

ZONING BOARD OF ADJUSTMENT
RARITAN TOWNSHIP, NEW JERSEY
REGULAR VIRTUAL MEETING
JUNE 18, 2020
MINUTES

Chairperson Schaefer: This meeting is being offered virtually for all Board members, Board professionals, applicant and applicant's team, interested parties and members of the public. To attend this meeting virtually, just enter the link on your computer 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 5:10 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
Randy Block
Steve Farsiou
Jim Ferraro
Jeff Anclien
Roger Ahrens

Member Absent:

Alicia Dominguez

A motion was made to approve the absence of Alicia Dominguez by Steve Farsiou, seconded by Randy Block.

4. OTHER PERSONNEL PRESENT:

Antoine Hajjar, Township Engineer
Jeff Vaccarella, Assistant Planner/Zoning Inspector
Jessica Caldwell, Planner
John Morgan Thomas, Township Landscape Architect
Jay Troutman, Township Traffic Engineer

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.

MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLC
1300 Mount Kimble Avenue
Morristown, New Jersey 07962
Attorney for Zoning Board for Pleasant Run Application
BY: LISETTE GUZMAN, ESQ.

STEVEN GRUENBERG, ESQ.
151 Main Street
Flemington, New Jersey 08822
Attorney for Pleasant Run Structures, LLC
and Morgan Equity, LLC

JAVERBAUM, WURGAFT, HICKS, KAHN, WIKSTROM & SININS, P.C.
370 Chestnut Street
Union, New Jersey 07083
Attorneys for Frontier Development, LLC
BY: STEPHEN HEHL, ESQ.

6. BOARD MEMBERS AND COUNSEL:

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

May 21, 2020

Randy Block made a motion to approve the Minutes of May 21, 2020, seconded by Chairperson Schaefer.

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

June 4, 2020

Roger Ahrens made a motion to approve the Minutes of June 4, 2020, seconded by Chairperson Schaefer.

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

7. RESOLUTIONS: None

8. APPLICATIONS:

- (A) **Board of Adjustment Case No. 06-2010**
APPLICANT: Pleasant Run Structures, LLC
LOCATION: Block 18.01, Lot 12.03
101 US Highway 31
APPLICATION: Minor site Plan with C and D Variances
Completeness Only

Attorney Drill presented Lisette Guzman to replace him as the Attorney for the Board on this matter.

Attorney Steven Gruenberg, Flemington, New Jersey, presented his application indicating that it is for a D Variance for property having outdoor storage in a B-2 Zone, as well as a C Variance, which indicates no accessory structures are permitted in the front yard. He is requesting waivers for missing documents, which Engineer Hajjar objected to.

After hearing the testimony, Roger Ahrens made a motion that both requests be denied, seconded by Steve Farsiou.

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

(B) 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 Variances
Completeness Only

Attorney Jonathan Drill resumed his role as Board Attorney and indicated that this application was deemed incomplete.

Attorney Steven Gruenberg, Flemington, New Jersey, appeared on behalf of Morgan Equity, LLC, and indicated the applicant is requesting a waiver for a site plan, although the applicant has not yet submitted a minor site plan with an application and checklist. If all items were submitted and no waivers required, a hearing would be scheduled.

After hearing Attorney Gruenberg's application, Randy Block made a motion to deny the three waivers being requested, seconded by Chairperson Cynthia Schaefer.

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

(C) **Board of Adjustment Case No. 23-2019**
APPLICANT: Frontier Development, LLC
LOCATION: Block 16.01, Lot 59
166 Route 31, Flemington
APPLICATION: Preliminary and Final Site Plan with
C and D Variances

Chairperson Schaefer called the matter of Frontier Development, LLC, and Attorney Stephen Hehl of Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins, P.C. of Union, New Jersey appeared representing the applicant. This is for a Starbucks.

Attorney Hehl indicated he had several witnesses to present. The application is for a Use Variance and Site Plan approval to convert an existing vacant bank building into a Starbucks coffee shop with a drive-through, located in the B-3 Community Commercial Zone. A Use Variance is required as fast food restaurants are not permitted in the zone.

The applicant is also proposing outdoor seating with two tables on the north side of the building, which generates a second D-1 Use Variance, as well as variances for hard surface coverage, signs and structures in the front yard.

Sworn as witnesses were: Frank Russo, Heather Vantrieste, Lizanne Kile, as well as Joseph Staigar, an engineer. Also sworn were Antoine Hajjar, Jeffrey Vaccarella, Jessica Caldwell, John Morgan Thomas and Jay Troutman.

Exhibits A-1 through A-5 were marked at the hearing.

Engineer Staigar testified regarding the revisions to the architectural plans. Members of the Board, as well as members of the public asked questions of the engineer.

As the hour was late, and other witnesses still had to testify, the Board adjourned the matter to August 6, 2020. Attorney Hehl agreed to an extension until the end of November.

9. Next Board Meeting

The next Board meeting will be held on June 30, 2020, which is a special meeting for PSE&G, as well as a meeting on July 2, 2020.

Respectfully submitted,

Jacqueline Klapp

JACQUELINE KLAPP