

RARITAN TOWNSHIP ZONING BOARD OF ADJUSTMENT

MINUTES

April 5, 2018

7:30 p.m.

1. CALL TO ORDER:

Chairman John Gudelis called the meeting to order at 7:30 p.m.

2. NOTICE OF MEETING:

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

3. ROLL CALL:

Members Present:

Chairman John Gudelis
Vice Chairman Kevin Kuhl
Cynthia Schaefer
Randy Block
Steve Farsiou
Roger Ahrens

Members Absent:

Alicia Dominguez
James Ferraro

4. ALSO PRESENT:

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

5. APPEARANCES:

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. PINILIS HALPERN
160 Morris Street
Morristown, New Jersey 07960
Attorneys for New Cingular Wireless PCS, LLC (AT&T)
BY: CHRISTOPHER QUINN, ESQ.

MESSRS. DILTS & KOESTER
167 Main Street
Flemington, New Jersey 08822
Attorneys for Roman Shor
BY: GEORGE M. DILTS, ESQ.

6. BOARD MEMBERS AND COUNSEL:

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

a) Correspondence from Matthew R. Schutz, P.O. Box 325, Three Bridges, New Jersey.

Mr. Drill indicated he had sent a letter to Mr. Schutz regarding the property in question, and informing him that an application form is being submitted to him for his use. It indicates that he should check off B for an interpretation.

After reading the letter into the record, Attorney Drill indicated that Mr. Schutz has still not filed an application. He stated that once the application was filed, the Board would be more than happy to hear the application.

d. Minutes:

a) February 15, 2018:

The minutes were moved for approval by Kevin Kuhl, seconded by Cynthia Schaefer.

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

b) March 1, 2018:

Cynthia Schaefer moved for approval of the minutes, seconded by Kevin Kuhl.

(On roll call, all members voted in the affirmative with the exception of Steve Farsiou and Roger Ahrens who abstained.)

c) March 15, 2018:

Cynthia Schaefer made a motion to approve the minutes, seconded by Randy Block.

(On roll call, all members voted in the affirmative with the exception of Steve Farsiou and Rogers Ahrens who abstained.)

7. RESOLUTIONS:

Mr. Drill indicated on the Stothoff matter that three Board members, for purposes of this discussion, would have to step down.

Mr. Drill also stated there is an additional Board member who has to recuse himself, and like the other two Board members, it

is not necessary to state for the record why they are recusing. That left the Board with three members, and five members are needed for a D-Variance. The Stothoff matter, for this reason, was adjourned to the April 19, 2018 hearing.

Mr. Drill asked Amy Fleming, the Secretary, to notify Steven Gruenberg, Esq., asking for an extension until the end of May.

**(1) RESOLUTION #2018-2
T-Mobile Northeast**

Attorney Drill indicated that Frank Ferraro, the attorney on this application, indicated that the Resolution is in acceptable form.

Kevin Kuhl moved the Resolution be adopted, seconded by Chairman Gudelis.

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

**(2) RESOLUTION #2018-03
Matthew R. Schutz
Board of Adjustment Case #07-2018**

Mr. Drill indicated that this is a Resolution memorializing the dismissal of the application.

Cynthia Schaefer made a motion to adopt the Resolution, seconded by Randy Block.

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

8. APPLICATIONS:

**A. Board of Adjustment Case No. 6-2017
APPLICANT: Sprint Spectrum Realty Company, LLC**

Attorney Christopher Quinn of the Law Firm Pinilis Halpern, 160 Morris Street, Morristown, New Jersey, appeared on behalf of the applicant and indicated they are here for a site plan waiver

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application to modify an existing telecommunication facility. This property is at Johanna Farms Facility, 20 Johanna Farms Road, and it is Lot 32, Block 63.14. There is an existing monopole on the property approximately 130 feet in height with a number of different carriers on it.

Mr. Quinn indicated that he was before the Board in 2017 on this pole for AT&T, but tonight they are seeking a modification for Sprint. Engineer Jody DeMarco and Antoine Hajjar were sworn to testify as engineers.

Mr. DeMarco indicated that he has been an engineer since 1990 and works for Advantage Engineers of Mount Laurel, New Jersey. He testified that the addition of the single antenna will not cause any additional storm water runoff and there will be no noise, dust or water, and the facility remains unmanned. He stated that the fenced-in compound will not increase in size and will stay the same. The additional radio cabinet will be put in the fenced area, which is roughly the size of a small apartment-sized refrigerator. So there is no need to expand the compound size itself.

The current height of the monopole is 130 feet and the current center of the existing antennas is at 127 feet. Though the top of the antennas will be 129 feet, 4 inches, the pole is still 130 feet.

Attorney Drill indicated that there is no impact so no site plan approval is needed, and the applicant is not impacting any site plan considerations, drainage, parking, circulation.

After reviewing all of the information, Chairman Gudelis moved the Application be granted, seconded by Roger Ahrens.

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

**B. Board of Adjustment Case No. 13-2017
Stothoff, Route 31**

This matter was adjourned to April 19, 2018.

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C. Board of Adjustment Case No. 02-2018

Roman Shor

Block 7, Lot 30.01

APPLICATION: C Variances

Attorney George Dilts, of the Law Firm Dilts & Koester, 167 Main Street, Flemington, New Jersey, appeared on behalf of the applicant. He stated that this is the second hearing of the application. Mr. Drill indicated the applicant would need three votes from the four members sitting on the Board. Attorney Dilts indicated that Mr. Shor had a two-story, 3500-square-foot building which unfortunately was destroyed by fire in November, 2017. He indicated that that building housed his woodworking equipment, which has been his hobby for many years.

Roman Shor, the applicant, testified as to the size of his equipment and the need for a building of this size. He stated that every piece of equipment has to have space, as well as the materials to be used.

John Morgan Thomas stated the applicant would be required to do reforestation with some 40 trees, which Mr. Shor agreed to.

The members who went on the site visit described same, and also visited the property of objectors, Mr. and Mrs. Pound. Mr. Shor's property could not be seen from their property.

Attorney Drill indicated that this was a C-1 Hardship Variance case, and because the garage cannot be placed in a compliant location, it causes a hardship; therefore, a variance is needed.

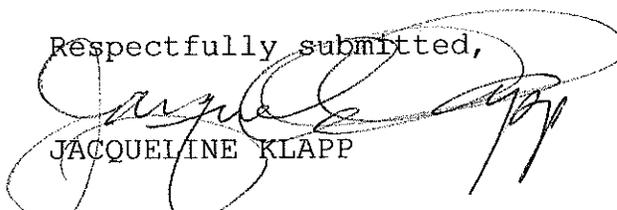
After hearing all of the testimony and questioning the witnesses, a motion was made by Randy Block to approve the variances requested, seconded by Cynthia Schaefer.

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

9. NEXT BOARD MEETING:

The next scheduled meeting is scheduled for April 19, 2018.

Respectfully submitted,


JACQUELINE KLAPP