

**ZONING BOARD OF ADJUSTMENT
RARITAN TOWNSHIP, NEW JERSEY
MINUTES**

MARCH 7, 2019

1. CALL TO ORDER:

Vice Chairman Kevin Kuhl called the meeting to order at 7:30 p.m.

2. NOTICE REQUIREMENTS:

The notice requirements of the Open Public Meetings Act were read into the record by Vice Chairman Kevin Kuhl.

3. ROLL CALL:

Members Present:

Vice Chairman Kevin Kuhl
Cynthia Schaefer
Alicia Dominguez
Steve Farsiou
Jeff Anclien

Members Absent:

Randy Block
Roger Ahrens
James Ferraro

Member Recused:

John Gudelis, Chairman

Alicia Dominguez made a motion that the absences of the Board members listed above be approved, seconded by Cynthia Schaefer.

(On roll call, all eligible members voted in the affirmative.)

4. OTHER PERSONNEL:

Antoine Hajjar, Township Engineer
Jessica Caldwell, Planner
John Morgan Thomas, Township Landscape Architect
Judd Rocciola, Township Traffic Engineer

5. APPEARANCES:

MESSRS. STICKEL, KOENIG, SULLIVAN & DRILL, LLC
571 Pompton Avenue
Cedar Grove, New Jersey 07009
Attorneys for the Zoning Board of Adjustment
BY: JONATHAN E. DRILL, ESQ.

PRIME LAW
14000 Horizon Way
Suite 325
Mount Laurel, New Jersey 08054
Attorneys for the Applicant, Raritan Partners, LLC (Wawa)
BY: TIMOTHY M. PRIME, ESQ.

MESSRS. SCHOLL, WHITTLESEY & GRUENBERG, LLC
1 East Main Street
Flemington, New Jersey 08822
Attorneys for Objectors
BY: STEVEN P. GRUENBERG, ESQ.

6. BOARD MEMBERS AND COUNSEL:

- a. **Comments:**
- b. **Announcements:** None
- c. **Distribution and Correspondence:**

Historic Committee Appointment

Antoine Hajjar indicated that the Historian Committee is looking for a volunteer. None of the members present were interested, so the matter was sent back to the Planning Board.

(No response.)_

d. Minutes:

February 21, 2019

The Minutes of February 21, 2019 were presented. Steve Farsiou made a motion to approve said Minutes, seconded by Alicia Dominguez.

(On roll call, all eligible members voted in the affirmative.)

7. RESOLUTIONS: None.

8. APPLICATIONS:

- A. Board of Adjustment Case No. 03-2018**
APPLICANT: Flemington Moose Lodge 1829
LOCATION: Block 79.04, Lot 52
81 Barley Sheaf Road
APPLICATION: Amendment of the Resolution

Mr. Anclien recused himself from this application.

Attorney Drill indicated that George Dilts, Esq., of Dilts & Koester, Flemington, New Jersey, sent a letter dated February 26, 2019 regarding a clothing bin existing on the site of said Application. The Resolution indicated under the conditions that it would be removed. The Township Committee has since allowed said bins in their latest Ordinance; therefore, that condition is to be removed from the Resolution.

Cynthia Schaefer made a Motion to approve the proposal from the Resolution, seconded by Alicia Dominguez.

(On roll call, all eligible members voted in the affirmative.)

RTBOA

3/7/19

Page 4 of 5

B. Board of Adjustment Case No. 07-2018
APPLICANT: Raritan Partners, LLC (Wawa)
LOCATION: Block 15, Lot 20 and 20.01
Route 31 and New Castle Way
APPLICATION: Site Plan and C and D Ordinances

Attorney Prime of Prime Law, Mount Laurel, New Jersey, indicated that he had two witnesses to present to the Board on his Application, Tomlinson Fort, of Apex National Oil and Gas, to discuss the health environment and safety of the underground tanks to be used, as well as other fuel equipment, groundwater protection and remediation.

Mr. Fort testified as to his career of 35 years in international and domestic environmental management; his experience, previous positions, as well as his education.

After discussing his background, he introduced a PowerPoint presentation indicating all of the methods and provisions that would be provided by Wawa in the installation of their tanks; the topography, and detailed testimony regarding the soils, underlying rock and percolation abilities.

He discussed community wells and private or domestic wells in the area, as well as Wawa's plans to connect to municipal water.

Mr. Fort also detailed the Wawa employee training program, their maintenance and preventative maintenance scheduling.

He referred to Wawa's 24-hour Central Control Center, indicating preparedness for any incidents on premises and their response time for such reporting.

RTBOA

3/7/19

Page 5 of 5

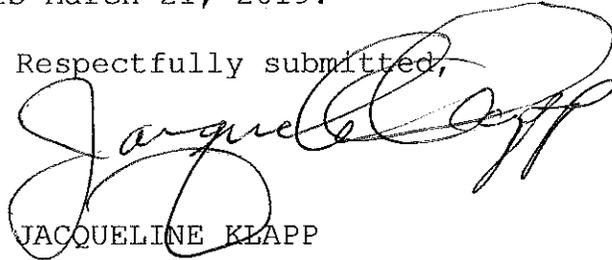
After completing his testimony, Mr. Fort was cross-examined by Board members as well as Attorney Gruenberg and other objectors.

Although a few questions were answered by Jeffrey Martell, Wawa's engineer, he will complete his testimony at the May 2, 2019 meeting.

9. NEXT BOARD MEETINGS:

The next Board meeting is March 21, 2019.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jacqueline Klapp", written in black ink. The signature is fluid and somewhat stylized, with a large loop at the end.

JACQUELINE KLAPP