

RARITAN TOWNSHIP ZONING BOARD OF ADJUSTMENT

MINUTES

April 19, 2018

7:30 p.m.

1. CALL TO ORDER:

Vice Chairman Kevin Kuhl 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:

Vice Chairman Kevin Kuhl
Alicia Dominguez
Randy Block
Roger Ahrens
James Ferraro
Chairman John Gudelis (present telephonically)
Cynthia Schaefer (present telephonically)

Members Absent:

Steve Farsiou

4. ALSO PRESENT:

Antoine Hajjar, Township Engineer

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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. SCHOLL, WHITTLESEY & GRUENBERG, LLC
1 East Main Street
Flemington, New Jersey 08822
Attorneys for Stothoff, Route 31
BY: STEVEN GRUENBERG, ESQ.

MESSRS. PINILIS HALPERN
160 Morris Street
Morristown, New Jersey 07960
Attorneys for Sprint Spectrum Realty Company, LLC
BY: CHRISTOPHER QUINN, ESQ.

MESSRS. ARCHER & GREINER
361 Route 31
Building E
Suite 1301
Flemington, New Jersey 08822
Attorneys for Gilbert and Kristina Cardoso
BY: GULIET D. HIRSCH, ESQ.

6. BOARD MEMBERS AND COUNSEL:

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

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7. RESOLUTIONS:

The Vice Chairman indicated that he was going to change the order of the Applications. The first application that will be heard is Board of Adjustment Case No. 01-2017, Gilbert and Kristina Cardoso, Block 63, Lot 46.17. This is an application for time extension for as-built.

8. APPLICATIONS:

A. Board of Adjustment Case No. 01-2017

APPLICANT: Gilbert and Kristina Cardoso

LOCATION: Block 63, Lot 46.17

APPLICATION: Time Extension for As-Built

Attorney Guliet Hirsch of the Law Firm Archer & Greiner, Flemington, New Jersey, appeared on behalf of the applicant and indicated that they were before the Board in October when the Board passed a Resolution approving a variance in connection with certain playground equipment that needed to be moved out of the conservation area in their backyard. There was a six-month requirement in the Resolution for the equipment to be moved.

The survey that was produced and signed and finalized was prepared in the late fall, and all of the landscaping that was required to be done within the conservation area was completed. Attorney Hirsch indicated that John Morgan Thomas determined that it was completed, they moved the playground equipment and did the survey. In looking at the survey, they discovered that there was one piece of equipment, a shed, that was not located where it was supposed to be. As a result, they have to move the shed and redo the survey. They are probably within a couple of days of having that completed, but are asking the Board for a two-month extension so that they are sure they have the survey completed and there is enough time for Mr. Hajjar to inspect it.

Attorney Drill indicated that the request is to modify condition number one. Whereupon, a motion was made by Vice-Chairman Kevin Kuhl to grant the Application, seconded by Randy Block.

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

B. Board of Adjustment Case No. 08-2018

APPLICANT: Troutman
LOCATION: Block 69, Lot 7
APPLICATION: C Variances

Daniel Troutman and Antoine Hajjar were sworn as witnesses. Daniel Troutman indicated that an Application was made to the Township for a variance to put a 600-square-foot addition onto his house. He indicated that the setback location would require him to have a variance, because he is looking to put it on the western side of the house. He stated that to put an addition on the house for a second story would be cost prohibitive.

He and his wife have widowed mothers, and would like to have them come to live with them.

Attorney Drill asked if anyone in the audience was there on this application, to which there was no response. He indicated there were a number of reports submitted.

Engineer Hajjar stated he had two items: One, he has no objection to the variance; and two, there is an existing air conditioning unit set in the front yard by Spring Garden Road which must be moved.

Mr. Drill indicated that the applicant is seeking a C-1 Hardship Variance. Randy Block made a motion that the Application be approved, seconded by Roger Ahrens.

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

C. Board of Adjustment Case No. 13-2017

APPLICANT: Stothoff, Route 31
LOCATION: Block 33, Lots 1 and 3 in Raritan Township and
Block 28, Lots 8 and 9 in Flemington Borough
APPLICATION: C Variances, D Variances, Minor Subdivision
and Minor Site Plan

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Attorney Steven Gruenberg of the Scholl, Whittlesey and Gruenberg Law Firm, Flemington, New Jersey, appeared for the applicant.

Attorney Drill stated his opinion that under the Open Public Meetings Act you are allowed to have meetings where people can participate by telephone.

Therefore, Mr. Block and Mr. Ahrens will leave the hearing, and Chairman John Gudelis and Cynthia Schaefer will participate via telephone. Present for this Application will be Dominguez, Kuhl, Ferraro, Gudelis and Schaefer.

This Application began on December 7, 2017 and was then continued on March 1, 2018. Deliberations occurred on that date and it was then adjourned to allow some additional members to read the transcript to become eligible to vote. Amy Fleming, secretary, stated that she has signed Certifications from Alicia Dominguez and John Gudelis indicating they did so.

Attorney Gruenberg stated he appreciated the Board members making great efforts to have the vote this evening.

Attorney Drill indicated that Resolution 2018-01 is ready to be approved, and this is the fourth draft. It has a date of March 27th, and has minor revisions that were made to it.

Alicia Dominguez made a motion to grant the Application, seconded by Jim Ferraro.

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

Attorney Drill indicated that his suggestion would be that the same people move and second a motion to adopt the Resolution.

Alicia Dominguez so moved, seconded by Mr. Ferraro.

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

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**D. Board of Adjustment Case No. 10-2018
APPLICANT: Sprint Spectrum Realty Company, LLC**

Attorney Christopher Quinn of the Law Firm Pinilis Halpern, 160 Morris Street, Morristown, New Jersey, appeared representing Sprint Spectrum. He indicated it was another Site Plan Waiver Application to modify the existing cell tower. He stated the property is located at 207 Everest Road, and there is an existing monopole on the property which is 139 feet tall, and Sprint's antennas are the second from the bottom on this particular one. They obtained approval back in 2002, which was Resolution 2001-13, for twelve antennas on this pole with their centers no lower than 110 feet, plus a micro dish on the tower and ground equipment.

He stated that there are three antennas on the pole now. He also stated that there are three RH units mounted onto the monopole and the micro dish. There are two equipment cabinets and a concrete pad near the base of the pole. They are seeking to add three antennas, so they are going to have six antennas and will install three of those RRH units behind the three new antennas, as well as additional equipment inside of the existing cabinets.

Andrew Miller from Advantage Engineers was sworn along with Antoine Hajjar as engineers. Mr. DeMarco stated that the bottom carrier is AT&T, they are at 95 feet centerline, the Sprint antenna will be at 109 feet centerline above ground level and that is the top height of the antennas for Sprint. The witness indicated he was not sure as to the other pole locators but would be able to provide that to Mr. Drill.

After questioning the witnesses and reviewing the Board's expert reports, a motion was made by Vice Chairman Kevin Kuhl to approve the Application, seconded by Randy Block.

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

9. ANNUAL REPORT

Roger Ahrens made a motion that the Board accept the Annual Report as amended, seconded by Alicia Dominguez.

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

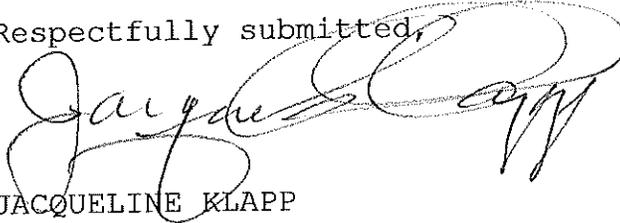
Attorney Drill indicated that he would prepare a Resolution to be sent to the Township Committee and the Planning Board.

Randy Block made a motion that the meeting be adjourned, seconded by Alicia Dominguez.

10. ADJOURNMENT

The meeting was adjourned at 9:45 p.m.

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