BOROUGH OF RARITAN
PLANNING BOARD
REGULAR MEETING MINUTES

September 23, 2026

A recording of this meeting is available on the Borough's YouTube channel and website.

CALL TO ORDER AND FLAG SALUTE

The regular meeting of the Borough of Raritan Planning Board was called to order at **6:30 p.m.** in the Borough of Raritan Municipal Building by Chairwoman Windrem who then led the Pledge of Allegiance.

This meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Courier News and the Star Ledger on February 5, 2026. In addition, copies of the notices were posted on the bulletin board in the Municipal Building, on the Borough website and filed in the Office of the Borough Clerk. They were also sent to those people who have requested and paid the cost for mailing same. Notices on the bulletin board have remained continuously posted. Proper notice having been given; the Board Secretary is directed to include this statement in the Minutes of this meeting.

ROLL CALL

Present

- Chairwoman Windrem
- Councilman Harwood
- Mr. Cunningham
- Mr. Murphy
- Mr. Brown
- Mr. Gussman
- Mr. Jayaraj
- Ms. Thomas

Absent

- Mayor Tozzi
- Mr. Gara

Also Present

- Matt Flynn, Board Attorney
- Joe Brosnan, Board Engineer/Planner
- Jenna Ferraro Acting Board Secretary

Chairwoman Windrem reviewed the procedures to be followed during the meeting. She stated that the Board is required to remain neutral and to base its decisions solely upon the record established during the hearing process. She advised that public comment would be accepted at the appropriate times and reminded members of the public that, when recognized, they must state their name and address for the record. She further advised that comments would be limited to five minutes per speaker and that time may not be transferred or shared. Chairwoman Windrem also noted that the meeting had a firm adjournment target of **10:00 p.m.** and reminded all attendees that respectful conduct was expected at all times. Interruptions, outbursts, and inappropriate behavior would not be tolerated and could result in removal from the meeting in order to maintain decorum.

APPROVAL OF MINUTES

Motion: Mr. Cunningham
Second: Mr. Brown

Approving the minutes of July **22, 2026,** Planning Board meeting, as presented.

Roll Call Vote

Ayes: Ms. Windrem, Mr. Cunningham, Mr. Murphy, Mr. Brown, Mr. Gussman, Mr. Jayaraj

Nays: None

Abstentions: Mr. Harwood, Ms. Thomas

Motion carried.

Motion: Mr. Cunningham
Second: Mr. Brown

Approving the minutes of July **22, 2026,** Executive Session Planning Board meeting, as presented.

Roll Call Vote

Ayes: Ms. Windrem, Mr. Cunningham, Mr. Murphy, Mr. Brown, Mr. Gussman, Mr. Jayaraj

Nays: None

Abstentions: Mr. Harwood, Ms. Thomas

Motion carried.

PROFESSIONAL REPORTS

Mr. Brosnan reported on the progress of the Richard St. paving project and discussed the items that need to be addressed at the 21 Orlando Dr. site. Mr. Brosnan stated that a temporary certificate of occupancy was issued for one building at the 21 Orlando Dr. site and discussed the site work that needs to be completed. Mr. Brown stated his concerns with the project underway at Colfax St. regarding the condition of the sidewalk, standing water, and weed growth. Mr. Brosnan stated that if the sidewalk is hazardous, it is required to be corrected or protected, and the standing water will be addressed, and the site requires storm water management that will be required as the project proceeds.

RESOLUTIONS

APPLICATIONS / HEARINGS

Ann Armahizer Application No. 26-005 (Completeness Only)

411 Victoria St.

Block 47 Lot 13

Motion: Mr. Cunningham
Second: Ms. Thomas

To deem the application complete.

Roll Call Vote

Ayes: Ms. Windrem, Mr. Harwood, Mr. Cunningham, Mr. Murphy, Mr. Brown, Mr. Gussman, Mr. Jayaraj, Ms. Thomas

Nays: None

Abstentions: None

Motion carried.

LaGrange Street, LLC – Application No. 25-004 (Continued from April 22, 2026)

Final Site Plan

57 & 59 LaGrange Street

Block 93, Lots 1 & 2

Mr. Flynn made an official announcement that the hearing would be carried to the October 28, 2026, Planning Board meeting, without further notice.

IAAT Services, LLC – Application No. 26-001 (Continued from July 22, 2026)

1137 Route 202

Block 31, Lot 1

Mr. Robert Falkenstern, attorney for the applicant, stated they were here seeking preliminary and final approval including a D1 use variance, along with related bulk and sign relief for the construction of a double-sided digital billboard. Mr. William R. Vogt Jr. PE, licensed professional engineer, previously testified and is here tonight to address any questions. Mr. Falkenstern introduced Mr. Hal Simoff, traffic engineer who stated his credentials and was accepted as an expert witness. Mr. Simoff described his scope of engagement on this project including reviewing the NJ DOT permit, visited the site, researched the accident data within the viewing distance of the billboard, and submitted a report dated May 26, 2026, and inspected the properties and surrounding roadways. Mr. Simoff described his experience with providing testimony for billboards and specifically a case involving the NJ Turnpike near Newark Airport that went to the NJ Supreme Court. Mr. Simoff described his method of analyzing the accident data and distractions referencing an exhibit that was provided. Mr. Simoff referenced a federal study and report issued when digital billboards became popular. Ms. Thomas asked about the messages on the billboard regarding flashing lights and pictures, Mr. Simoff stated that Federal and NJ State standards do not allow those types of displays. Mr. Simoff spoke about Jerry Watells report regarding a comment in Joseph Brosnans report. Mr. Simoff stated that the driveways in the area do not create an unsafe condition, Mr. Cunningham questioned if he pulled into and out of Charlotte Drive in his analysis, Mr. Simoff stated he did. Mr. Murphy asked if he had made a comparison to an area like this site and if the accident rate increased with the installation of a digital billboard, Mr. Simoff stated he previously had done a study of a site on Route 22 in Springfield. Mr. Gussman asked about the crash data and Ms. Windrem questioned the process in conducting the crash analysis. Ms. Thomas stated that the numbers in the crash data are people and spoke about a fatal accident that occurred in the last few months in the area. Mr. Jayaraj asked how the billboard will impact the vehicles coming in and out of the businesses and Vones Lane. Mr. Murphy stated that the vehicles entering and exiting the Spain 92 restaurant are in the viewing area of the billboard. Mr. Jayaraj questioned the crash data and requested clarification of the information in the report and that it only contains three years of data. Mr. Brosnan stated the visibility of the billboard creates a distraction; the size of the billboard will stand out as there are no other signs of that height and size in the area. Mr. Brown stated there are many obstructions including power lines and is trying to understand how this site was selected as an acceptable location for this billboard. Mr. Vogt was recalled to testify concerning the engineering and site plan. Mr. Vogt referenced the site plan that was previously submitted and stated that it was revised on September 9, 2026, to include color and a table identifying the conditional use requirements. Mr. Vogt went through the conditional use table and stated they are compliant except for the minimum of 500' from residential properties, Raritan properties

along Alpine Way are 465 feet and Bridgewater Properties are 63 feet, this will require variances. Mr. Vogt stated that evergreen trees were added to screen the monopole. Ms. Windrem asked if there are three residential properties in Raritan that are less than 500 feet and Mr. Vogt confirmed that. Mr. Falkenstern stated that it is less than 500 feet to the residential zone. Ms. Thomas stated that Raritan and Bridgewater share a school system, our children use the school bus together and attend school together, so we are very much connected to Bridgewater. Mr. Vogt referenced exhibit 4 that was presented at the previous hearing and discussed the cone of vision and stated because they are proposing a light mitigation screen technology that reduces the viewing cone. Ms. Windrem stated that the structure would be visible from the residential properties, Mr. Vogt confirmed this. Mr. Gussman asked about the trees located near the proposed billboard, Mr. Vogt stated there are no plans to remove any trees; the trees may be trimmed. Mr. Brown asked if the sign could be turned off and on remotely, for example turned off at 10pm and on at 7am, if the local residents do not want to observe distracting or ambient lighting at night. Mr. Vogt stated that it is not part of the conditional requirements, they are presenting a 24/7 operation, and yes the sign can be set to turn off at a certain time. Mr. Vogt discussed the light study and the analysis and the industry standard, the light is luminous creating a light source. Mr. Brown asked if he was standing in his living room would he be able to detect anything when there was a change to the message, Mr. Vogt stated the change is less than a second/ instantaneous. Ms. Windrem asked if a resident was standing on their deck would a change to the message on the billboard be detectable. Mr. Vogt discussed exhibit A9 an updated version of A3, showing sample advertisements, Mr. Cunningham stated that the content that is shown requires someone to look at the billboard for an extended amount of time, and feels that the obstruction from the wires and trees will cause people interested in the message to spend more than three seconds viewing the message. Ms. Windrem stated that the traffic backs up at the traffic lights routinely at Ortho Drive now and with the added distraction of viewing the messages on the billboard will result in additional cars hitting the cars in front of them when the lights change to red. Mr. Cunningham stated that the people entering Route 202 north from Wegmans race to get through the light at Ortho Drive and will have an additional distraction from the billboard. Mr. Murphy asked if the rendering on exhibit 9 represents the actual height of the proposed billboard, Mr. Voght confirmed that it does, Mr. Murphy stated that it doesn't appear to. Mr. Vogt, referring to an exhibit showing the view of the billboard from the intersection of Vones Lane and Route 202, shows that because it is at a 46-degree angle to the billboard, people will see the billboard structure but not the messages displayed, it will appear black. Mr. Vogt, referencing exhibit A9, stated it shows the view of the billboard from the three residential properties at the rear of the office complex across the highway from the

proposed billboard. Mr. Vogt described the area where the photographs were taken and noted the 6' fence and evergreen and deciduous trees at the property lines separating the residential and commercial properties; he stated in his opinion even if the residents could see the billboard at all, they would barely see it, they would not see the sign face, only the nose. Mr. Gussman asked if the sign is readable at 31 degrees, does it immediately go to black, Mr. Vogt stated the view fades out and they have a video from the manufacturer to present. Mr. Vogt played a manufacturer's video showing the light in foot candles of a digital billboard during bright sunlight and at night. Mr. Vogt played another video showing light mitigation technology. Mr. Vogt stated that is the technology they are implementing and described how the videos relate to this proposed billboard. Mr. Brosnan referred to his technical review letter and asked about the existing light conditions in the area of the proposed billboard so the impact of the light from the proposed billboard could be weighed. Mr. Vogt stated he did not calculate existing light levels, they can provide that if requested, Ms. Windrem stated that would be helpful. Mr. Falkenstern asked Mr. Vogt, having reviewed the engineer's review letter if he feels there are any comments in the letter that would prevent the board from determining if the site plan is technically feasible, Mr. Vogt responded no. Mr. Falkenstern questioned Mr. Vogt who stated the remaining technical items are capable of being addressed through final plan revisions and construction drawings and outside agency approvals and are reasonable conditions of approval, in his opinion there are no unresolved engineering issues that would prevent the board from acting on the application tonight. Mr. Murphy asked if any other locations were considered as this site is less than the required 500 feet from residential properties, Mr. Vogt stated to obtain a NJ DOT permit there are no sites to the west on Route 202 that are feasible to obtain an NJ DOT permit, Mr. Murphy asked about locations on Route 206, Mr. Vogt stated his office did not look at locations on Route 206. Ms. Windrem, referring to Mr. Brosnans technical review letter item H, was an approval obtained from the Somerset County Planning Board, Mr. Vogt stated the County will grant a waiver as it is not on a county roadway and does not impact a drainage facility. Public Questions: Britney Wheeler, Charlotte Drive, described her ties to Raritan Borough having grown up on Charlotte Drive in Bridgewater and appreciated Ms. Thomas' comments regarding the relationship between Raritan Borough and Bridgewater Township residents. Ms. Wheeler asked if Mr. Simoff was aware that there is a slope in the road on Route 202 North, Mr. Simoff responded that there is a slight slope, less than 1 or 2 percent in his opinion: Ms. Wheeler asked if he is aware of the distance from the billboard to Ortho Drive, does the traffic study you conducted include specific measurements of this site, Mr. Simoff responded yes and Ms. Wheeler questioned why he does not have the measurement she asked about and feels it is significant as the proposed billboard is in close proximity to the traffic light: She asked if peak hours were

used in the traffic study, Mr. Simoff responded that he used the NJ Dot traffic study. Ms. Wheeler asked if a vehicle is pulling onto Route 202 from Charlotte Drive and accelerating to 55 mph would that not be comparable to an acceleration Lane, Mr. Simoff responded no. Ms. Wheeler asked that if you deemed this area safe what is that based on, Mr. Simoff responded that it meets the Federal and State standards and they have been updated to reflect the research that has been done over the last fifteen years. Ms. Wheeler referred to the ordinance that states the intent is to protect the public health, safety, and welfare, and asked if it is his opinion that having the digital billboard within 40-50 yards from Charlotte Drive East not infringe upon the intent of the Borough in creating these conditions, Mr. Simoff responded no. Ms. Wheeler asked Mr. Vogt if the trees that would be taken down will be replaced by red cedars, Mr. Vogt stated they are not removing trees, they may prune and trim trees, they are adding cedar trees to provide screening for the monopole; can you show any sections of the master plan that encourages digital billboards, Mr. Vogt stated that can be answered by their professional planner, she asked if approved will the billboard messages flash, blink, move, simulate, create the illusion of motion, or contain an animated display or full motion video, Mr. Vogt responded no as it is prohibited as part of the DOT permit; is the digital billboard considered an illuminated sign, Mr. Vogt responded yes; Ms. Wheeler referred to the ordinances that state that an illuminated sign located adjacent to or across the street from a residential zone and visible from such districts not be illuminated between the hours of 11pm and (7pm) 7am?, if approved will the billboard be illuminated during those hours, Mr. Vogt stated yes, the application is for a 24 hour/7 day operation; Ms. Wheeler asked about the requested variances, referring to the variance requested from the requirement that a billboard is required to be 500 feet from a residential zone and you are proposing 63 feet, so this is a roughly 80 percent deviation, what are the compelling reasons for requesting this variance, Mr. Vogt stated the planner will respond. Gregory Natale, Thompson St., Did Bridgewater ban billboards, Mr. Vogt stated he doesn't know as they don't have an application there; you would not be granted a DOT permit for the billboard in Bridgewater to the west of this site because the zoning is residential, Mr. Vogt affirmed; does anyone know if Bridgewater allows billboards period, did IAAT make an application to Bridgewater, Mr. Vogt stated not to his knowledge; Mike Patente, did you measure static billboards from where you are proposing this billboard as there is a static billboard near Wegmans, Mr. Simoff responded that digital billboards are required to be 3000 feet apart not static billboards; do you know how far this billboard is from the one that's the subject of litigation, Mr. Simoff stated they would not have been given a permit from DOT; you showed pictures of the billboard from the Raritan residences, why did you not show pictures from the Bridgewater residences, Mr. Vogt stated the planner will address that and they have provided renderings from the Route 202 corridor in Bridgewater

that are within the advertising cone. Jeff King, Vones Lane Raritan, you mentioned that the standards for these projects started in 1960, when was the last time they were updated, Mr. Simoff stated NJ DOT changed the standards five or six years ago; are there accident statistics for 2026, Mr. Simoff responded the data is not available, Mr. King stated the information is available and there have been three accidents in this area; did you see how many bus stops are in this area, Mr. Simoff does not know, Mr. King stated there are three in this area on Route 202 northbound/southbound at the intersection of this sign, did you check for school bus stops on the Raritan side of Vones Lane, Mr. Simoff responded no. Laura Wheeler Charlotte Drive, did you take into consideration the off ramp for Ortho Drive, Mr. Simoff replied that he did and they discussed if there is criteria for how close the billboard could be to the off ramp, Mr. Simoff stated no. Terry Black, did the State take into consideration how close the sign is to streets, Mr. Simoff stated that is part of their field investigation; do you know how far the sign will be from Charlotte Drive, Mr. Simoff stated about 60-75 feet, do they make a distinction between ramps and streets, Mr. Simoff stated you are not allowed to have it on a ramp, Mr. Vogt stated that Charlotte Drive is beyond five hundred feet from the sign and referred to the site plans, Mr. Vogt corrected the statement by confirming that the east side Charlotte Drive was less than 200 feet from the billboard and the west side Charlotte Drive is just about 500 feet. Sam Timms LagrangeSt., are you both licensed engineers, Mr. Vogt and Mr. Simoff affirmed, are you familiar with the code of ethics for engineers according to the national society of professional engineers, both affirmed, Mr. Timms read from two of the fundamental cannons, 1. shall hold paramount the safety and welfare of the public, and 2. conduct themselves honorably, responsibly, ethically, and lawfully to enhance the honor, reputation, and usefulness of the profession, both affirmed that if he is reading from the national society of professional engineers they affirm; you referenced peer reports, what is the timing of that report, Mr. Simoff responded September 2012, and the data that was used for traffic you stated 2022-2024, is that accurate, Mr. Simoff affirmed, from a best practice perspective as an engineer is it best practice to use the most recently available data in order to accurately forecast what the impact would be potentially of a project like this, Mr. Simoff affirmed, do you know the DOT has accurate data up until June of 2026, Mr. Simoff stated it is not online, Mr. Timms stated he would share the link and Mr. Simoff stated his report is dated May 2026, Mr. Timms asked for specific times he visited the site as his testimony on the record is that you drive the route occasionally and you live in the County, can you speak to the accuracy of that response provided and the last time you visited the site, Mr. Simoff stated he visited the site today and that he goes to Wegmans and the Home Depot, Mr. Timms stated his response on the record is that you drive the route occasionally and you live in the County, how does that inspire confidence, Mr. Simoff stated he could not give exact dates, do you know how

many driveways are within 800 feet, Mr. Simoff stated that he does not have a count he has them plotted, in layman's terms define what acceleration and deceleration are, Mr. Simoff stated the rate in increase and decrease of speed; Mr. Timms asked that with the 9-10 driveways in the space would there be cars accelerating and decelerating, Mr. Simoff responded yes; when responding to the data and a comment from the board engineer and a comment that it was anti billboard can you speak to that as being non emotional testimony, Mr. Simoff stated he sees the material that Jerry Wachtel produces never encourages billboards; can you explain who Daktronics is that produced the videos presented, Mr. Simoff responded they are the lighting company that produces the sign, and would you say they are pro billboard or anti billboard, Mr. Simoff stated they are pro billboard he would assume as they sell them; there was also data presented from the outdoor advertising association of America, would you say that they are pro billboard or anti billboard, Mr. Simoff stated pro; in the commentary you mentioned the viewing angle of 30 degrees and when you move beyond that that the light would fade out so you would still see light for several degrees, Mr. Vogt stated yes and it was the purpose of showing the video, Mr. Timms asked in the video they stated outside the cone of vision the viewing is relieved, can you reconcile that with the fade out comment, Mr. Vogt stated he could talk to Daktronics to provide a scientific number of what that is; looking at traffic data have you looked at recent trends around fatal crashes in Somerset County and what those are, Mr. Simoff responded that the statistics presented in the report include fatal crashes, Mr. Timms stated that only includes data through 2024. Jenny Rose Saunders asked that the crash data stated eastbound 1.7 and southbound 2.3 accidents per year per million vehicle miles, is that a typical unit that you use to calculate the rate of accidents, Mr. Simoff responded yes; how does that density calculation in the area quantify other locations in the County, Mr. Simoff responded there are some that are more and some that are less, Ms. Rose asked for an example of an area where there is more, Mr. Simoff responded the Somerville circle has more conflict so it has more accidents, Ms. Rose asked how far away is the site from the circle, Mr. Simoff responded 2 or 3 miles, Ms. Rose asked if he would consider that to be in the area and Mr. Simoff responded correct, Ms. Rose asked for an example of another area that has 2.3 accidents per million vehicle miles, Mr. Simoff responded he could not give an exact location, Ms. Rose asked if this is the most accident ridden area in the County if not the State, Mr. Simoff responded it is not and his study was on the 800 feet and he took the number of accidents, calculated 13 million cars traverse the area per year, Ms. Rose stated a heavy traffic area and Mr. Simoff responded with low crash rate, Ms. Rose stated you are trying to distort, Mr. Simoff responded he is not Ms. Rose asked what exactly is a million miles then can you explain, Mr. Simoff responded that he took the number of crashes and the traffic volume, Ms. Rose asked that because the

yearly traffic volume is much greater in that area there than in other areas aren't we distorting the number of accidents that are happening in that area, Mr. Simoff responded no it's an accepted rate, Ms. Rose asked that it seems there is confusion whether there even is a permit and if there isn't a permit how can we have a hearing, Mr. Flynn responded it is a jurisdictional matter and they would have to provide proof that they obtained outside agency approvals, the board can approve or deny the application, Ms. Rose asked the engineer what he means when he stated scenarios such as these, Mr. Vogt responded that he is not sure if that was part of his testimony and Ms. Rose stated she wrote it down because he said it multiple times when he was trying to rationalize certain things when describing them such as 20 acres versus 1 and other deviations from what would be appropriate for a proposal like this as it appears that you are inclined to suggest that this is not an area where you would typically propose something like this is and you used the phrase several times, Mr. Vogt responded he needs more context, Ms. Rose responded that when you spoke about the light when transitioning and when you spoke about lights flashing you stated there was not going to be light transitioning and it was brought up by board members and she felt it was a very good point and what are the residents going to be experiencing with this light and if we had regulations set in place between the hours of 11pm and 7 am why would we allow a variance from that, Mr. Vogt responded that from his understanding the hours of operation do not apply to the billboard as part of the conditional use that the board adopted as this is a permitted use in the zone so that would not be applicable, Ms. Rose asked that in the video that was presented there are no trees and power lines and it looks like it is in Phoenix Arizona and not anywhere near New Jersey and you are also showing images in the wintertime and you say you are not removing trees, do you have images to show what it will look like in spring and summer when trees are in full bloom, Mr. Vogt responded that he didn't present images with the trees in full bloom as he typically shows the board the worst case scenario which is in the fall and winter when the deciduous trees have no leaves on them, Ms. Rose asked how are we going to see how the trees look and how much they will need to be pruned if we have no images of the trees in full bloom and are you willing to show us trees in full bloom, Mr. Vogt responded that it could be presented if the board requests it and they can trim trees on their property and request approval from the DOT to trim trees, Ms. Rose asked what percentage of the trees will need to pruned when they are in full bloom in order to have a view of the billboard, Mr. Vogt responded that he doesn't have images that show that and he presented worst case scenario to the board which is in the winter months so they could see what it looks like from the residences and commercial and industrial properties and they could provide images if requested and they are not trying to show one thing and tell them another, Ms. Rose asked what is your definition of worst case scenario, Mr. Vogt responded that is when

the leaves are down, Ms. Rose asked wouldn't it be when the billboard is covered by trees fully in bloom and asked Mr. Vogt if he is from New Jersey, Mr. Vogt responded he does not currently reside in New Jersey, Ms. Rose asked Mr. Simoff if he had any current medical issues, Ms. Windrem stated that is not an appropriate question; Mr. Vogt stated his office is based in New Jersey and he is currently a resident of New York, he is a licensed professional in the State of New Jersey as well as New York, he has been practicing and has had his business in Englewood NJ for 20 years and he also has a second office in Somerville for the past 4 plus years, he is very well versed in the State as well as the traffic engineer Hal Simoff and knows the State very well and does 90 percent of his work in the State of New Jersey and he would live in New Jersey if it wasn't for his family ties to New York; Brittany Eriksson Lagrange St., what is the safety in the event a vehicle impacts the billboard, Mr. Vogt responded that if your referring to a vehicle leaving the roadway and striking the billboard he does not have those numbers, Ms. Eriksson asked what is the catastrophic failure and the falling radius if that should happen and cause a structural failure, Mr. Vogt responded that he is not the structural engineer and that they can provide full structural calculations and drawings when applying for a building permit and they will comply with the International Building Code which is required when building a billboard in New Jersey and across the United States, Ms. Eriksson asked about protective measures for ice and snow and how does that impact the efficacy of the billboard and other functional aspects, Mr. Vogt responded because the billboard is mostly vertical ice and snow do not accumulate on the surfaces and these billboards are installed over parking lots and pedestrian walking surfaces and we have never had an issue and at this particular site that is not the case as it is over a landscaped area, Ms. Eriksson asked what is the useful life of the billboard, Mr. Vogt responded 10 plus years before modifying any panels and each panel is individual and can be replaced as needed and is monitored 24/7 by digital cameras on both sign faces which also provides proof to advertisers that there advertisements are being shown, Ms. Eriksson asked about the public messages, Mr. Vogt responded that is a planning question and that is what the applicant is proposing, Ms. Eriksson asked about proof of player performance and Raritan will get one click and is that what you provide to your customers, Mr. Vogt responded yes and that is a planning question, Ms. Eriksson asked how does the billboard get taken down and who is responsible for the removal in the event that it is no longer in use, Mr. Vogt responded that the billboard owner is responsible for the maintenance and removal, Ms. Eriksson asked how long the lease is and Mr. Vogt responded he does not know, Ms. Eriksson asked if they would be amenable to turning the billboard off between 11pm and 6am, Mr. Vogt stated that respectfully it doesn't apply to this application, Mr. Flynn stated the board could impose conditions so the question is not what the ordinance says but would the applicant

agree to a condition to limit the hours of operation of the sign, Mr. Vogt responded that he would have to discuss that with his client and the application is for a 24/7 operation, Ms. Eriksson asked where Mr. Simoff obtained his information for his report, he responded at the NJDOT.gov website and the information he obtained stopped at the year 2024, Ms. Eriksson stated that she would call him a bold face liar and she obtained crash data on an NJ DOT website that went through August 2026, Mr. Simoff stated that it is not compiled, Mr. Falkenstern objected to the question and Mr. Flynn stated that when the board is going to render a decision on the application obviously they are not going to take conjecture into account and if you would like to lodge a formal objection and have her rephrase the question you can do so and stated it is the chairwoman's decision, Mr. Flynn advised the board to avoid public characterizations and render a decision solely on the testimony itself, Ms. Eriksson withdrew the characterization and stated she has updated data from the NJ DOT crash data portal for this site specifically and there have been at least 20 crashes within a half mile radius of the billboard and there have been 25 accidents within 500 feet of the billboard between 2021 and 2025 and will submit the document as a public exhibit, Mr. Simoff stated that when he prepared the report he used the data that was available and he can update the report if new data is available. Mr. Flynn discussed the items that came up including the updated NJ DOT data, renderings showing the trees in full bloom, addressing the lighting in Mr. Brosnans report, when passing the billboard where it is visible and goes to not being visible, and potential stipulation regarding the hours of operation, so the professionals can discuss these items with the applicant and provide additional information to the board. There was a brief recess to allow the professionals to consult with the applicant. Mr. Falkenstern consulted his client, and they are going to stop as it is approaching 10pm and they will attempt to provide additional information prior to the next meeting. Mr. Flynn stated that the IAAT Services LLC hearing will be continued at the next planning board meeting on October 28, 2026, at 6:30pm with no further public notice.

PUBLIC COMMENT

Mr. Timms stated that the Lena is advertising short term rentals, and he has concerns with a temporary C/O issued at the Riverside Apartments including the drainage of the rain gardens, a worker running a jackhammer in the parking lot, the path along the back has boards and construction materials strewn about, and a microwave on a five gallon bucket and a gas can with a piece of paper in it and he does not feel it is safe to occupy the building with these conditions present. Mr. Brosnan stated that it is still an active construction site and the back sidewalk area is cordoned off and the public should not be back there, Mr. Timms stated the area is not cordoned off. Ms. Wheeler asked if she could get a copy of the traffic study that was presented, Mr. Flynn stated it should be on the

Borough website and if it is not it will be posted, Ms. Wheeler stated she is not aware if the board is involved with the Basilone parade but if so keep it up because everybody loves it. Ms. Rose asked Mr. Flynn about legal representation and if he would ever represent the Borough, Mr. Flynn stated that he was appointed as the planning board attorney and Rich Wenner is appointed as the Borough Attorney, Ms. Rose asked why did Rich Wenner represent the board in writing an amendment to the master plan in 2021 and several members on the dais were involved at that time. Mr. Brosnan stated that Rich Wenner was not the Borough attorney at the time and was with the law office of Larry Cohen who was the planning board attorney, Mr. Flynn stated that there is not a conflict as Rich Wenner was not the Borough Attorney at that time. Ms. Rose asked if a report was going to be submitted by Mr. Brosnan with an update on the pedestrian path to the train from block 81, Mr. Brosnan stated it is in his report filed with the Borough and there is nothing to report as it is in the hands of NJ Transit. Ms. Rose asked if Mr. Brosnan is going to submit regular reports and Mr. Brosnan stated he does provide regular reports. Mr. Natale asked if Raritan and Bridgewater provided information to each other with regard to planning board matters, Mr. Brown and Mr. Flynn stated that in accordance with the regional center designation it is required that copies of land use applications such as this are sent to Bridgewater, Raritan, and Somerville, Mr. Natale stated that if Bridgewater bans billboards we should not stick one just one property over, Mr. Flynn stated because this is an ongoing application before the board and the public hearing is proceeding we can't discuss it at this time and Mr. Natale can return to raise his concerns when the hearing continues and noted that Raritan Borough adopted an ordinance that is designed to limit the impact on residential properties and to the extent that the applicant, and this will be his only comment on the matter, may be trying to distinguish the impact to Raritan and Bridgewater residents, it is irrelevant to the ordinance and if it is within 500 feet of Bridgewater residences they will need to obtain a variance.

ADJOURNMENT

There being no further business before the Planning Board, a motion was made by **Mr. Murphy**, seconded by **Ms. Windrem**, to adjourn the meeting.

The motion carried unanimously by voice vote.

Chairwoman Windrem declared the meeting adjourned at 10**:01 p.m.**

Respectfully submitted,

Lou Gara

Board Administrator/Secretary

Approved: 10 / 28 / 2026