

**BRIDGEWATER TOWNSHIP
PLANNING BOARD
Regular Meeting,
Tuesday, July 10, 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 ANNOUCEMENT:

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 p.m. and no new testimony will be taken after 10:15 p.m. Hearing Assistance is available upon request.

SALUTE TO FLAG:

There was a salute to the flag.

ROLL CALL:

Steve Rodzinak – present	Barbara Kane, Vice Chairperson – present
Filipe Pedroso, Councilperson – present	Mayor Hayes – present
Joanne Kane, Chairperson – present	Ron Charles – present
N. Janine Dickey – present	James Franco, Alt#2 – present
Former Councilperson Robert Albano, Alt#1 – present	

Others present: Attorney Thomas Collins, Recording Secretary Danielle A. Britton, Board Planner Scarlett Doyle, PP, and Board Engineer Robert C. Bogart, PE.

MINUTES FOR APPROVAL:

June 25, 2012 - Regular Meeting Minutes - Approved.

Minutes moved for adoption by R. Charles, seconded by Vice-Chair B. Kane, and adopted by the following eligible members:

AFFIRMATIVE:	Steve Rodzinak, Councilperson Filipe Pedroso, N. Janine Dickey, Ron Charles, Vice-Chair Barbara Kane, Chair Joanne Kane, Mayor Hayes.
OPPOSITION:	None
NOT ELIGIBLE:	Robert Albano, James Franco
ABSENT:	None
ABSTAIN:	None

MEMORIALIZING RESOLUTIONS:

SOMERSET COUNTY - 872 East Main Street
Block 347 Lot 1.02
MINOR SUBDIVISION (PUBLIC ENTITY)
#12-018-PB, Minor Subdivision (Courtesy Review)
DECISION: RECOMMENDED on 6/25/2012

The County presented a two lot subdivision of land (application) seeking approval. It was determined that the County as a higher governmental authority did not need to obtain a variance for lot size.

After presentation and discussion, a resolution was moved for adoption by S. Rodzinak, seconded by R. Charles, and adopted as amended by the following eligible voting members:

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

OPPOSITION: None

NOT ELIGIBLE: Robert Albano, James Franco

ABSENT: None

ABSTAIN: None

TOWNSHIP COUNCIL REFERRAL FOR REVIEW AND RECOMMENDATION OF THE PLANNING BOARD:

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING CHAPTER 126 (LAND USE) PART 12 (ZONING) SECTION 126- 320 (SED SPECIAL ECONOMIC DEVELOPMENT ZONE) SO AS TO PERMIT, IN THE SED ZONE, OFFICE FACILITIES AND CLARIFYING MANUFACTURING USE IN THE SED ZONE.

Planner Doyle summarized the foregoing ordinance and stated that the ordinance is inconsistent with the Master Plan due to the fact that the Master Plan does not specifically address the SED zone matters discussed in the Ordinance. She did note, however, that the proposed ordinance is generally consistent with the purposes, objectives, and the intent of the Master Plan. The Board discussed the details of the ordinance and noted that while it was inconsistent with the Master Plan, the Board favorably recommended adoption. The Board concluded that lifting the requirement for single-tenant occupancy in the corporate campus setting will strengthen the Township's ability to attract and retain corporations and will promote a vital and vigorous office and commercial community.

Motion by Robert Albano, second by Janine Dickey, Amendment to Chapter 126 (Land Use), Part 12 (Zoning), Section 126-320 (SED-Special Economic Development Zone), so as to permit, in the SED Zone, Office Facilities and Clarifying Manufacturing Use in the SED Zone was recommended for adoption on the following roll call vote:

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

OPPOSITION: None

NOT ELIGIBLE: Robert Albano, James Franco

ABSENT: None

ABSTAIN: Filipe Pedroso

HEARING AND DELIBERATIONS:

LANG – Twin Oaks Road/ Foothill Road
Block 712, Lots 4&7; 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 carried from June 25, 2012.

Attorney Michael V. Cresitello, Jr., Esq. was present to represent the applicant, Steven and Sandy Lang.

Attorney Cresitello stated that the engineering testimony was completed June 25, 2012, and that no new witnesses were being presented this evening. Environmental Specialist and Consultant, Mr. Edward Kuc will testify at the next board hearing date July 23, 2012.

Attorney Jeffrey J. Brookner, Esq. was present to represent the objectors to the proposed application. Attorney Brookner cross-examined Professional Engineer and Land Surveyor, James Mantz, who was previously sworn in for testimony. Sheet entitled, “List of Members of 18 Homes Group” (Brookner clients) was marked into record as **Exhibit 101**, dated July 10, 2012.

Sheets one and two of the development plans were both reviewed by Engineer Mantz and Attorney Brookner to further discuss the slopes of existing Lots 1,2,3 compared to Lot 4.13 proposed. Attorney Brookner inquired about the steepness of the driveway slope on Lot 4.13 compared to the existing slope on Lot 3 and surrounding adjacent driveways. Engineer Mantz testified that several driveways to the west of Lot 4.13 on the south-side of Twin Oaks Road are steep. Across the street the grading elevation is uphill and has a steeper slope but official calculations were not prepared. Mantz further testified that Lot 3 has a lesser slope elevation than Lot 4.13. There was then discussion on the high-water table, capacity of water infiltration and soil profile (as per Ord. 126-264B); specifically the penetration of the ground water table and the proximity of the natural water spring(s). Engineer Mantz testified that there is a possibility that cutting into the driveway may cut into the water table at a location that may be close to a continuous water flowing spring. Attorney Brookner stated that the Planning Board may want to further obtain and assess a written detailed analysis on the characteristics of the existing water table, in addition to clarification of the driveway and elevation features. Engineer Mantz stated that additional investigation of the water table is not necessary because at time of construction, ground water would be handled through retaining walls by pervious medium containment behind the wall that would still direct the water runoff downhill.

Car lights from new roads shining onto existing homes were discussed.

Mr. Mantz stated that three (3) trees are proposed along the Twin Oaks-Foothill Road corner to hide the detention basin on lot 4.13.

Attorney Brookner inquired about the stormwater design system that would be utilized and the location of the detention basin. Engineer Mantz explained that the soil conservation method of run-off calculations applies to 2-year, 10-year, and 100-year storm rates. Sheets one and two of the development plans were again reviewed to locate detention and retention basins and buffers.

There was discussion in regards to obtaining a sewer easement for Lot 4.13 across Lot 3, and Lot 8 for Lots 4.16 and 4.17 to allow for gravity flow for these lots.

The following sections of Chapter 126 of the Land Use Ordinance were addressed between Attorney Brookner and Engineer Mantz:

- *126-264(b) – Ground water table issue*
- *128-271(b) – Archeological*
- *126-282(e) – Design of Stormwater Detention Facilities*

The Board (unanimously) was in favor of a written Environmental Impact Study Report by the Environmental Consultant. It was noted that the Planning Department Secretary would provide copies of the Environmental Impact Study Report to all board members, once submitted, for review before the next board hearing date to be submitted no later than July 20, 2012.

This concluded input and questioning from Attorney Brookner.

Chairperson Joanne Kane opened the hearing to the public for comments and requested that each speaker sign-in at the podium for recording purposes.

- Ray Smalley, 514 Somerville Road (Bridgewater) – Was sworn in and questioned Mr. Mantz if a study would be conducted about water runoff beyond Foothill Road. He cross-examined Mr. Mantz on the existing Environmental Impact Study.
- Jane Soumach, 14 Butler Road (Edison) – Was sworn in and commented on the existing Environmental Impact Study. Ms. Soumach addressed concerns in regard to protecting the wetlands.
- John Sullivan, 537 Berrywood Lane (Bridgewater) – Was sworn in and inquired about the variances needed for the proposed application and he addressed concerns in regard to obtaining a full analysis of the wetlands area. He cross-examined Mr. Mantz regarding water runoff.
- Bill Metz, 45 Shannon Road (Bridgewater) – Was sworn in and inquired about the nature of the dump (onsite) after reading an article. Mr. Mantz stated he was unaware, but a Phase 1 Environmental study would be done during the compliance phase of the project.
- Patrick Olenick, 458 Foothill Road (Bridgewater) – Questioned whether the project will improve the debris that collects on the inlet grates on Foothill Road. Questioned how the project will impact his property. Mr. Mantz indicated that the project will reduce runoff to Foothill Road and his property. Mr. Mantz indicated that the project would not make the runoff situation worse to his property. He confirmed that he will comply with the Township Engineer's report dated June 22, 2012.

Chairperson Joanne Kane closed the public comment portion of the hearing.

The Board coordinated dates to conduct a site inspection of the subject property. Board Attorney Thomas Collins advised in accordance with the Open Public Meetings Act, the public must be made aware there will be a special meeting if a quorum of four (4) board members is in attendance. Notice must be advertised in the Courier News and Star Ledger and posted on the Township's bulletin board in the Municipal Building 48 hours prior to the next board hearing. The Board decided not to do a site visit as a (quorum) group.

The following members indicated they would visit the site on July 16, 2012:

- Filipe Pedroso
- Robert Albano
- N. Janine Dickey

The following members indicated they would visit the site on July 18, 2012:

- Barbara Kane
- Joanne Kane

The request of Attorney Brookner to have his clients have access to the site was denied by the applicant.

Chairperson Joanne Kane carried the hearing to July 23, 2012 at 7:00 p.m. with no further (re)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:

There was a consensus by the Board to adjourn the meeting at 10:00p.m.

Respectfully submitted,
Danielle A. Britton
Recording Secretary