

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

APRIL 16, 2020

MINUTES

Chairperson Cynthia Schaefer read into the record the following:

In order to comply with the Executive Orders signed by the Governor, and in an effort to follow Best Practices recommended by the CDC, this meeting will start at 5:00 p.m. and will end no later than 7:30 p.m. so that everyone can be off the roads by 8:00 p.m.

Additionally, only the Board Chair and Board Secretary will attend the meeting in person on behalf of the Board. No more than six people in total will be allowed in the meeting room, and all people in the meeting room shall be required to sit at least six feet away from others.

Finally, the meeting will be offered virtually for all Board members, Board professionals, applicant and applicant's team, and interested parties and members of the public.

1. CALL TO ORDER:

The meeting was called to order by Chairperson Cynthia Schaefer at 5:00 p.m.

2. NOTICE REQUIREMENTS:

The notice requirements of the Open Public Meetings Act were read into the record by Chairperson Cynthia Schaefer.

3. ROLL CALL:

Board Members Present:

Cynthia Schaefer, Chairperson
John Gudelis (arrived at 5:35 p.m.)
Kevin Kuhl
Alicia Dominguez
Randy Block
Steve Farsiou
Roger Ahrens
Jeff Anclien

Member Absent:

James Ferraro

4. ALSO PRESENT:

Antoine Hajjar, Township Engineer
Jeff Vaccarella, Assistant Township Planner/Zoning Inspector
Jessica Caldwell, Planner
John Morgan Thomas, Township Landscape Architect

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. FLORIO, PERRUCCI, STEINHARDT & CAPPELLI, LLC
218 Route 17 North
Suite 410
Rochelle Park, NJ 07662
Attorneys for 479 Raritan Experiential, LLC
BY: DOUGLAS J. STEINHARDT, ESQ.
And
JACLYN S. D'ARMINIO, ESQ.

MESSRS. DILTS & KOESTER
167 Main Street
Flemington, New Jersey 08822
Attorneys for Hunterdon Sports Complex, LLC
BY: ANTHONY E. KOESTER, ESQ.

A motion was made by Kevin Kuhl to accept the absence of James Ferraro from the meeting, seconded by Steve Farsiou.

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

6. BOARD MEMBERS AND COUNCIL:

a. Comments:

Attorney Drill instructed members present about the virtual hearing and how to mute their attendance.

b. Announcements: None

c. Distribution and Correspondence: None

d. Minutes:

April 2, 2020

The Minutes of the April 2, 2020 hearing of the Raritan Township Board of Adjustment were moved to be approved by Randy Block, seconded by Chairperson Schaefer.

(On roll call, all eligible members voted in the affirmative, with the exception of Roger Ahrens who was disconnected at roll call.)

7. RESOLUTIONS: None

8. APPLICATIONS:

- (A) Board of Adjustment Case No. 01-2020**
APPLICANT: 479 Raritan Experiential, LLC
LOCATION: Block 36.01, Lot 72
479 Highway 202
APPLICATION: D Variance for Completeness Only

Douglas Steinhardt, Esq. of the Florio, Perrucci, Steinhardt & Cappelli Law Firm, along with his partner Jaclyn D'Arminio, Esq., appeared representing the applicant. The applicant was seeking a completeness review for this preliminary and final site plan and variance application.

Attorney Drill indicated that this application is for a billboard sign and not something that will attract traffic to

and from the site. Technically, the Board could give a partial waiver as far as the traffic safety analysis; and Jeffrey Vaccarella, the Assistant Township Planner/Zoning Inspector for Raritan Township indicated that there were a couple of items on the checklist such as item Number 5 which would eventually require a traffic analysis and report.

Items 8 and 9 were also discussed relating to the application for a waiver before the Hunterdon County Planning Board and the applicant's request to waive submitting a stormwater management plan.

After hearing the testimony, Randy Block made a motion to approve the application for waivers with conditions, seconded by Alicia Dominguez.

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

(B) Board of Adjustment Case No. 02-2020
APPLICANT: Matthew Malfitano
LOCATION: Block 79.13, Lot 10
5 Claridge Lane
APPLICATION: C Variance for a Generator

Attorney Drill indicated that this application was originally heard on March 5, 2020, and it was adjourned until the Township's Landscape Architect could review the application.

Architect Thomas indicated that the applicant's proposal is to install a generator on the side of the house. It would be adjacent to other existing mechanical equipment against a blank wall.

The applicant proposed a landscape planting to screen not only the proposed generator, but also the existing HVAC equipment.

After hearing the testimony, Mr. Malfitano agreed to the conditions that were discussed at the March 5th meeting, and agreed to comply with the Uniform Construction Code as to the location of the plantings.

Roger Ahrens made a motion to approve the application, seconded by Randy Block.

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

(C) Board of Adjustment Case No. 17-2019
APPLICANT: Hunterdon Sports Complex
LOCATION: Block 36.01, Lot 17
426 Case Boulevard
APPLICATION: C Variance for Signage

Attorney Anthony Koester of the Law Firm Dilts & Koester, 167 Main Street, Flemington, New Jersey, appeared on behalf of the applicant.

Attorney Drill swore in Michael Golembiewski, Elizabeth McManus, Antoine Hajjar, Jeffrey Vaccarella, Jessica Caldwell and John Morgan Thomas.

The applicant is applying for a sign variance for the Hunterdon Sports Complex located at 426 Case Boulevard. It is in the I-1 restricted industrial zone where indoor recreation facilities are permitted. It has a 67,000 square foot indoor recreational facility with related improvements that were approved in 2003 by the Raritan Township Planning Board. The applicant is seeking approval to permit 24 wall signs that are 4 by 6 on two walls that are 7,560 square feet of building façade to identify the recreational facility and home teams that play and/or train at the facility.

The applicant applied for variance relief for the proposed total sign area where a maximum of 378 square feet is required and 576 square feet is proposed as well as the maximum sign area of 100 square feet which is required and 576 square feet proposed subject to the addition of the existing signage.

Mr. Koester indicated that the first provision of the C Variance was a need to show peculiar exceptional practical difficulties, or exceptional undue hardship arising out of the exceptional narrowness, shallowness, or shape of a piece of property.

After hearing the testimony and reviewing the exhibits, Alicia Dominquez moved that the application be approved to grant the C Variances subject to conditions, seconded by Steve Farsiou.

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

9. NEXT BOARD MEETING

The next Board meeting will be on May 7, 2020 at 5:00 p.m., followed by May 21, 2020 at 5:00 p.m.

Respectfully submitted,

Jacqueline Klapp

JACQUELINE KLAPP