

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting  
Monday, June 25, 2012

—MINUTES—

CALL MEETING TO ORDER:

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

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 13, 2012, proper notice was sent to the Courier Newspaper 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.

SALUTE TO FLAG:

There was salute to colors.

ROLL CALL:

Steve Rodzinak – present	Barbara Kane, Vice Chairperson – present
Filipe Pedroso, Councilman – present	Mayor Hayes – present
Joanne Kane, Chairperson – present	Ron Charles – present
N. Janine Dickey – present	James Franco, Alt#2 – present
Former Councilman Robert Albano, Alt#1 – present (7:25 pm)	

Others present: Attorney Thomas J. Molica, Jr., Board Planner Scarlett Doyle, Board Engineer Robert C. Bogart and Marie L. Broughman, Land Use Administrator

APPROVAL OF BOARD MINUTES:

**May 8, 2012 – Regular Meeting** – Motion by Mr. Rodzinak, second by Mrs. Barbara Kane, the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Councilman Pedroso, Mrs. Barbara Kane,  
Chairperson Joanne Kane, Mayor Hayes

ABSENT: Mr. Albano

NOT ELIGIBLE: Mrs. Dickey, Mr. Charles, Mr. Franco

MEMORIALIZATION OF RESOLUTIONS:

**SOMERSET COUNTY - CAPITAL IMPROVEMENT PROJECT**

**100 Commons Way, 750 East Main St., 600 Garretson Rd, Merriwood Dr., 680 East Main St., 14 Vogt Dr.**

**#12-017-PB, Ground Mounted Solar Parking Canopies**

DECISION: RECOMMENDED on 4/23/12

Motion by Mr. Charles, second by Mrs. Barbara Kane, the foregoing resolution memorializing the Planning Board recommendation on 4/23/12 was adopted on the following roll call vote:

- AFFIRMATIVE: Councilman Pedroso, Mrs. Dickey, Mr. Charles,  
Mrs. Barbara Kane, Chairperson Kane, Mayor Hayes
- ABSENT: Mr. Albano
- NOT ELIGIBLE: Mr. Rodzinak, Mr. Franco

LAND DEVELOPMENT APPLICATIONS:

**SOMERSET COUNTY**

**MINOR SUBDIVISION (PUBLIC ENTITY)**

**Block 347 Lot 1.02 (872 East Main Street)**

**#12-018-PB, Minor Subdivision (Courtesy Review)**

Attorney Bill Robertson, Deputy County Counsel, was present to represent Somerset County. Sworn testimony was presented by Professional Engineer Mathew Loper and Professional Surveyor Jeff Baldwin.

The County is proposing to subdivide Block 347 Lot 1.02 which is an 18.6 acre parcel and currently contains the Somerset County Adult Daycare Center. The result of the subdivision would be two equal parcels of 9.284 acres for each lot created. No improvements are being proposed at this time. The County respectfully submits that variance approval is not required; however, they seek to consult with local officials for review and recommendation.

Mayor Hayes acknowledged he is in favor of the subdivision and that Bridgewater is obtaining one-half the subdivided property without taxpayer money.

Motion by Mayor Hayes, second by Councilman Pedroso, the Planning Board made a favorable recommendation regarding the Minor Subdivision on the following roll call vote:

- AFFIRMATIVE: Mr. Rodzinak, Councilman Pedroso, Mrs. Dickey, Mr. Charles,  
Mrs. Barbara Kane, Chairperson Joanne Kane, Mayor Hayes
- ABSENT: Mr. Albano
- NOT ELIGIBLE: Mr. Franco

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**LANG – Twin Oaks Road/ Foothill Road**

**Block 712, Lots 4 & 7 and Block 718 Lot 63**

**#29-11-PB, Preliminary Major Subdivision (create 19 -lots and construct two roads)**

TIME: 120=8/3/2012

This application was continued from May 8, 2012.

Attorney Michael V. Cresitello, Jr. was present to represent the Applicant. Sworn testimony was presented by Professional Engineer and Land Surveyor James Mantz.

The Applicant submitted several exhibits which were marked into evidence as follows:

**A-12 6/25/12** Larger scale blowup, 1”=30’, of Steele Gap Road, Lot 4.17

- A-13 6/25/12** Larger scale blowup, 1"=30', sheet 2 of 15  
**A-14 6/25/12** Terminus of sidewalk @ box culvert to Foothill Road

Attorney Cresitello stated that new notice was provided as the application was amended to include Block 718 Lot 63 which application now only requires one (1) variance for development in steep slopes for proposed Lot 4.13. A de minimus RSIS exception is needed for installation of sidewalks on one side of the road as opposed to both sides as required by the RSIS. The application will fully comply with all the Board professional's reports and stormwater regulations according to the Applicant's attorney.

Board Planner Doyle raised a question as to the duly noticed additional property owners with the addition of Lot 63 with regards to the prior hearing. Board Attorney Molica stated that the prior hearing stands and that counsel can proceed with his first witness.

Attorney Cresitello stated that the residents in opposition are now represented by counsel and they should ask their questions through their attorney, not as individuals.

Engineer Mantz summarized the changes to the application with the addition of Lot 63. A total of 19-lots will be created, but only 18-lots are buildable. Two new roads are proposed connecting to: Twin Oaks and Steele Gap with a dedication of a portion of Twin Oaks Road from Lot 63, with a portion of Lot 63 to be made part of Lot 4.13 to provide the required frontage. Lot 4.14 was reconfigured. Sidewalk is proposed along Foothill Road as shown on sheet 11 of 15, last revised 6/12/12.

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 Mr. Albano arrived at 7:25 pm.  
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Engineer Mantz referred to sheet 2.01 of 15, last revised 6/12/12 and stated that Lot 4.13 was reconfigured. He also explained a strip of land adjacent to Lot 6 intended to not make Lot 6 a corner lot and where twelve (12) Canadian hemlocks are proposed along Lot 6 to screen the existing tennis court. Detention basin #3 was revised to reduce the flow by realigning the outlet pipe to point the outflow in a more westerly direction.

The 50-ft buffer area shown on Lot 4.17 is marked in pink on exhibit A-12 for basin #3 relocation. Currently, there are various swales on the property terminating at Foothill Road. Increased flows will not be added to these swales. The Applicant is proposing to install box culvert and pipes to keep the water under the new sidewalk and to transport the water into the stormwater piping system, as shown on sheet 11 of 15.

Engineer Mantz agreed to comply with the reports of the Sewer Engineer dated 6/22/12 and Fire Official dated 6/20/12. An alternate access to Lot 4.13 is not proposed as it would require a waiver or variance. New Jersey American Water will not provide a will serve letter until formal application is made for each house connection at the time the Applicant is ready to connect. The Applicant agreed to come back to the Board should service not be available. Lot 4.13 will have a maximum 13% slope driveway which requires sixteen (16) trees to be removed for the

construction of the driveway, retaining walls and dwelling. Those trees will be replaced elsewhere on the property within the subdivision. The 10-ft strip abutting Lot 6 will be attached to Lot 4.14 and will have a deed restriction for maintenance obligations. Twelve (12) hemlocks, 8-ft in height and twelve on center will be planted within this 10-ft strip of land. No deed restrictions will be completed regarding the limit on the size of the dwelling due to the steep slopes, as zoning may change in the future. Engineer Mantz stated he does not have an estimate on the flow of the existing water spring on the property and that he has not seen the spring when he has visited the property, which is located 100-ft west of Block 712 Lot 5 and 40-ft to 50-ft south of Twin Oaks Road.

Attorney Cresitello stated the Applicant will make a charitable contribution to the Township for the new Lot 63 which can be a condition of approval. Lot 63 is still a conforming lot; however, due to the steep slopes it would be unbuildable without variances. Sheet 1 of 15 provides the zoning data for improved lot coverage of 512-sf and floor area ratio of 427-sf for Lot 23.

Engineer Mantz stated that road #1 has a length of 650-ft to the center of the cul-de-sac and road #2 is 458-ft to the center of the cul-de-sac. Lot 7.01 has frontage on three sides. Lot 4.16 has a proposed basement elevation over the minimum standard of 1-ft above the high watermark in the detention basin. The owner of Lot 6 did not agree to a site triangle easement; however, Township Engineer Bogart stated that the Township would be willing to accept escrow to deal with that issue in the future, if necessary.

Engineer Mantz stated there is one LED light proposed at the end of each of the cul-de-sacs. He referenced sheet 1 of 15 and agreed to work with the Board if additional lighting is requested. Township Engineer Bogart stated that it is Township policy to limit the lighting to reduce light pollution.

Engineer Mantz stated that the subdivision meets the stormwater regulations and discussed the discharge points, existing swales, sheet flow, detention basins and collection system. The 2-year storm rate of runoff will be reduced 50%, 10-year storm reduced 75% and 100-yr storm reduced 80% which is in full compliance with the stormwater regulations. Engineer Mantz agreed the Applicant would pay his pro-rata share if any culverts had to be enlarged along Foothill Road. Some of the water on Berrywood Lane will be picked up by the new stormwater system lessening what currently flows. Erosion will be controlled with stabilized matting until vegetation is established within 18-months. Engineer Mantz agreed to comply with the Township Engineer's report dated 6/22/12.

Engineer Mantz referenced exhibit A-14 and discussed the terminus of the sidewalk at the box culvert to Foothill Road. Township Engineer Bogart stated the sidewalk extension is necessary for the children to be able to cross Foothill Road to reach Merriwood Road to get safely to school. Engineer Mantz agreed that if an easement is not available from Block 712 Lot 13, then the Applicant would be willing to provide escrow for the Township to obtain the sidewalk easement in the future. The sidewalk extension across Lot 13 will be shown on the plans.

Engineer Mantz stated that sewer ejection pumps are proposed for Lots 4.13, 4.16 and 4.17; however, he will attempt to obtain sewer easements as requested by Township Engineer Bogart to allow for gravity flow.

Attorney Cresitello stated that there are no additional witnesses for this meeting; however, Environmental Specialist Edward Cooke would be available on 7/10/12 to discuss Engineer Mantz's summary environmental letter dated January 2012. If the Board decides at that time that a full EIS is required, the meeting would be continued at that time.

Sworn testimony was presented by members of the public as follows:

Jeffrey Brookner, Esq., representing the "Stop the 18-Homes" group of residents, stated that he is not prepared to cross-examine as he had not yet received the documents requested through OPRA; however, he requested that he be allowed to speak at the next meeting. The Board requested a copy of the list of names of the public being represented.

Evan Lerner, 566 Morningside Dr., addressed concerns regarding drainage issues affecting the school.

Ray Smalley, 514 Somerville Rd., addressed concerns regarding the proposed stormwater system and that he now gets 2-inches of water in his basement living next to the school playing field.

Faranak Nikfar, 541 Berrywood Lane, addressed concerns with the existing stormwater easement on her property stating that when a storm arrives the rocks flow down to her property and they are always having to relocate the rocks. No vegetation grows within the easement. This easement is off site. In addition, she questioned what happens when the sewer ejection pumps fail or lose electricity? Engineer Mantz stated that they are designed to hold quite a bit and then empty out when electricity is restored.

Robert Helmbrecht, 546 Somerville Rd., addressed concerns regarding water runoff and existing pot holes. Engineer Mantz stated that the volume is more; however, it is controlled by detention basins by filling up and then the basins slowly drain down.

Patrick Olenick, 458 Foothill Rd., addressed concerns regarding water runoff which comes from Berrywood. He requested that his property be included in the stormwater study for this subdivision.

Curtis Kraut, 199 Adamsville Rd., addressed concerns with the Cuckholds Brook that traverses his property. He cross-examined Engineer Mantz regarding the stormwater system.

Barbara Doklia, 12 Dartmouth Ave. Unit 4B, addressed concerns with the Cuckholds Brook that traverses the property.

George Jones, 117 Mountainside Lane, questioned if the town has offered to purchase the property and complimented the developers as without them nothing would get done to resolve existing issues with the land.

Attorney Cresitello stated that the subdivision will be phased to cut off the farmstead.

Chairperson Joanne Kane carried the hearing to 7/10/12 at 7:00 pm with no further notice required.

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:

There was no other business discussed.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 10:15 pm.

Respectfully submitted,  
Marie L. Broughman,  
Land Use Administrator