

**ZONING BOARD OF ADJUSTMENT
RARITAN TOWNSHIP, NEW JERSEY
MINUTES
NOVEMBER 1, 2018**

1. CALL TO ORDER:

Chairman John Gudelis called the meeting to order at 7:31 p.m.

2. NOTICE OF MEETING:

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

3. ROLL CALL:

Members Present:

Chairman John Gudelis
Vice Chairman Kevin Kuhl
Alicia Dominguez
Randy Block
Jim Ferraro

Member Absent:

Cynthia Schaefer
Steve Farsiou
Roger Ahrens

4. OTHER PERSONNEL:

Antoine Hajjar, Township Engineer
John Morgan Thomas, Township Landscape Architect
Judd Rocciola, Township Traffic Engineer
David Manhardt, Acting Board Planner

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.

PRIME LAW
14000 Horizon Way
Suite 325
Mount Laurel, New Jersey 08054
Attorneys for the Applicant
BY: TIMOTHY M. PRIME, ESQ.

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

MESSRS. BENBROOK & BENBROOK
1734 NJ-31
Clinton, New Jersey 08809
Attorneys for three Objectors
BY: KEVIN BENBROOK, ESQ.

EDWARD GROH, ESQ.
7 Windsor Way
Flemington, New Jersey 08822
Attorney representing himself and his wife

6. BOARD MEMBERS AND COUNSEL:

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

(1) Minutes of October 4, 2018

Alicia Dominguez made a motion to approve the Minutes of October 4, 2018, seconded by Randy Block.

(On roll call, all members voted in the affirmative with the exception of John Gudelis, who abstained.)

(2) Minutes of October 18, 2018

Jim Ferraro made a motion that the Minutes of October 18, 2018 be approved, seconded by Kevin Kuhl.

(On roll call, all members voted in the affirmative with the exception of John Gudelis, who abstained.)

7. RESOLUTIONS:

(1) RESOLUTION #2018-12

JOHN DAWSON, 1 Windsor Way, Flemington, New Jersey

Randy Block made a motion that this Resolution be approved, seconded by Alicia Dominguez.

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

8. APPLICATIONS:

A. Board of Adjustment Case No. 16-2018

APPLICANT: Stephen Garbolino

LOCATION: Block 75, Lot 48

5 Farmer Court

APPLICATION: C Variance

Stephen Garbolino and Ryan Garbolino were sworn as witnesses in this matter. Mr. S. Garbolino indicated in order to make his house look nicer he wanted to erect a porch. He stated that the porch extended 1.87 feet into the front setback, and a portico would be erected on the edge of that. The portico would add another 1.8 feet. He stated that he had a heart

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attack and his wife has diabetes and they would like to live on the premises for the remainder of their lives. He would like the addition to be even with the rest of the house, but it would have to be pushed out because of the septic location.

After hearing the testimony and reviewing the plans, Randy Block made a motion that the application be granted, seconded by Alicia Dominguez.

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

B. Board of Adjustment Case No. 07-2018

APPLICANT: Raritan Partners, LLC (Wawa)

LOCATION: Block 15, Lot 20 & 20.01

Route 31 and New Castle Way

**APPLICATION: Preliminary and Final Site Plan
C and D Variances**

Before the beginning of this application, Chairman John Gudelis recused himself.

Attorney Tim Prime appeared for the applicant, and attorneys Steven Gruenberg, Edward Groh and Kevin Benbrook appeared in this matter for objectors.

Attorney Prime indicated that the transcript will be prepared for the members who are absent to read, and that his first witness would be Michael Redel, the project engineer.

Mr. Redel testified that he is a real estate engineer and responsible for getting entitlements for new store developments in his territory. He stated that he is also the designated Wawa representative for municipal and state hearings.

He indicated that Wawa has been in business since 1903 and they now have 800 stores in six states. Six hundred of the 800 stores sell fuel in addition to their convenience food mart.

He stated that they would be open 24 hours a day, seven days a week, 365 days a year. They supply ATM machines as a benefit to the community, as well as a free air pump on the property. He also explained the delivery of products to the property, as well as the frequency of deliveries, and the sizing of the trucks making such deliveries.

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Mr. Redel described the property, the Route 31 entrance and exit; the fuel tanks, employee shifts and training of employees.

After giving his testimony, Mr. Redel was cross-examined by Mr. Gruenberg, Mr. Groh, and Mr. Benbrook.

This questioning was conducted as to the various variances that would be needed for this application, and the witness indicated that the planner, who has yet to testify, will explain them all in detail.

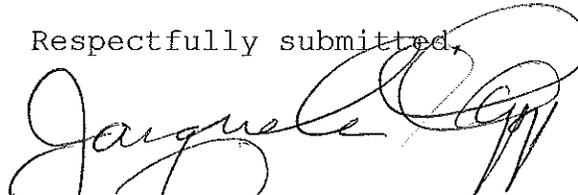
After completing the cross-examination by the attorneys, and also the cross-examination by members of the public, Mr. Redel was excused as a witness.

The meeting was adjourned until December 6, 2018 to complete the testimony of Jeff Martell, the engineer.

9. NEXT BOARD MEETINGS:

The meeting was adjourned until December 6, 2018.

Respectfully submitted,



JACQUELINE KLAPP