

RARITAN TOWNSHIP PLANNING BOARD
MINUTES

DECEMBER 14, 2016
7:00 P.M.

1. A: CALL TO ORDER

The meeting was called to order by Chairman Jeffrey Kuhl.

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

B: ROLL CALL

Members present were:

Chairman Jeffrey Kuhl
Judi DiGiandomenico
Karen Gilbert, Mayor
Michael Mangin (recused for Enclave)
Donna Drewes
James Miller
Joel Throne

Members Absent:

Ed Gettings
Harold Quinn

Also present:

Antoine Hajjar, Township Engineer
Malzika Apte, Acting Planner
Judd Rocciola, Township Traffic Engineer
John Morgan Thomas, Township Landscape Engineer

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

MESSRS. McELVOY, DEUTSCH, MULVANEY & CARPENTER
1300 Mt. Kemble Avenue, P.O. Box 2075
Morristown, New Jersey 07962-2075
Attorneys for the Board
BY: JOHN P. BELARDO, ESQ.

MESSRS. DILTS & KOESTER
167 Main Street
Flemington, New Jersey 08822
Attorneys for Enclave at Raritan, LLC
BY: GEORGE M. DILTS, ESQ.

MESSRS. STARK & STARK
993 Lenox Drive
Lawrenceville, New Jersey 08648
BY: ERIC S. GOLDBERG, ESQ.
Attorneys for Fred Beans Imports
of Flemington, LLC

2. MINUTES OF NOVEMBER 17, 2016

A motion was made by Mr. Throne to approve the minutes of November 17, 2016, seconded by Mayor Karen Gilbert.

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

3. RESOLUTIONS: None

4. PUBLIC HEARING:

- A. FRED BEANS OF FLEMINGTON, LLC
BLOCK 80, LOT 16
REQUEST TO ADD ONE EXISTING PYLON
SIGN CONTAINING 69.8 SQUARE FEET
AND ALSO TO REPLACE A SIGN THAT IS
ONE SQUARE FOOT TO 57 SQUARE FEET.

Attorney Eric Goldberg of the law firm Stark & Stark, Lawrenceville, New Jersey, appeared on behalf of Fred Beans Imports of Flemington, LLC.

Chairman Jeffrey Kuhl recused himself as Vice Chairman from the hearing and the Board appointed Donna Drewes as the Acting Chairperson for that particular hearing, as Harold Quinn was also absent.

Mr. Goldberg indicated that this was basically an application for signage. This application is for the Fred Beans Kia property and CARSTAR, which is located on Route 202/31 North in Flemington. He stated that the Ordinance allows one ground sign, but that they were requesting two. He indicated that previously there was one other sign which was taken down.

Attorney Goldberg stated the maximum area is 100 square feet and that they were requesting 120 square feet. The setback is 1,046 feet to the closest point, and there are also two variances for the wall sign. The total square footage allowed is 100 square feet and they are requesting 157; also, the total amount of space it can take up is 25 percent, and they are requesting 26.4 percent.

Attorney Belardo indicated that the standards in Ordinance 16.14.020 governs waivers of site plan review, and states in pertinent part that the Planning Board may waive the requirement of site plan review if the proposed development had acquired previous site plan approval, and if the Board finds the proposed development has insignificant impact.

He indicated the applicant may request waiver of site plan review, and it will be up to the applicant as part of its request to demonstrate which of the standards are being requested.

The Board decided they would like to see the previous resolution that had been passed in this matter. Therefore, the matter was adjourned to the January 11, 2017 meeting to allow time for the applicant to get a copy of the previous resolution.

(Chairman Kuhl returned to the hearing room.)

**B. ENCLAVE AT RARITAN
BLOCK 9, LOTS 16 AND 17.01
SITE PLAN AND MINOR SITE PLAN APPROVAL**

(Mr. Mangin recused himself from hearing this matter.)

Attorney George Dilts of Flemington, New Jersey, stated that the next application, Enclave at Raritan, Block 9, Lots 16 and 17.01, is requesting site plan approval, minor subdivision approval in a commercial/residential/recreational zone. He indicated that no variances were going to be requested, and very few waivers.

Attorney Dilts introduced the witnesses he would produce. Jack Cust, the owner; David Minno, the architect; Brett Skapinetz, the engineer; and Gary Dean, the traffic expert. Thomas Abraham, the Township's fire Marshall, also appeared to testify as to the application.

The applicant's experts testified as to the reports of Antoine Hajjar, Judd Rocciola, and John Morgan Thomas as well as Jessica Caldwell, which reports were gone into in detail. The reports of the Hunterdon County Planning Board, the RTMUA, as well as the Soil Conservation District were discussed on the record. The fire marshall, Thomas Abraham testified as to his feelings about the application. Mr. Dilts also indicated that the experts had gotten together with JCP&L and ironed out the problems that were brought up at the prior meeting on the Villages.

Architect David Minno discussed the building location, materials and parking, as well as describing his discussions with the Board of Education as to busing of students, and with the police department regarding Title 39.

After hearing all of the testimony and arguments, Mayor Gilbert made a motion that the application be granted, seconded by Mr. Miller.

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

5. CORRESPONDENCE: None.
6. CITIZENS PRIVILEGE: None
7. DISCUSSIONS AND RECOMMENDATIONS: None
8. COMMENTS AND REPORTS:
 - A. CHAIRMAN'S REPORT: The Chairman wished everyone a very merry Christmas.
 - B. BOARD COMMENTS: None
 - C. ENGINEER'S COMMENTS: None
 - D. PLANNER'S COMMENTS: None
 - E. ATTORNEY'S COMMENTS: Mr. Belardo wished everybody a merry Christmas and a happy New Year.

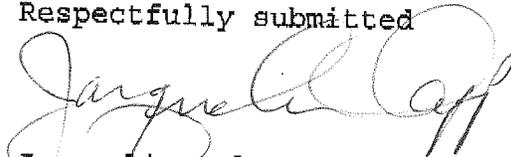
9. SCHEDULE OF MEETINGS:

A. The reorganizational meeting of the Planning Board will take place on January 11, 2017.

10. ADJOURNMENT:

The meeting was adjourned at 10:17 p.m.

Respectfully submitted

A handwritten signature in cursive script, appearing to read "Jacqueline Klapp", written in black ink.

Jacqueline Klapp,
Certified Court Reporter