria St: Mr. Dinsmore asked about the current status of pending litigation against the property owner in Superior Court that the Mayor commented on at a May meeting. Mayor Carra instructed Mr. Dinsmore to contact the Borough tomorrow so the attorney, Matt Flynn, who is handling the matter and can advise of the status.

Kathy Kolvites, 63 Vones Ln: Ms. Kolvites stated that she had read an article regarding the Raritan Mall project which raised many concerns. She asked about a shuttle for when the property floods and what the plan would be for disabled people during an evacuation. She then asked about the remediation of the property and what that may entail. Ms. Kolvites stressed that the health and safety of the residents in Raritan needs to come first.

Chris Allen, 11 Granetz Pl: Mr. Allen stated that he has tried to contact Mr. Gara regarding the minutes that have been missing from the Planning Board meetings dating back to last March. Mr. Allen then asked if the meetings were recorded, which the Mayor confirmed they are. Mr. Allen added that he requested a copy of the certificate of occupancy for the Raritan Mall from Mr. Gara. The response he received stated that it was approved for an online internet business. Mr. Allen continued expressing his concerns about how this got approved without going to the Planning Board. Mayor Carra stated the last e-mail he received stated they were still pending review and awaiting further documentation.

P-3 2/25/26
2 pages

To find an **industrial hygienist to monitor demolition**, consider the following services:

- **Hazardous Waste Site Assessments:** Industrial hygienists assess hazardous waste sites, conduct pre-demolition building assessments, and monitor waste streams for materials like asbestos and lead. ↻ 1
- **Asbestos and Lead Assessment:** They perform detailed asbestos surveys, manage lead-based paint inspections, and ensure compliance with federal, state, and local regulations. ↻ 1
- **Indoor Air Quality Monitoring:** Industrial hygienists conduct air quality assessments to ensure safe working conditions during demolition projects. ↻ 1
- **Compliance and Risk Management:** They provide solutions for mission-critical priorities during demolition, ensuring safety and regulatory adherence. ↻ 1
- **Oversight and Reporting:** Industrial hygienists maintain communication with clients and regulators, conducting dust monitoring and preparing abatement/remedial action reports. ↻ 1

These professionals can help ensure a safe and compliant demolition process.

From: Jill B. <j.p.brown2770@gmail.com>
Sent: Wednesday, February 25, 2026 4:51 PM
To: rwenner@lsaclaw.com
Cc: Flynn@centraljerseylaw.com; dtozzi@raritan-nj.org; dfritzinger@raritan-nj.org; uagrawal@raritan-nj.org; kdigraziano@raritan-nj.org; jmartinez@raritan-nj.org; pgiraldi@raritan-nj.org; gharwood@raritan-nj.org; lgara@raritan-nj.org; ecolvin@raritan-nj.org; vlomedico@raritan-nj.org; jbroshnan@vancleefengineering.com
Subject: Town's responsibility to protect the public
Attachments: Industrial Hygienist job description.png; crush.debrisbrought in. dust moving across street.png

Dear Rich,

I am bringing this up again (as I suggested in previous emails and meetings), for Raritan Borough to put their heads together to require an applicant/developer to hire an Industrial Hygienist to oversee demo and construction in Raritan borough. With more projects of hazardous areas coming up, an Industrial Hygienist would monitor the stages of projects to oversee safety to the public and environment. ***Please see attached partial job description. Hopefully, other unlicensed, uninsured, and illegal practices which have occurred up to now could be prevented. They would be responsible to make sure the people/companies who were working at the site were actually on the permits, and permits completed properly as well. They would coordinate the division of the Soil Conservation district to be sure the owner has notified the start date of work etc. Most importantly, oversee hazardous materials are handled properly. My complete public comment was cut off by Mayor Tozzi. It was a long comment, but the Lagrange project has gone on very long with very limited oversight and the multitude of incidents and violations over that time could not fit into 5 minutes. Rich, when you mentioned after the 2/17/26 council meeting of creating ordinances, which I have been asking for, I felt hopeful the town may begin to get a handle on protecting the public. It is necessary to have ordinances in place, but when not enforced it does little to protect the public. The more ordinances in town are not enforced the more the town deteriorates. Please note, since one person is not always around, to designate in the ordinance the people who can do enforcement of ordinance. Re: construction officials, property maintenance, DPW director, police etc. Some other towns include in their ordinances who can do enforcement.

I have come to realize that the taxpayers pay for our professionals. Who is looking out for the taxpayers who pay their fees to ensure the safety of the public? Please don't forget, the areas of development are "OUR HOMES".

Our quality of life has severely diminished, and our properties have been affected.

Again, please : Rich, Matt Flynn, Lou Gara, Joseph Brosnan, Mayor Tozzi, David Fritzinger, Umesh Agrawal, Ken DiGraziano, Greg Harwood, Paul Giraldi, Jake Martinez, the planning board, Eric Colvin, and Vince LoMedico, we need you to put your heads together to incorporate into the plans, and require the developers/applicants to hire a licensed Industrial Hygienist. The lacking oversight is in place now and is not protecting the people and the environment.

I am requesting this be added to the minutes of 2/25/2026 Planning board meeting.

Thank you.

Jill Brown

18 Elmer St. Raritan NJ 08869