

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

MINUTES

APRIL 4, 2019

1. CALL TO ORDER:

The meeting was called to order by Vice Chairman Kevin Kuhl at 7:30 p.m.

2. NOTICE REQUIREMENTS:

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

3. ROLL CALL:

Members Present:

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

Members Excused:

Chairman John Gudelis
Randy Block
James Ferraro

Cynthia Schaefer made a motion to approve the absences of John Gudelis, Randy Block and Jim Ferraro, seconded by Roger Ahrens.

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

4. OTHER PERSONNEL:

Antoine Hajjar, Township Engineer
David Manhardt, for Planner Jessica Caldwell

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.

MESSRS. DILTS & KOESTER
167 Main Street
Flemington, New Jersey 08822
Attorneys for the Applicants The Fudge Shoppe and
Conclave Brewing, LLC
BY: GEORGE M. DILTS, ESQ.

6. BOARD MEMBERS AND COUNSEL:

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

March 7, 2019

The Minutes of March 7, 2019 were presented for approval. A motion was made to approve by Cynthia Schaefer, and seconded by Alicia Dominguez.

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

March 21, 2019

The Minutes of March 21, 2019 were presented for approval. A motion was made to approve by Cynthia Schaefer, and seconded by Alicia Dominguez.

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

7. RESOLUTIONS:

- (1) RESOLUTION #2019-02
T-MOBILE NORTHEAST, LLC
207 Edwards Road
Flemington, New Jersey**

A motion was made by Cynthia Schaefer to approve the Resolution of T-Mobile Northeast, seconded by Alicia Dominguez.

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

- (2) RESOLUTION #2019-03
MOOSE LODGE 1829
81 Barley Sheaf Road
Flemington, New Jersey**

Cynthia Schaefer made a motion to approve the Resolution for the Moose Lodge, seconded by Alicia Dominguez.

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

- (3) RESOLUTION #2019-04
NEW CINGULAR WIRELESS PCS, LLC (AT&T)
356 State Highway 31
Flemington, New Jersey**

Roger Ahrens made a motion to approve the Resolution for New Cingular Wireless, seconded by Cynthia Schaefer.

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

8. APPLICATIONS:

- A. Board of Adjustment Case No. 03-2019**
APPLICANT: Daniel and Sandy Basile
LOCATION: Block 6, Lot 8.03
49 Timberwick Drive

Vice Chairman Kuhl called the Case Number 03-2019. Daniel and Sandy Basile, Antoine Hajjar and David Manhardt were sworn as witnesses. The application was to install a natural gas generator on a corner lot. The generator would be approximately 2 feet by 4 feet on William Barnes Road, which street address is on Timberwick Drive.

The applicant indicated that he would screen the generator with landscaping, and the landscaping will be maintained as long as the generator is in its location.

After hearing the testimony of the witnesses and cross-examining them, the Board agreed to approve the generator with a condition that it be screened.

Cynthia Schaefer made a motion that the application be granted, seconded by Roger Ahrens.

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

- B. Board of Adjustment Case No. 09-2018**
APPLICANT: The Fudge Shoppe
LOCATION: Block 36, Lot 65, 66 and 68
New Jersey State Highway 202 and
Case Boulevard

Attorney George Dilts of the Law Firm Dilts & Koester, 167 Main Street, Flemington, New Jersey, appeared representing The Fudge Shoppe. He indicated that the RTMUA will allow them to have the needed capacity based on their rules and regulations. He stated that the plans would be revised to indicate the existing utilities on-site.

The applicant submitted a wetlands analysis and is requesting a temporary waiver from providing an LOI from the NJDEP. They also requested a waiver from providing a traffic analysis, as well as a fire protection plan.

After hearing the testimony and reviewing the engineer's report, Vice Chairman Kuhl made a motion that the application be granted, seconded by Steve Farsiou.

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

C. Board of Adjustment Case No. 02-2019
APPLICANT: CONCLAVE BREWING, LLC
LOCATION: Block 16, Lot 66
11 Minneakoning Road
APPLICATION: Minor Site Plan and Use Variance

Attorney George Dilts of the Law Firm Dilts & Koester, 167 Main Street, Flemington, New Jersey, appeared representing the applicant, Conclave Brewing, LLC. They are requesting preliminary and final minor site plan approval with a use variance for Block 16, Lot 66 in Raritan Township, known as 11 Minneakoning Road. It is located in the B-3 Community Commercial Zone.

Mr. Dilts stated that he had previously submitted the notice and proof of publication, which Attorney Drill agreed was in order.

Mr. Dilts presented as witnesses, Carl Alfaro, Michael Skoczek, Michael Textores of Van Cleef Engineering, Paul Juliano, an architect, and James Kyle, a planner who were all sworn along with Antoine Hajjar and David Manhardt.

After giving their qualifications, testimony was given on the application before the Board, to modify an existing commercial building for a brewery and tasting room. The brewery use is not permitted in the B-3 Community Commercial Zone, and it would require a use variance. There is no exterior construction needed other than installation of a sidewalk and a wall-mounted sign.

The applicant requested a waiver for a wetlands analysis and report, and indicated their proposal is to use the property as a brewery and tasting room. The Board decided that this was a good use of the property, and that it is a good thing for Raritan Township to have this business remain in the area. Also, the expansion would have no impact on the surrounding properties or the community in general.

Roger Ahrens made a motion that the application be granted for the C-1 and C-2 Variances, the loading spaces, the pre-existing setback condition and preliminary and final site plan approval, all subject to conditions, seconded by Steve Farsiou.

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

9. NEXT BOARD MEETINGS:

The next Board meeting is April 18, 2019 and May 2, 2019.

The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jacqueline Klapp", written in black ink over a light blue circular stamp.

JACQUELINE KLAPP