

RARITAN TOWNSHIP BOARD OF ADJUSTMENT
MINUTES

FEBRUARY 16, 2017
7:30 P.M.

1. A: CALL TO ORDER

Vice Chairman Kevin Kuhl called the meeting to order at 7:30 p.m.

The Open Public Meetings Act requirements were read into the record by him.

B: ROLL CALL

The following members of the Planning Board were present:

Vice Chairman Kevin Kuhl
Cynthia Schafer
Alicia Dominguez
Judy Dreher
Randy Block
Steve Farsiou - Alternate
Jeff Donaldson - Alternate

Members Absent:

Chairman John Gudelis
John Collins

Also present:

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

A P P E A R A N C E S:

STICKEL, KOENIG, SULLIVAN & DRILL, LLC
571 Pompton Avenue
Cedar Grove, New Jersey 07009
Attorneys for the Board
BY: JONATHAN E. DRILL, ESQ.

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

MESSRS. McNALLY, YAROS, KACZYNSKI & LIME
275 East Main Street
Somerville, New Jersey 08876
Attorneys for Sempervive (D&V Improvements)
BY: KARA A. KACZYNSKI, ESQ.

2. BOARD MEMBERS AND COUNSEL:

- A. COMMENTS: None
- B. ANNOUNCEMENTS: None
- C. DISTRIBUTION AND CORRESPONDENCE: None

3. MINUTES:

The minutes of January 19, 2017 were moved for approval by Cynthia Schafer, seconded by Judy Dreher.

(All members voted in the affirmative, with the exception of Steve Farsiou and Jeff Donaldson, who abstained.)

4. RESOLUTIONS: None

5. APPLICATIONS:

- A. CASE NO. 14-2016
ROMAN JEWELERS

Attorney Drill indicated that the Sempervive application is continued from the last meeting, so therefore, they will go first.

Attorney George Dilts from the law firm Dilts & Koester, Flemington, New Jersey, stated that they would like to wait to see whether or not their application could be covered that evening.

**B. CASE NO. 10-2016
DOMINICK W. SEMPERVIVE (D&V IMPROVEMENTS)**

Attorney Drill indicated that this matter was continued from the hearing on January 19, 2017, and indicated that they would continue from where they left off. At that point, Mr. Farsiou and Ms. Dominguez recused themselves from the hearing.

Kara Kaczynski, Esq., from the law firm of McNally, Yaros, Kaczynski & Lime, Somerville, New Jersey, appeared representing Dominick W. Sempervive and D&V Improvements.

Mr. Drill indicated that this is an application to request a use variance pursuant to N.J.S.A. 40:55D-70D-1 to allow the operation of the family business in the R-3 residential zone. Attorney Drill stated that all notices were in order, as well as the affidavit of service and publication.

Mr. Sempervive testified under redirect examination about the trees on his property, as well as parking for drivers of the snow plows when they come to perform their duties. Also, the number of vehicles that he plans to keep on the property. He indicated that he gets approximately one load of calcium chloride delivered a year, and uses his forklift to move the pallets to the area where it is stored. He stated he uses salt for roadways and calcium chloride for sidewalks.

Attorney Drill questioned the witness as to how many actual vehicles are on the property, and Mr. Sempervive indicated eight pickup trucks, single wheel axel, the skid steer, an excavator, a dump truck, and four trailers. There is one backhoe and four additional pickup trucks that are rented, and nine of the vehicles have commercial plates.

After redirect examination, the Board members asked questions of the applicant.

(A short recess was taken.)

A. CASE NO. 14-2016
ROMAN JEWELERS

After the break, the case of Roman Jewelers, No. 14-2016, returned before the Board. Vice Chairman Kuhl recused himself and Cynthia Schafer took over as Chairman Pro Tem.

Attorney Dilts, appeared for the applicant, asked the Board to take jurisdiction and continue the hearing to March 16th at their Board's second hearing. Attorney Drill indicated the notice was in order, as well as the return receipt cards.

After discussion, the Board agreed to hear the matter on March 16th, after the completion of the Sempervive application. Mr. Dilts agreed to grant an extension until the end of May.

An announcement was made that the Roman Jewelers application will be heard on March 16, 2017, with no need for further notice.

Vice Chairman Kuhl returned to the hearing room to continue the Sempervive application.

CASE NO. 10-2016
DOMINICK W. SEMPERVIVE (D&V IMPROVEMENTS)

Questions were asked by the members of the audience regarding the number of vehicles on the property, the chemicals that are stored on the property, and danger to children playing in the area.

Kevin Smith, the planner/engineer from Finelli Consulting Engineers in Washington, New Jersey, testified. After giving his credentials, Exhibits A-2, 3 and 4 were marked. He indicated that he prepared the site plan attached to the application. He described the property to the Board and described the exhibits, as well as the purpose of the application. Mr. Smith went through Engineer Hajjar's report as well as that of Landscape Architect John Morgan Thomas.

The application was adjourned to the April 20, 2017 meeting, with the applicant agreeing to revise the plans.

Attorney Kaczynski agreed to an extension until the end of June.

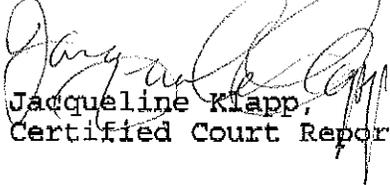
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6. ADJOURNMENT:

The meeting was adjourned at 10:55 p.m.

The next Board of Adjustment meeting will be on
March 16, 2017.

Respectfully submitted


Jacqueline Klapp,
Certified Court Reporter