

RARITAN TOWNSHIP PLANNING BOARD

MINUTES

April 25, 2018

7:00 p.m.

1. CALL TO ORDER:

The Planning Board meeting was called to order at 7:00 p.m. by Chairman Jeffrey Kuhl.

2. NOTICE OF MEETING:

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

3. ROLL CALL:

Members Present:

Chairman Jeffrey Kuhl
Mayor Michael Mangin
Karen Gilbert
Ed Gettings
Judi DiGiandomenico
Michelle Cavalchire
James Miller
Scott MacDade

Members Absent:

Donna Drewes

4. ALSO PRESENT:

Antoine Hajjar, Township Engineer

5. APPEARANCES:

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

MESSRS. FOX ROTHSCHILD, LLP
997 Lenox Drive
Building 3
Princeton Pike Corporate Center
Lawrenceville, New Jersey 08648
Attorneys for Raritan Town Square
BY: HENRY L. KENT-SMITH, ESQ.

6. MINUTES:

a) Minutes of February 28, 2018: A motion was made by James Miller to approve the minutes of February 28, 2018, seconded by Karen Gilbert.

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

Michelle Cavalchire asked that the spelling of her name be corrected.

7. RESOLUTIONS:

**(a) Pulte Homes of New Jersey
RESOLUTION #6-2018**

James Miller moved the approval of the Resolution for Pulte Homes of New Jersey, seconded by Ed Gettings.

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

**(b) Macedo Industrial Park IV, LLP
RESOLUTION #7-2018**

Judi DiGiandomenico made a motion to approve the Resolution for Macedo Industrial Park, IV, seconded by Ed Gettings.

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

8. CITIZENS PRIVILEGE:

Chairman Kuhl asked if anyone had anything to say under Citizens Privilege, to which there was no response.

9. PUBLIC HEARINGS:

**(a) Raritan Town Square
Block 16.01, Lots 35 and 36
Completeness**

Chairman Kuhl indicated that this is part of the Resolution of the Affordable Housing Plan in which the Township adopted two zoning ordinances, one affecting the Raritan Town Square and the other Costco. Attorney Henry Kent-Smith of the Fox Rothschild Law Firm in Lawrenceville, New Jersey, appeared representing the applicant and indicated that they no longer needed a waiver from the RTMUA as they had received sewer capacity from them. He stated that the Township Engineer, Antoine Hajjar, set forth the waiver requests in a memo dated April 9, 2018.

Mr. Kent-Smith indicated that the original application included relief associated with the streams; they are not impacting any of the floodplains with this proposal. He stated the next waiver is Item 2X, and that is steep slope calculations, which was addressed in the original application. No steep slope will be impacted with this proposal. The soil types and boundaries as well as the storm water management and storm water calculations were

reported previously. The staging of the construction will be a condition of the Board's approval.

The Township Committee will also discuss the RTMUA allocation.

After reviewing the requested waivers, Karen Gilbert made a motion to approve the Completeness for Raritan Square, seconded by Ed Gettings.

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

(b) New Jersey Conservation Foundation

This matter was adjourned to the next meeting.

10. CORRESPONDENCE: None.

11. DISCUSSIONS AND RECOMMENDATIONS:

(a) Temporary Use Ordinance Provision

Engineer Hajjar indicated that he took pictures of a food truck, which he presented to the Board.

Attorney Belardo read section 16.64.050 of the Ordinance into the record and indicated to the Board that as of right now it is an unauthorized use, as it has not been before the Board. He indicated that two principle uses are not permitted on the same piece of land. They are parking on a lawn in violation of the zoning ordinance. They did have permission from the Fudge Shop, but temporary uses are granted very sparingly. The Chairman indicated that everybody that wants to start a business usually rents a storefront.

If he didn't have a walk-in building, he could operate as a food truck, if he applied. Mr. Belardo indicated that the ordinance gives a vast amount of discretion.

The Chairman stated that if he goes about it the right way it would be allowed. To which Ms. Gilbert indicated if he wants to operate out of a building, he can rent space.

The Chairman stated that a food truck is not the issue, it is a temporary use issue. Attorney Belardo indicated that there are many other uses that have been performed, such as Home Depot selling rugs, which were also temporary uses. The Chairman indicated that they would put something together in writing to that effect.

12. COMMENTS AND REPORTS:

(a) Chairman's Report:

The Chairman indicated there would be no May 9th meeting, but the Technical Review Committee will still meet on the 9th.

Mr. Hajjar stated that on the 23rd Fred Beans will be coming back to amend an application from the 90s.

Mr. Hajjar indicated that for the May 23rd meeting, if it is held, Debbie Reynolds would have to be appointed as a temporary secretary as Amy Fleming will be on vacation.

(b) The Board's Comments:

Karen Gilbert thanked Amy Fleming for the Administrative Professional Day indicating that she has been doing a good job.

(c) Engineer's Comments: None.

- (d) **Planner's Comments:** None.
- (e) **Attorney Comments:**

Mr. Belardo indicated he was happy to be back since his last meeting was in January.

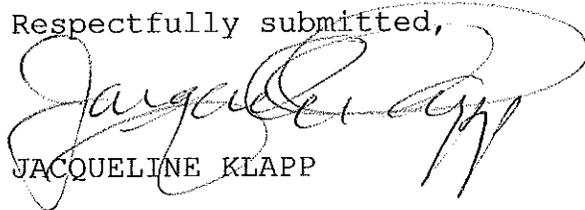
13. ADJOURNMENT:

A motion was made and seconded to adjourn the meeting at 7:38 p.m.

14. SCHEDULE OF MEETINGS:

The next meeting of the Planning Board will be on May 23, 2018.

Respectfully submitted,


JACQUELINE KLAPP