

RARITAN TOWNSHIP BOARD OF ADJUSTMENT

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

In compliance with the New Jersey Municipal Land Use Law, the General Ordinances of the Township of Raritan (the "Township") and the Rules and Regulations of the Raritan Township Board of Adjustment (the "Board"),

PLEASE TAKE NOTICE that on Thursday, April 16, 2026, at 7:00 p.m. in Room 160 (Committee / Court Meeting Room) of the Raritan Township Municipal Building, 1 Municipal Drive (Dvoor Circle), Raritan Township, Flemington, New Jersey, the Board will hold a public hearing on the application (the "Application") of Flemington Family Partnership, LLC (the "Applicant"), at which time and place all interested persons will be given an opportunity to be heard in person only. The public hearing may be continued without further notice on such additional or other dates as the Board may determine.

The Application relates to the properties located at 328 and 324 Highway 202 in the Township and also known as tax map Block 72.23, Lots 31 and 31.01 respectively (the "Properties"). The Properties are located in the Township's B-2 Commercial District Zone.

The Applicant is applying for preliminary and final major site plan approval, variance approval and design waiver approval to construct buildings on the Property for use as two (2) new motor vehicle agencies with accessory used motor vehicle sales and motor vehicle repairs as permitted by the definition of new motor vehicle agency at Section 296-151.E of the Township Ordinances (the "Project"). New and used motor vehicle sales are permitted in the Township's B-2 Zones as a conditional use subject to certain conditions, some of which are not met by the Applicant and the Project as more specifically outlined below.

The Project also proposes the installation of paved parking areas, concrete walks, paved access drives, landscaping, lighting, stormwater management facilities, water service, sewer service, gas service and electric service in connection with the aforementioned uses. The paved access driveway will be located on Lot 31.01 and shared by the occupants of the Properties as outlined in and required by a prior order of the Superior Court of the State of New Jersey.

The Applicant specifically requires the approval of the following relief from the Board in connection with the Project:

1. Preliminary and final site major plan approval;
2. Conditional use "d(3)" variance approval for the proposed uses in as much as the Project may not comply with each of the below, as determined by the Board and its professionals:
 - a. Section 296-150.E as the Project may not be deemed compliant with all other appropriate chapters of the Township Code as outlined below; and
 - b. Section 296-151.E(6) as the Board may not determine that adequate screening is provided along the property line adjacent to the residentially used property;
 - c. Section 291-155E to the extent the Board does not determine that the storage areas are sufficiently screened from adjacent properties and public roadways;
 - d. Location of stormwater discharge points in the northwest/southeast portion of Lot 31 within the required setbacks, which location has been previously approved by the governing body of the Township;
 - e. The Board must determine whether the use is designed, located and proposed to be operated so that the public health, safety, welfare and convenience of the public shall be protected;

- f. The Board must determine whether the applicable stormwater, flood control and soil erosion provisions of the Township Code are complied with;
 - g. The Board must determine whether the performance standards and nuisance elements of the Township Code are complied with;
 - h. Section 296-155(E)(2) in as much as the storage of vehicles are proposed in the front yard adjacent to US Route 202 and access aisles in the front and rear of the Property, whereas such locations are not permitted;
 - i. Section 296-155(E)(1) in as much as vehicles are proposed to be stacked 3 vehicles deep and only 2 vehicles deep are permitted;
3. Use variance approval for having more than one principal use on the Property in as much as each of the dealerships is deemed to be a principal use as opposed to the overall principal use of the property as a new motor vehicle agency;
 4. Variance approval pursuant to N.J.S.A. 40:55D-70(d)(1) for the proposed hotbox located on Lot 31.10 which does not have a principal use located on the same, which is not permitted pursuant to Section 296-140E.1 and Section 296-114D of the Township Code.
 5. Bulk variance approval for:
 - a. Section 296-143B with regard to maximum hard surface area for steep slopes measuring 13%-19% (5,190 sf/27.5% permitted and 5,993 sf/31.75% proposed with regard to Lot 31);
 - b. Section 296-143B with regard to maximum hard surface area for steep slopes measuring 20% or more (0 sf/0% permitted and 621 sf/1.93% proposed on Lot 31);
 - c. Section 296-143B with regard to maximum hard surface area for steep slopes measuring 20% or more (0 sf/0% permitted and 351 sf/5% proposed on Lot 31.01);
 - d. Section 296-141.A.1. Preservation of Natural Features:
 - i. The proposed outlet structure is located within 100 feet a tributary of the Bushkill Brook.
 - ii. The installation of the proposed stormwater management system is disturbing soil within 75 feet of a tributary of the Bushkill Brook.
 - iii. The construction of a driveway within 75' from the top of the bank to a tributary of the Bushkill Brook tributary and no disturbance of soil or vegetation within this area is permitted;
 - iv. The construction of a driveway within 100' from the top of the bank to a tributary of the Bushkill Brook tributary and no structure within this area is permitted (to the extent the driveway is considered a structure);
 - e. Section 296-131 in reference to Schedule 1 Bulk Regulations:
 - i. Accessory structure located within the 20' side yard setback.
 - ii. The stormwater management system is located in front of the primary, principal structure.
 - iii. The stormwater management system is encroaching in the 25' side yard setback.
 - f. Section 296-75C(6)(A) Off-Street Loading:
 - i. Three (3) loading areas are required for the Toyota building where one (1) is proposed.
 - ii. Two (2) loading areas are required for the Nissan building where one (1) is proposed.
 - g. Section 296-75G(9) Lighting. 0.5 foot candles along the Property line are proposed where 0 foot candles are permitted;
 - h. Section 296-155E(4) Vehicle Storage. Display and parking areas are adjacent to each other where display stalls shall be separate from parking spaces.
 - i. Section 296-155E(4) Vehicle Storage. To the extent the display of new and used cars, machinery and equipment exceeds the greater of the area of the principal/main building or 50% of the total lot area.

- j. Section 296-75.D(4)(o)[4] Landscaping. Islands containing canopy trees are provided at intervals greater than eight spaces, where at least one landscaping island containing a canopy tree shall be planted every eight spaces within the parking lot.
 - k. Section 296-163d(3) for two ground signs being proposed and one of the signs includes a total advertising area of greater than 100 sf.
 - l. Section 296-164A(1) for the maximum height of the signs exceeding the 25' height requirement.
 - m. Section 296-165C(4) Directional signs. 24 sf of directional entrance signage is proposed where 3 sf is permitted.
 - n. The proposed height of the retaining wall between Lots 31 and 31.01 adjacent to the closest ingress/egress to US Highway 202, if and as necessary; and
6. Design waivers from the landscaping, buffer and tree canopy requirements of the Township Ordinance, as and if necessary.

The Applicant reserves the right to supplement the Application and/or seek at the time of hearing such other approvals, interpretations, variances and/or waivers as may be requested or required by the Applicant, the Board or the Board's professionals.

A copy of the Application and supporting plans and documents are on file in the Planning and Zoning Office for all interested parties prior to said hearing. Please contact the Board Secretary at 908-806-6102 to arrange accommodations for viewing these files.

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