

**BRIDGEWATER TOWNSHIP
PLANNING BOARD
Regular Meeting
February 27, 2012
-MINUTES-**

CALL MEETING TO ORDER:

Chairperson Joanne Kane called the meeting of the Bridgewater Township Planning Board to order at 7:00 p.m. in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

OPEN PUBLIC MEETING ANNOUCMENT:

Adequate notice of the meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 20, 2012 proper notice was sent to the Courier News and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building.

Please be aware of the Planning Board policy for public hearings: No new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm. Hearing Assistance is available upon request.

ROLL CALL:

Steve Rodzinak – present (7:06p.m.)	Chairperson Joanne Kane – present
N. Janine Dickey – present	Vice-Chairperson Barbara Kane – present
Ron Charles – present	Mayor Dan Hayes – present
James Franco – present	Councilperson Filipe Pedroso – present
Former Councilman Albano, Alt #1 – absent	

Other present: Board Attorney Thomas Collins; Board Planner Scarlett Doyle PP; Board Engineer Robert C. Bogart, PE; and Planning Division Secretary Danielle A. Britton.

MINUTES:

Minutes for January 10, 2012 – Reorganization Meeting – Pending
Minutes for February 9, 2012 – Special Meeting – Pending

MEMORIALIZING RESOLUTIONS:

GEN III – Fox Chase at Bridgewater - Route 22 & Traci Road
Block 173, Lot 2
#67-04-PB, Re: Amended Preliminary and Final Site Plan
(amend conditions of resolution/changes to prior approval)

Resolution moved for adoption by J. Dickey, seconded by B. Kane, and adopted by the following eligible voting members:

AFFIRMATIVE: N. Janine Dickey, Vice-Chair Barbara Kane, Chairperson Joanne Kane

OPPOSITION: none

ABSENT: Former Councilman Albano
NOT ELIGIBLE: Steve Rodzinak, Ron Charles, James Franco, Councilperson Filipe
Pedroso, Mayor Hayes

HEARINGS AND DELIBERATIONS:

PSE&G Substation - aka Mountain Avenue Station

Block 382, Lot 5

#35-11-PB, Preliminary and Final Site Plan, with bulk variances and waivers
(expand and upgrade electrical facility)

Attorney John Phillips was present to represent applicant, PSE&G. The following six persons were sworn in for testimony:

1. Marian Labosan, 744 Broad Street – Newark, New Jersey
2. Noel Rivera, 88 Park Plaza – Newark, New Jersey
3. Robert Jordan, PE 710 Carnegie Court – Princeton, New Jersey
4. Noreen Merainer, PP 744 Broad Street – Newark, New Jersey
5. Himansu Patel, PE 510 Carnegie Court – Princeton, New Jersey
6. Roy Dunn, Landscape Architect, 200 Woodland Avenue - Medford, New Jersey

Mr. Phillips briefly discussed the nature of the application. PSE&G proposed to replace the existing substation with a new one to improve the electrical service in the region. After construction and operation of the new substation, the existing would be removed and (re)vegetated in accordance with the landscape plan. 4.9 acres would be improved for the construction of the proposed utility facility upgrade. A new driveway would be constructed at the west side in addition to the continued driveway use on the existing north side. The two driveways would be retained as an ingress and egress only drive. A detention basin is proposed in the rear of the site, which would drain toward the wetland buffer area. The rear of the property coincides with Green Brook watercourse adjacent to Middlesex Borough. The proposed construction is to the side of the property closest to the golf driving range. Proposed electrical upgrades included the installation of a substation with a 89KV ring bus with three line positions, three transformer positions and one capacitor bank position. Electrical and mechanical underground systems and equipment on foundations are to be constructed. A modular brick faced Control Building was also proposed.

First witness, Mr. Rivera was called forward for testimony. Mr. Rivera explained that the main reason for the installation is to upgrade the existing substation to provide more electrical capacity and to improve the service in the region. There was additional conversation regarding the control building and reasons for its chosen configuration and location.

Second witness Mr. Patel, PE was called forward for testimony. His qualifications were recognized and accepted by the Board. Mr. Patel discussed that the site is accessed from Route 22. He explained there is insufficient upland area to position the control building 200 ft from the property line. The wetlands and transition area are located in the rear

setback. Mr. Patel testified that the control building at any other location would interfere with the proposed underground site improvements. The conservation easement preserves existing vegetation, and would extend from the wetland line to the flood hazard easement to allow for a larger green buffer.

Mr. Patel used **Exhibit A-1, NJ Department of Environmental Protection, Letter of Interpretation and Line Verification, dated 2/27/12.**

Third witness Robert Jordan, PE was called forward for testimony. His qualifications were recognized and accepted by the Board. Mr. Jordan discussed the lighting and illumination plan distributed for the site and testified that he did not believe the proposed illumination would be a nuisance to nearby properties.

Fourth witness Mr. Roy Dunn, AIA was called forward for testimony. His qualifications were recognized and accepted by the Board. Mr. Dunn described the planting proposed along the golf driving range. The landscaping plan identified significant trees and shrubs to be replaced where removed.

There was discussion with regard to the removal of trees before April 1st 2012 to comply with the NJDEP restriction against tree-cutting within potential habitat area of the Indiana Bat during the months of April 1st through October 1st.

Mr. Jordan used **Exhibit A-2, Colored Rendering Landscape Drawing, dated 2/27/2012.**

Fifth witness Ms. Marian Labosan, PE was called forward for testimony. Her qualifications were recognized and accepted by the Board. Ms. Labosan discussed the proposed location and reasons why the new substation would be adjacent to the existing one. She testified that the old station would be demolished. Ms. Labosan described the number of vehicles that would be parked onsite during construction and further noted that the site would be fenced off.

Sixth witness Ms. Noreen Merainer, PP was called forward for testimony. Her qualifications were recognized and accepted by the Board. A waiver for the number of parking spaces was requested. Ms. Merainer explained the need for a mesh fence approximately 60 ft in height along the property line adjoining the golf driving range. This would help eliminate errant golf balls entering the station; in addition the fence would provide safety for the workers and employees working on the property. Conservation buffer and easements were discussed. Ms. Merainer discussed the associated variances, and noted that the equipment upgrades to the electrical service areas were benefits and not a detriment, and that the variances being sought would not substantially impair the intent and purpose of the zoning ordinance or plan. She explained that the property would be developed with a substantial green buffer or conservation easement to the rear of the property.

Chairperson Joanne Kane opened the hearing to the public for comments and questions:

Mr. Adams – 1013 Beechwood Avenue-Middlesex, NJ.
Suggested vegetation and mentioned the flooding issue in the neighborhood.

Ms. Straunk – 1027 Beechwood Avenue – Middlesex, NJ.
Concerned with lighting and inquired about adequate landscaping to decorate the site.

Since there were no further questions or comments, Chairperson Kane closed the public comment session.

The Board deliberated and discussed several conditions including:

- The applicant shall record a conservation easement to the Township of Bridgewater conserving the wetlands and wetlands transition area and the entire area from near the property line to the flood hazard easement line.
- Shield any obtrusive visible light from driveways or onto abutting properties to reduce its visibility from offsite.
- Applicant to comply with Township Planner’s report of Scarlett Doyle, dated February 18, 2012, and Township Engineer’s report of Robert Bogart, dated February 22, 2012.
- Must have pre-construction meeting with Engineering Department prior to site construction except for tree cutting, which may take place immediately provided that the application complies with details and soil erosion sediment control details. There must be a soil erosion sediment control plan on file, whether or not approved by soil conservation service.
- Applicant shall plant spruce trees 9 to 10 feet in height, 10 ft on center along the rear of the detention basin along the drip line of the existing trees near the flood hazard easement line.

Motion by N. Janine Dickey, second by Vice-Chair Barbara Kane, the PSE&G - Mountain Avenue Station application was approved with conditions on the following roll call vote:

AFFIRMATIVE: N. Janine Dickey, Vice-Chair Barbara Kane, Steve Rodzinak, Ron Charles, Chairperson Joanne Kane, Mayor Hayes

OPPOSITION: Councilperson Filipe Pedroso

ABSENT: Former Councilman Albano

NOT ELIGIBLE: James Franco

MEETING OPEN TO THE PUBLIC:

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

BOARD BUSINESS – Revisions to Solar Ordinance:

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING CHAPTER 126 (LAND USE), PART 12 (ZONING), ARTICLE XLV (SUPPLEMENTING REGULATIONS GOVERNING CERTAIN USES), SECTION 126-335 (RENEWABLE ENERGY FACILITIES), OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER SO AS TO 1) MODIFY SUB SECTIONS C1B & E,

C3E, C4B, C5E, C6H AND C8 A7B IN ORDER TO BRING THOSE PROVISIONS INTO CONFORMANCE WITH THE UNIFORM CONSTRUCTION CODE AND ARTICLE XXXVIA (REMOVAL AND PRESERVATION OF TREES) OF CHAPTER 126 OF THE TOWNSHIP MUNICIPAL CODE AND TO CREATE AN EXCEPTION TO 126-335B (RENEWABLE ENERGY FACILITIES) PERMITTED AND PROHIBITED USES IN ZONING DISTRICTS, SUB SECTION 1,2,3, & PERMITTING RENEWABLE ENERGY FACILITIES ON ACCESSORY BUILDINGS LOCATED ON PRESERVED FARMLAND PROPERTY PURSUANT TO N.J.S.A 4:1C-32.4.

Motion by B. Kane, seconded by N. Janine Dickey, the Board determined that the above referenced first reading of the ordinance was not inconsistent with the Master Plan, and recommended the adoption of the revised solar ordinance on the following roll call vote:

AFFIRMATIVE: Steve Rodzinak, Ron Charles, Vice-Chair Barbara Kane, N. Janine Dickey, Chairperson Joanne Kane, Mayor Dan Hayes

OPPOSITION: None

ABSENT: Former Councilman Albano

NOT ELIGIBLE: James Franco

ABSTAIN: Councilperson Filipe Pedroso

CLOSED SESSION:

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, that the Board hereby authorized a closed or executive session pursuant to Section 7 and 8 of the Open Public Meetings Act to discuss matters of attorney client privileged communication and pending litigation in the matter of Al Falah Center et al. v. Township of Bridgewater et al. The matters to be discussed are to remain confidential until the confidentiality of the matters is no longer required.

Chairperson Joanne Kane made the following statement to a closed session meeting at 9 p.m. It was the consensus of the Board to enter into closed session to discuss matters regarding litigation.

The Board returned to open session at 9:55p.m. with all members in attendance present.

ADJOURNEMENT:

The Board adjourned the meeting at 10 p.m.