

**ZONING BOARD OF ADJUSTMENT**  
**RARITAN TOWNSHIP, NEW JERSEY**  
**REGULAR VIRTUAL MEETING**  
**SEPTEMBER 17, 2020**

**MINUTES**

Chairperson Schaefer: The meeting will be offered virtually for all Board members, Board professionals, applicant and applicant's teams, and interested parties and members of the public. To attend this meeting virtually, 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 1-833-247-7023 and enter conference ID number 7995914. No participant code is needed.

**1. CALL TO ORDER:**

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

**2. NOTICE REQUIREMENTS:**

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

**3. ROLL CALL:**

**Board Members Present:**

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

**Board Members Absent:**

John Gudelis  
Steve Farsiou

**4. OTHER PERSONNEL PRESENT:**

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

Roger Ahrens made a motion to accept the absences of John Gudelis and Steve Farsiou from the meeting based on their requests, seconded by Chairperson Schaefer.

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

**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. FLORIO, PERRUCCI, STEINHARDT, CAPPELLI,  
TIPTON & TAYLOR, LLC  
235 Broubalow Way  
Phillipsburg, New Jersey 08865  
Attorneys for 479 Raritan Experiential, LLC  
BY: MARK R. PECK, ESQ.

**6. BOARD MEMBERS AND COUNSEL:**

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

7. **RESOLUTIONS:** None

8. **APPLICATIONS:**

- (A) **Board of Adjustment Case No. 01-2020**  
**APPLICANT: 479 Raritan Experiential, LLC**  
**LOCATION: Block 36.01, Lot 72**  
**479 Highway 202**  
**APPLICATION: Preliminary and Final Site Plan with**  
**C and D Variances**

Attorney Mark Peck of the Florio Perrucci Law Firm in Phillipsburg, New Jersey, appeared on behalf of the applicant. He indicated that this is an application for final major site plan approval for a use involving the installation of a clock tower for advertising purposes. He stated that the variances being sought are the same as was stated previously, except for a slight increase in lettering size, and the installation of the Municipal seal, which was discussed and amended at the August 27<sup>th</sup> meeting.

Mr. Peck previously presented Eric Ascalon from Raritan Experiential and James Biegen, an engineer, as well as their drone operator, Nicholas Lang regarding the video footage that had been taken during the balloon test. He indicated that the Board's professionals had submitted review memos and in their responses they agreed to everything that was requested.

Mr. Peck stated he wanted to present their traffic engineer, Maurice Rashed and planner Nicholas Dickerson, to provide confirmation that the proposed project will not affect the regulations of the category one waters.

The tower will be more than 300 feet away from the existing conservation easement as well as the state open waters. It is his opinion they are far enough away from any environmental feature with regard to the wetlands or the riparian corridor so there would not be any affect.

The applicant also agreed to a six-month period within which to decommission the sign if it is not being used.

Maurice Rashed testified as to the traffic on Route 202, and his opinion the sign would not interfere with drivers going north or south on Route 202. Jay Troutman, the Township Traffic Engineer, questioned the visibility and distraction qualities of the sign, to which the witness responded the DOT reviews traffic safety on State highways continuously, and did not refer to any negative safety impacts whatsoever.

The final witness to present testimony on behalf of the applicant was Nicholas Dickerson, a planner, who stated that this is a sign that incorporates the message board into a single design and seeks to create a gateway to the Township. He indicated that it would include many of the criteria necessary to advance the purposes of the Master Plan and the Zoning Ordinances, such as purposes C, D, E and F. He proffered that the sign provides for safe and efficient vehicle, bicycle and pedestrian traffic, and is not inconsistent with the intent and purpose of the Zone Plan or Zoning Ordinance.

Attorney Drill stated the testimony shows that the variance can be granted without substantial impairment of the purposes of the Land Development Ordinance.

After extensive cross-examination by neighbors, Patrick Heller and Mahir Patel, the Board entertained their sworn comments.

Mr. Patel was concerned about the view, for people passing by with their families, that it would not be as nice with the sign as it would without the sign. Patrick Heller was concerned about the effect of the sign upon property that he owns on Ridge Road.

After hearing the testimony and reviewing the comments made by the Board's professionals, Chairperson Schaefer made a motion to grant the application subject to conditions that had previously been identified. The motion was seconded by Alicia Dominguez.

(On roll call, all members voted in the affirmative with the exception of James Ferraro and Randy Block.)

RTBOA  
9/17/20  
Page 5 of 5

**9. Next Board Meeting**

The next Board meeting is scheduled for October 1<sup>st</sup> and October 15<sup>th</sup>. Both meetings will begin at 7:00 p.m.

Respectfully submitted,

*Jacqueline Klapp*

JACQUELINE KLAPP