

ZONING BOARD OF ADJUSTMENT
RARITAN TOWNSHIP, NEW JERSEY

December 5, 2019

MINUTES

1. CALL TO ORDER:

The meeting was called to order at 7:30 p.m. by Chairman John Gudelis.

2. NOTICE REQUIREMENTS:

Chairman Gudelis read the notice requirements of the Open Public Meetings Act into the record.

3. ROLL CALL:

Board Members Present:

Chairman John Gudelis
Vice Chairman Kevin Kuhl
Cynthia Schaefer
Randy Block
Roger Ahrens
Jim Ferraro

Members Absent:

Steve Farsiou
Alicia Dominguez
Jeff Anclien

4. ALSO PRESENT:

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

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. SCHOLL & WHITTLESEY
Route 31 South
Flemington, New Jersey 08822
Attorneys for Flemington Water Department
BY: DONALD SCHOLL, ESQ.

CONNELL FOLEY
185 Hudson Street
Suite 2510
Jersey City, New Jersey 07311
Attorneys for PSE&G
BY: JENNIFER CARRILLO-PEREZ, ESQ.

Member James Ferraro made a motion to accept the absences of Steve Farsiou, Alicia Dominguez and Jeff Anclien from the meeting, seconded by Randy Block.

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

Board of Adjustment Case No. 09-2019
APPLICANT: G. Riccioni, Jr. & Sons, Inc.
LOCATION: Block 15, Lot 71.01
5 Chamberlain Court
APPLICATION: Site Plan with D Variance

Chairman Gudelis indicated that the application for G. Riccioni, Jr. & Sons, Inc. has been taken off the agenda. It will be rescheduled and re-noticed.

6. BOARD MEMBERS AND COUNCIL:

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

October 17, 2019

The Minutes of October 17, 2019 were moved for approval by Randy Block, seconded by Cynthia Schaefer.

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

November 7, 2019

The Minutes of November 7, 2019 were moved for approval with a correction on page 4, capitalizing the "I" in International by Cynthia Schaefer, seconded by Randy Block.

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

7. RESOLUTIONS:

- (1) RESOLUTION #2019-18
Public Service Electric & Gas Company
207 Everitts Road

Attorney Jonathan Drill presented this Resolution. All members indicated that they had reviewed same and Randy Block made a motion that it be approved, seconded by Cynthia Schaefer.

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

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8. APPLICATIONS:

- (A) Board of Adjustment Case No. 18-2019
APPLICANT: Flemington Water Department
LOCATION: Block 50, Lot 4
37 Shields Avenue
Flemington, New Jersey
APPLICATION: Preliminary and Final Site Plan with D
Variance

Attorney Donald Scholl of the Law Firm Scholl & Whittlesey, Route 31 South, Flemington, New Jersey 08822, appeared and indicated that this is the second night of hearing in this matter. He stated that following the last meeting the applicant met with some of the neighbors and a resolution was reached between them.

Attorney Scholl presented Robert Martucci, Flemington's Engineer, who testified as to the plan for the erection of the new water tank on the property. He indicated that they would be working during the normal construction work hours of 7:00 a.m. to 5:00 p.m. Mondays through Saturdays.

Neighbors questioned Engineer Martucci as to the plans for the property, and Landscape Architect John Morgan Thomas questioned Engineer Martucci regarding the replacement of dead trees and buffering around the property. He testified as to the extent of the additional impervious coverage based on the construction vehicles entering and leaving the site.

Planner James Kyle was accepted as an expert witness, he testified as to the hard surface coverage variance, and indicated there were no substantial detriments to the surrounding properties.

After hearing all of the testimony and reviewing the exhibits, Roger Ahrens made a motion that the application be granted, seconded by Cynthia Schaefer.

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

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(B) **Board of Adjustment Case No. 11-2019**
APPLICANT: PSE&G
LOCATION: Block 86, Lot 3 and 4
207 Everitts Road
APPLICATION: Reconsideration and Modify a Condition

Attorney Jennifer Carrillo-Perez of the Law Firm Connell Foley, 185 Hudson Street, Jersey City, New Jersey 07311 appeared before the Board and indicated that on September 5, 2019 the Board granted minor site plan approval and a temporary use variance with two C variances for this site, also for a planned transmission project, which had received approval from the New Jersey Board of Public Utilities.

The Board included a condition requesting the removal and disposal of crushed concrete piles that were located on the property. Ms. Perez stated that the applicant is simply planning on leasing the property temporarily, and only a portion of it. They do not own the property nor do they own the material on the site, but would be willing to work with the Township to ensure there is an agreement that is amenable to everyone regarding the materials outlined in the memo.

Richard Carmen, a neighbor testified as to the piles of concrete having been on the property for over 50 years.

After hearing the testimony and reviewing the exhibits, Roger Ahrens made a motion to grant reconsideration of the matter and to modify Condition Number 3D as to the removal of stockpiles of dirt, stone and crushed concrete, and to adopt amended Resolution No. 2019-18A, seconded by Randy Block.

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

9. NEXT BOARD MEETINGS:

The next Board meeting will be held on December 19, 2019, followed by a reorganization meeting on January 16, 2020.

Respectfully submitted,

Jacqueline Klapp
JACQUELINE KLAPP