

**ZONING BOARD OF ADJUSTMENT**  
**RARITAN TOWNSHIP, NEW JERSEY**  
**REGULAR VIRTUAL MEETING**  
**AUGUST 20, 2020**  
**MINUTES**

Chairperson Schaefer: The meeting will be offered virtually for all Board members, Board professionals, applicant and applicant's teams, interested parties and members of the public. To attend this meeting virtually, just enter the link on your computer or device as provided.

If you do not have access to a phone or computer with a camera, you may call into the meeting for audio only at the number previously given.

**1. CALL TO ORDER:**

The meeting was called to order by Chairperson Schaefer at 7:30 p.m.

**2. NOTICE REQUIREMENTS:**

The Chairperson read the notice requirements of the Open Public Meetings Act into the record.

**3. ROLL CALL:**

**Board Members Present:**

Cynthia Schaefer, Chairperson  
John Gudelis  
Kevin Kuhl  
Alicia Dominguez  
Randy Block  
Steve Farsiou  
Roger Ahrens  
Jim Ferraro (Alternate)  
Bradford Perry (Alternate)

**4. OTHER PERSONNEL PRESENT:**

Antoine Hajjar, Township Engineer  
Jeff Vaccarella, Assistant Planner/Zoning Inspector  
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. MONGELLI LAW GROUP  
21 Bridge Street  
Lambertville, New Jersey 08530  
Attorneys for Brideside Adult Day Centers, Inc.  
BY: RICHARD MONGELLI, ESQ.

MESSRS LANZA & LANZA  
5 Main Street  
Flemington, New Jersey 08822  
Attorneys for Rinku and Anush Amin  
BY: JOHN R. LANZA, ESQ.

STEVEN P. GRUENBERG, ESQ.  
151 Main Street  
Flemington, New Jersey 08822  
Attorney for Morgan Equity, LLC

MESSRS. GEBHARDT & KIEFER  
1318 State Route 31  
North Annandale, New Jersey 08801  
Attorneys for VitalEssence Center for Laser and Aesthetics,  
LLC  
BY: TARA A. ST. ANGELO, ESQ.

MESSRS. DAY PITNEY, LLP  
One Jefferson Road  
Parsippany, New Jersey 07054  
Attorneys for Worship church, Inc.  
BY: NICOLE M. MAGDZIAK, ESQ.

**6. BOARD MEMBERS AND COUNSEL:**

**a. Comments:**

Chairperson Schaefer discussed with the Board the ending time of their meetings. The meetings have been going past 11:00, and members had indicated that their agreement was to end at 10:30. It was determined that they would try to adhere to the 10:30 p.m. close of the meeting.

**b. Announcements:**

The Board welcomed the new member Bradford Perry.

**c. Distribution and Correspondence:** None

**d. Minutes:** None

**7. RESOLUTIONS:** None

**8. APPLICATIONS:**

- (A) **Board of Adjustment Case No. 08-2020**  
**APPLICANT: Briteside Adult Day Centers, Inc.**  
**LOCATION: Block 8, Lot 19.01**  
**16 Sand Hill Road**  
**APPLICATION: Minor Site Plan with D Variances -**  
**Completeness Only**

Roger Ahrens recused himself from the Briteside Adult Day Centers application.

Attorney Richard Mongelli of Lambertville, New Jersey appeared representing Briteside Adult Day Centers, Inc. He stated that the Hunterdon Medical Center purchased Briteside, and it was approved to accommodate 65 clients in 2004 under Resolution Number 2004-20 with conditions.

Neil Hughes, Senior Vice President of Operations, Robert Clerico, Engineer, and Jeff Vaccarella, Assistant Planner/Zoning Inspector were sworn by Attorney Drill. It was indicated that the number of individuals that are being serviced are between 20

and 25, even though they were approved for 65.

Jeff Vaccarella asked that a water quality test be submitted prior to the application being deemed complete. Chairperson Schaefer made a motion that the application be completed with that condition, seconded by Alicia Dominguez.

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

- (B) Board of Adjustment Case No. 06-2017**  
**APPLICANT: Worship Church, Inc.**  
**LOCATION: Block 16, Lot 16.10**  
**27 Minneakoning Road**  
**APPLICATION: Time Extension and Modification of**  
**Condition**

Attorney Nicole Magdziak of the Day Pitney Law Firm appeared on behalf of Worship Church, Inc., seeking an extension of time related to Condition Number 6 of Resolution 2017-19 providing the applicant one year from the date of issuance of the construction permit to obtain a permanent Certificate of Occupancy.

Upon inspection by the Township Engineer, they found five or six items that had to be addressed. The Certificate of Occupancy has not been issued yet, and additional time is necessary in order to receive that.

Ms. Magdziak indicated that an extension through December 5<sup>th</sup> would be required in order for them to complete this application.

Alicia Dominguez made a motion to grant the extension, seconded by Randy Block.

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

(D)        **Board of Adjustment Case No. 14-2020**  
             **APPLICANT: Rinku and Anush Amin**  
             **LOCATION: Block 78.01, Lot 1.37**  
                         **10 Groff Court**  
             **APPLICATION: C Variance for a Pool**

Attorney John R. Lanza, of the Law Firm Lanza & Lanza, 5 Main Street, Flemington, New Jersey, appeared on behalf of Rinku and Anush Amin. At the beginning of the hearing Attorney Drill swore in both Rinku and Anush Amin, as well as their architect, Frank Troia from Planned Architecture in Little Falls, New Jersey, Antoine Hajjar, Township Engineer and Jeff Vaccarella, Assistant Planner/Zoning Inspector.

Under the ordinances of Raritan Township, Mr. Lanza indicated that the property does not have a backyard, they have two front yards. It is off of Clover Hill Road, as it is a corner lot.

This application is for a patio and pool to be placed on the property. Attorney Lanza agreed to eliminate the de minimis area of 86 square feet that the applicants would be over.

Attorney Drill stated that with the elimination of the 86 square feet, the C Variance would also be eliminated. Therefore, a variance would only be needed as an accessory structure, the pool in front of the dwelling. After questioning the architect, the Board asked questions regarding landscaping and lighting around the property and a discussion took place among the Board members. There were no public comments.

Steve Farsiou made a motion to approve the application with conditions, seconded by Roger Ahrens.

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

(C)        **Board of Adjustment Case No. 13-2020**  
             **APPLICANT: Morgan Equity, LLC**  
             **LOCATION: Block 16.01, Lot 37.02**  
                         **97 River Road**  
             **APPLICATION: Minor Site Plan with D Variance**

Attorney Steven Gruenberg of Flemington, New Jersey appeared representing the applicant. He indicated that the applicant has a company named General Pallet located in the I-2 Industrial Zone that has been in existence for 54 years. The proposed use of the property eliminates some office space and allows for two residential apartments.

Donald Baldwin, the principal of Morgan Equity, Eric Rupnarian, an Engineer, and James Kyle, a planner, as well as Antoine Hajjar, Township Engineer and Jessica Caldwell, Township Planner were sworn.

The application is to convert two one-bedroom apartments into one three-bedroom apartment and one one-bedroom apartment. There is an area for nine banked parking stalls and two handicapped parking stalls.

Mr. Baldwin indicated that they are involved in the manufacture and distribution and redistribution of primarily wooden pallets. But they are involved in specialty pallets, and anything that has to do with pallets. Attorney Gruenberg indicated that although the business has changed over the years, and an expansion of the second floor mezzanine area was utilized for their use, that they had placed two tenants in the building, also: A dance studio, and a cheerleading class. He indicated that due to the pandemic, the building is becoming empty and they are trying to repurpose it.

He stated he was not planning on renting either one of the apartments, and that he and his wife would live in the three-bedroom apartment, and his son, a police officer in Somerville, would reside in the one-bedroom and therefore could supply security for the pallet company.

After hearing the testimony of Eric Rupnarian and the owner, Donald Baldwin, as well as their cross-examination, the Board adjourned the matter until September 3<sup>rd</sup> to hear the testimony of James Kyle, their planner.

(E) Board of Adjustment Case No. 05-2020  
APPLICANT: VitalEssence Center for Laser and  
Aesthetics, LLC  
LOCATION: Block 15, Lot 63  
149 Highway 31  
APPLICATION: C Variances for a Sign

Attorney Tara St. Angelo of the Gebhardt & Kiefer Law Firm in North Annandale, New Jersey, appeared representing Dr. Randy Klein, of The Doctor is In. Dr. Klein is also the owner of VitalEssence Center for Laser and Aesthetics, LLC. Ms. St. Angelo stated that they were seeking a variance to put a sign on the glass doors of the building.

Dr. Randy Klein, Antoine Hajjar, Township Engineer, Jeff Vaccarella, Assistant Planner/Zoning Inspector and Jessica Caldwell, Planner, were sworn.

Attorney Drill indicated in his opinion the Ordinance states that what is not permitted is prohibited.

Dr. Klein, under questioning by Attorney St. Angelo, testified that his business has three locations, Clinton, Phillipsburg and Flemington. He indicated that they have physicians and physician assistants that work in the practice, although he is the sole owner of the three locations.

A box truck is parked in the parking lot close to the highway, and the signs on the box truck are prohibited in Raritan Township. The engineer indicated that the sign on the door should be removed immediately, and the box truck with signage should also be removed from the site.

Dr. Klein indicated that it was necessary to use the truck to take equipment for VitalEssence Center for Laser and Aesthetics, LLC to the other locations for use.

Attorney St. Angelo questioned whether the window and door signs were common in the area, and asked whether the Board would accept evidence of other businesses in the area that have similar signs. To which

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Attorney Drill responded that it is their right to present whatever they would like to present. After questioning by the Board and a discussion about the location of the parked truck, the matter was adjourned due to the lateness of the hour, until September 3<sup>rd</sup>.

**9. Next Board Meeting**

The next Board meeting was scheduled for August 27, 2020 to hear the continuation for 479 Raritan Experiential, LLC, followed by the September 3, 2020 meeting.

(Meeting adjourned.)

Respectfully submitted,

*Jacqueline Klapp*

JACQUELINE KLAPP