

BOROUGH OF RARITAN
Planning Board Regular Meeting
MINUTES
Wednesday, April 27, 2016

CALL TO ORDER

Chairman Miller called the meeting to order at 7:05 p.m. in the Raritan Municipal Building. He read the Open Public Meetings statement as follows: This meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was published in the Courier News on January 30, 2016. In addition, copies of the notices were posted on the bulletin board in the Municipal Building, on the Raritan 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.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor McMullin
Councilman Z. Bray
Chairman R. Miller
Ms. D. Thomas
Mr. E. Wilde
Mr. M. DeCicco
Mr. J. Gausz
Mr. W. Cunningham
Mr. D. Fortkus
Mr. N. Carra

Also Present: S. Rubright, Esq.
S. Schrek, VCEA
L. Gara, Zoning/Construction

Absent: Mr. R. Zack
Mr. T. Brown
Mr. J. Krajewski

APPROVAL OF MEETING MINUTES

- March 23, 2016 Meeting Minutes

The Board Attorney pointed out that Mr. Hidalgo was mistakenly referred to as Jorge in the Minutes. The Board Secretary was advised of the proper spelling of resident Edward Chalupa's name.

Motion by Mr. DiCicco, **seconded** by Mr. Gausz to approve, with revisions as noted.

ROLL CALL

Aye: *Chairman Miller, Ms. Thomas, Mr. Wilde, Mr. DeCicco, Mr. Gausz, Mr. Cunningham, Mr. Fortkus, Mr. Krajewski*

Nay:

Abstain: *Mayor McMullin, Councilman Bray*

- March 30, 2016 (TRC Minutes)

Motion by Ms. Thomas, **seconded** by Mr. Gausz to approve the Minutes of the March 30, 2016 TRC Meeting Minutes by voice vote, as written.

Chairman Miller advised that the contents of the TRC Meeting Minutes would be discussed during the TRC Meeting Update.

ENGINEERING & ZONING REPORTS

Mr. Schrek advised that they are close to releasing the performance guarantee for Raritan Crossing as all required site improvements were scheduled for completion. He spoke to an issue that arose from tenants using the end of Granetz Place as a loading/unloading area. He advised that Mr. Gara had contacted the property owner who agreed to erect a sign which proved to be insufficient. He related that the developer was willing to extend the fence across the back of property and place a landscaping buffer parallel to Granetz Place in order to improve the view looking down into the parking lot. There was an extensive discussion about who was parking there and about a violation notice which Mr. Gara issued and the owner subsequently circulated to his tenants with respect to the issue. Mr. Schrek advised that they would not be signing off on the gate until the Fire Department looks at it.

Mr. Schrek related that the same developer owns the office building on Route 28 but has yet to come back with revised plans. He remarked that they were doing a great job inside of the Reynolds building. Mr. Gara advised that he received plans for the medical center which were approved and that one tenant who remained in the Henderson building would be relocating to the bigger building. He related that the applicant was supposed to be bringing in plans for the new building. Mr. Schrek advised that the Board hadn't signed off on Site Plan yet.

Mr. Gara spoke to a conforming building lot he was not aware of on Plainfield Avenue next to Mr. Francino's old house. Mr. Schrek advised that he had received an inquiry from Anatole Hiller about what was going to be put in place of Washington School.

TRC MEETING UPDATE

Chairman Miller advised that on March 30, the Committee met with the owner and his engineer of the site on Route 202 where there is now a pile of rubble. He explained that they discussed two general concepts; a fast food drive thru and a strip mall similar to what was there. He explained that the Committee indicated to them that the fast food concept was less palatable and as such they related that they would be moving forward with the strip mall concept. There was an extensive discussion about the scope and purpose of the TRC and use of the 15 minute concept review by the Board as an alternate mechanism for the exchange of ideas.

MISCELLANEOUS

Lack of onsite paper storage was discussed. Chairman Miller related that he had spoken to the County about amending their regional center agreement which provides for towns to send Planning Board applications to one another. He further advised that he spoke to Jim Ruggerio at the County about the idea of requiring digital submission of applications/drawings and that Mr. Ruggerio had endorsed it. Mr. Schrek spoke to the procedures in his own office in response to a question from the Mayor about implementation of the idea. Mr. Gara indicated that the Borough was working on getting a proposal to scan existing documents. Storage at the Firehouse and how it is addressed in other municipalities was discussed.

Chairman Miller shared details of the Somerset County Planning Partners Meeting. He spoke specifically about Dr. Karen Lee who spoke to the idea of healthy development encouraging walking, biking, availability of fresh produce, etc. He related that after the meeting, he spoke with the County Planner, Walter Lane

about the 202/First Ave reconfiguration. Chairman Miller related that his wife spoke with officials from the DOT and Somerset County at an informational session/meeting in the Borough last Wednesday who confirmed that (1) there would be no changes to the jug handle; (2) they will be adding a third thru lane in each direction; and (3) they will be cutting off Leland Avenue in order to make it a cul-de-sac. The possibility of increased traffic congestion and exacerbated unsafe conditions for pedestrian crossing were discussed. The need for a pedestrian overpass was discussed at length. Chairman Miller spoke to conversations he had with Ridewise and with the County about the same. He related that the Director of Ridewise stated that she would need to speak to the County and that Walter Lane indicated that he would be supportive of the concept and in helping the Borough in find grant money to help fund it.

Mayor McMullin related that he gave a statement regarding use of the Washington School at the aforementioned meeting and spoke to conversations which he had with Senator Doherty regarding setting up a meeting with the DOT. Mr. Schrek opined that the DOT would look at a pedestrian overpass as a First Avenue [County] problem and spoke to the significant costs associated with it. He referred to it as a "regional issue/effort." The discussion culminated in a brief discussion about the possibility of enhanced pedestrian signals and a refuge island.

RESOLUTION PB-2016-08

Humberto Hidalgo (Block 35, Lot 2 – 415 Raritan Avenue)

Motion by Mr. Cunningham, **seconded** by Mr. Fortkus to adopt resolution # PB-2016-08 confirming the legality of a pre-existing, nonconforming two family use on the property.

ROLL CALL

Aye: *Chairman Miller, Ms. Thomas, Mr. Wilde, Mr. DeCicco, Mr. Gausz, Mr. Cunningham, Mr. Fortkus*

Nay:

Abstain:

OLD BUSINESS

Viktor & Ruta Buchholz (Block 2, Lot 21 – 1126 Route 202)

Appeal of "d" variance and any other associated relief for replacement of professional office with single family residential use contrary to zoning.

The Board Attorney advised that she had spoken with the applicant's Planner who confirmed conversations that he had with Mr. Schrek. She related that she suggested that they come in for a concept review in light of the fact that they still were not sure how they wanted to proceed and that they should consider withdrawing the application without prejudice rather than the Board having to make a motion to dismiss it. The Chairman announced that the Buchholz application was being carried to May 25, 2016 without further notice. There was a discussion about the appropriateness of carrying it again.

NEW BUSINESS

Borough Resolution 2016-04-74 Authorizing the Borough to undertake a preliminary investigation for the redevelopment of Block 93, Lots 1&2.

The address for the first aid squad building was confirmed as 57 LaGrange Street. The Mayor spoke at

length to the reasons why this property was chosen and why the resolution was passed by Council.

The Board Attorney explained the correlation between the Council and the Planning Board in the process, likening it to the review and adoption of zoning ordinances. She explained that the Council has directed the Planning Board to conduct an investigation which Mr. Schrek expressed interest in undertaking.

In response to a question from Mr. Fortkus, Mayor McMullin clarified the Rescue Squad's desire vs. need to be in the Borough.

Motion by Mr. Gausz, **seconded** by Ms. Thomas to authorize Van Cleef Engineering Associates to undertake the preliminary redevelopment investigation for Block 93, Lots 1 and 2 with a budget of 2,500.

ROLL CALL

Aye: *Mayor McMullin, Councilman Bray, Chairman Miller, Ms. Thomas, Mr. Wilde,* Mr. DeCicco, Mr. Gausz, Mr. Cunningham, Mr. Fortkus*

Nay:

Abstain: *Mr. Carra*

*Prior to voting, Mr. Wilde asked for clarification on whether they were just voting to hire Stan's firm or to decide whether to undertake the investigation. The Board Attorney explained that the Board is compelled by statute to undertake the study in order to make a determination as to whether these properties qualify as an area in need of redevelopment.

Ms. Rubright provided an extensive overview of the process in response to a question from Chairman Miller as to the Board's obligations once the report comes back.

MASTER PLAN CONSISTENCY REVIEW/DISCUSSION

Borough Ordinance 2016-07 Amending Chapter 207, "Land Use and Development" of the Borough Code in order to exempt Borough owned property from Site Plan Review and Approval

Mr. Gara explained that language had been added to the Ordinance which proposes to exempt Borough owned property from the requirements of Site Plan approval. The Mayor explained that the impetus for the change was costs incurred by the Library as a result of their application. Mr. Schrek explained that he and Mr. Gara had been working under the assumption that the Borough was already exempt and as such, had approved a few small projects like the generator administratively.

There was a brief discussion about the library application. In Mr. Brown's absence, the Board Attorney shared his concerns that neighboring property owners would not receive notification of such projects as well as a question from him as to whether there could still be some kind of Notice to them. She stressed the importance of there still being a review done by the Engineer as well as the Zoning Officer and as such, clarification that there would still need to be compliance with any ordinances to the extent applicable. Mr. Schrek affirmed that the intent would be for the Borough to still comply with its own ordinances while being exempt from Site Plan review. There was an extensive discussion about compliance with bulk standards and state law. A discussion ensued about the possibility/appropriateness of a courtesy review at the Planning Board just to ensure the opportunity for public input. There was clarification as to the status of the ordinance. The Mayor suggested that the Board put their comments together for presentation at the

next Council meeting. Further discussion ensued about the language that should be added to the ordinance with respect to courtesy review and Notice to property owners within 200.'

The Board Attorney offered that the Board could find that the Ordinance is consistent with the Master Plan while suggesting that the municipality be required to undertake a courtesy presentation upon Notice to property owners within 200' for development on a municipal owned property.

Motion by Mayor McMullin, **seconded** by Mr. Gausz to add a courtesy review pertaining to municipal projects to the ordinance that is under consideration by Council.

ROLL CALL

Aye:

Mayor McMullin, Councilman Bray, Chairman Miller, Ms. Thomas, Mr. Wilde, Mr. DeCicco, Mr. Gausz, Mr. Cunningham, Mr. Fortkus, Mr. Carra

Nay:

Abstain:

The Board Attorney clarified that she would phrase it as a courtesy presentation in conformance with Notice requirements of section of the MLUL governing same. She concluded that she would confer with the Borough Attorney on the final language.

PUBLIC COMMENT

Paul Turriziani of 5 Third Street voiced his concern over development of the proposed redevelopment study area which he lives across the street from. Chairman Miller advised him that there would be a meeting on May 11 which would address this. Referring to Raritan as a "small town" with "small town values," Mr. Turriziani opined that there were "too many projects" which would cause more traffic congestion, growth in schools and need for additional emergency service personnel. He asked that the town not be turned into "something more than it is," and asked what the reason for trying to "make more land" is if there "isn't enough to being with." He reiterated that it's a small town.

Mr. Di Cicco left at 8:45.

Chairman Miller offered that it is the Board's responsibility to ensure that all development that goes on in town coincides with the Master Plan and commented that the Board shares Mr. Turriziani's concerns.

Chairman Miller closed public comment session. He announced that a hearing would be held on May 11 regarding the Redevelopment report. There was a brief discussion about how copies of the report for that meeting would be obtained/provided.

ADJOURNMENT

Motion by Mr. Fortkus, **seconded** by Mr. Bray and unanimously carried to adjourn the meeting at 8:53.

Respectfully submitted,



Nancy Probst

Planning Board Secretary

APPROVED 05/25/16