

**BRIDGEWATER TOWNSHIP
PLANNING BOARD
Regular Meeting
Monday, July 22, 2013
—MINUTES—**

CALL MEETING TO ORDER:

Chairwoman Kane called the meeting to order at 7:00 pm at 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 9, 2013 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.

SALUTE TO FLAG:

There was salute to colors.

ROLL CALL:

Stephen Rodzinak – present	Ron Charles – present
James Franco – present	Barbara Kane – present
Joanne Kane – present	Mayor Dan Hayes – present
Councilman Howard Norgalis – present	Robert Albano, Alt. #1 – present (arrived 7:10 pm)

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

APPROVAL OF BOARD MINUTES:

June 11, 2013 Regular Meeting – Motion by Mr. Rodzinak, second by Councilman Norgalis, the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Franco, Councilman Norgalis, Chairwoman Kane, Mayor Hayes, Mrs. Barbara Kane
ABSENT:	Mr. Albano
NOT ELIGIBLE:	Mr. Charles

June 24, 2013 Regular Meeting – Motion by Councilman Norgalis, second by Mr. Rodzinak, the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Charles, Councilman Norgalis, Chairwoman
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Kane, Mayor Hayes
ABSENT: Mr. Albano
NOT ELIGIBLE: Mr. Franco, Mrs. Barbara Kane

MEMORIALIZATION OF RESOLUTIONS:

There were no pending resolutions to memorialize. No action was taken.

LAND DEVELOPMENT APPLICATIONS:

ROECAR, LLC & NANCARDEL, LLC - 3 Caruso Court
Block 718 Lot 21
12-019-PB Minor Subdivision
Time: 120=10/1/13

Attorney Ernest Renda was present to represent the Applicant. Sworn testimony was presented by Professional Engineer & Surveyor James Mantz.

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

- A-1 7/22/13 Exhibit showing possible development of Lot 21.11
- A-2 7/22/13 Copy of the filed map #3113 recorded July 17, 1995

Engineer Mantz provided an overview of the application referencing exhibits A-1 and A-2, stating that Caruso Court is a private road. The proposed minor subdivision would provide access to Lot 21.11 from Mountain Top Road and access to Lot 21.10 from Caruso Court. No variances are needed with the exception of the direction to issue a building permit for property not fronting on an improved street pursuant to Sections 35 and 36 of the Municipal Land Use Law. He confirmed that the Applicant will comply with the requirements of the Hillside Development ordinance with regard to the needed adjustments due to steep slope calculations and he will revise the maximum impervious lot coverages and maximum floor area ratios for each of the lots to fully comply with the ordinance standards.

Board Member Albano arrived at 7:10 pm

Engineer Mantz stated that the electrical utility overhead lines across Lot 21.11 to the house on Lot 21.08 will be removed and replaced with an electrical service underground from the corner of Lot 21.09 and Caruso Court, and the service for Lot 21.09 which is a vacant lot, will also be underground from the same utility pole in Caruso Court. In addition, the electric service for the two new homes on Lot 21.11 and Lot 21.10 will also be underground from the same utility pole in Caruso Court.

Engineer Mantz confirmed that the sewer line will remain in Lot 21.10 for the existing house on Lot 21.08, but that it will not interfere with the development of Lot 21.01. He stated that Caruso Court is a private road and that it is common drive servicing a number of lots in an existing final plat as referenced in Exhibit A-2. He stated that the access to the driveway for Lot 21.10 on Caruso Court is 16 feet wide and constructed of packed stone and in the area of the proposed driveway to Lot 21.10 and is approximately 35-feet wide at the intersection with

Mountain Top Road. Engineer Mantz stated that emergency vehicles, including police cars, ambulances and fire trucks can adequately access the house to be constructed on Lot 21.10 and that he will seek a written report from the Fire Chief of the Green Knolls Fire Department to confirm that there is adequate access for emergency fire trucks as a condition of approval of this minor subdivision.

Engineer Mantz reviewed the reports of Board Engineer Bogart dated 7/18/13 and Board Planner Doyle dated 7/18/13 and agreed to comply with the outstanding issues. The Applicant agreed a contribution for sidewalks rather than building them; however, they would propose to allow the grading for the sidewalk and the removal of trees for the sidewalk to be done prior to the issuance for the certificate of occupancy for the two lots and that approval would be conditioned upon a requirement that the developers of the two lots will contribute the cost of sidewalks, the grading and tree removal and tree replacement to the Township prior to the issuance of certificates of occupancy for each of the two lots. This resolution of minor subdivision shall be recorded with the deeds of minor subdivision to confirm that the requirements of the approval and resolution and to notify the purchasers of the lots of the requirements of the approval.

The Board deliberated and discussed several conditions including:

- The Applicant shall comply with the reports of the Board Engineer, Robert Bogart, dated July 18, 2013, Board Planner, Scarlett Doyle, July 18, 2013, and report of the Sewer Official Robert Reich, P.E. dated July 15, 2013.
- The Applicant shall obtain a letter from the Green Knolls Fire Chief confirming that fire trucks can adequately access the proposed house on Lot 21.10 and comply with any requirements of the same. If the applicant does not obtain such a letter, the applicant shall return to the Planning Board for a final decision.
- The Applicant shall pay to the Township the estimated cost of sidewalks, grading, tree removal and tree replacement, and construction of a sidewalk on the frontage of the lots on Mountain Top Road to be reviewed and approved by the Township Engineer. The payment shall be made prior to the certificates of occupancy being issued for homes on the lots and shall be a condition of approval of this resolution to attach to the building permits and be enforceable as part of the building permits and certificates of occupancy, because it is a condition of approval of this minor subdivision resolution.
- If high water table is encountered during construction, the Applicant's engineers shall coordinate how it will be addressed to the reasonable satisfaction of the Township Engineer. Any dispute by the applicant with the Township Engineer will be returned to the Board for a final decision.
- The Common Driveway Access Easements and Agreements that are recorded, or that need to be recorded, shall be subject to the review and approval of the Planning Board Attorney and the Township Engineer. They shall be submitted to the Planning Board Attorney and the Township Engineer with the Deeds of Minor Subdivision, which shall also be subject to their review and approval. This Resolution of Minor Subdivision shall be recorded with the Deeds of Minor Subdivision to confirm notice to the purchasers of the continuing obligations and conditions of this Resolution.

- No Developer's Agreement shall be required, but the sidewalk contribution by the developers of the homes on the lots shall include the cost of the grading and tree removal and tree replacement for the area of the proposed grading of the sidewalks.

Motion by Mr. Rodzinak, second by Mr. Franco, the ROECAR, LLC & NANCARDEL, LLC - 3 Caruso Court Minor Subdivision application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Norgalis,
Chairwoman Kane, Mayor Hayes, Mrs. Barbara Kane

NOT ELIGIBLE: Mr. Albano

BCM EXPANSION - SEASON'S 52 - (Bridgewater Common's Mall)
Block 553 Lot 1.08
13-013-PB Preliminary and Final Major Site Plan Approval with Variances
Time: 120=10/4/13

Attorney Kevin Coakley was present to represent the Applicant.

Board Attorney Collins confirmed the hearing is still open for comments from the Board.

Mr. Charles and Mrs. Barbara Kane requested the Board retain jurisdiction regarding consistent monitoring of the vehicle and pedestrian traffic.

Mayor Hayes stated that the new impact of the restaurant will be established within 1.5-years. The Planning Board does not need to keep control of the possible future traffic issues in perpetuity. There are municipal controls in place including the Police Department, the Commons Mall and the Township.

Attorney Collins stated that it is more of a focus on Season's 52 valet parking, personal drop off and the 16-diagonal parking spaces directly in front of the restaurant.

Engineer Bogart stated that if the Commons Mall security can't handle the demands of the future traffic they will work it out with Township Traffic Safety.

Motion by Mr. Rodzinak, second by Councilman Norgalis, the BCM EXPANSION - SEASON'S 52 Preliminary & Final Major Site Plan Approval with Variances application and resolution were approved and adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Norgalis,
Chairwoman Kane, Mayor Hayes Mrs. Barbara Kane

NOT ELIGIBLE: Mr. Albano

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 Board business discussed.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 8:15 pm.

Respectfully submitted,
Marie L. Broughman,
Land Use Administrator &
Zoning Officer