

**BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Tuesday, July 30, 2013  
—MINUTES—**

**CALL MEETING TO ORDER:**

Chairman Vornehm called the meeting to order at 7:30 p.m. in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

**OPEN PUBLIC MEETING 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 16, 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 Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 pm. Hearing assistance is available upon request.

**ROLL CALL:**

Don Sweeney – present

Paul Riga – present

Evans Humenick – present

Bill Vornehm – present

Beth Powers, Alt. #2 – present

Roger Pearly, Alt. #4 - present

Lee Schapiro – present

Carl Schulz – present

Pushpavati Amin – present

Michael Kirsh, Alt. #1 – present

Alan Fross, Alt. #3 – **absent**

Others present: Attorney Lawrence A. Vastola, Land Use Administrator Marie L. Broughman, Board Planner Scarlett Doyle, Board Engineer Thomas Forsythe, Recording Secretary Marianna Voorhees

**MINUTES FOR APPROVAL:**

**June 25, 2013, Regular Meeting** – Motion by Mr. Schulz, second by Mrs. Amin, the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Schapiro, Mr. Schulz, Mr. Humenick, Mrs. Amin,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Fross

NOT ELIGIBLE: Mr. Sweeney, Mr. Riga, Mr. Kirsh, Mr. Pearly

**July 16, 2013, Regular Meeting** – The foregoing minutes will be presented for Board consideration when completed.

**MEMORIALIZING RESOLUTIONS:**

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

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For the record, Board Member Kirsh stated that a limited amount of legal work from Attorney Francis Linnus was done for him and his wife in the past, which is completed and confirmed that he does not have a conflict.  
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**HEARING AND DELIBERATIONS:**

FSG BRIDGEWATER HOTEL, LLC – Hampton Inn & Suites  
Block 581 Lots 4, 8, 9 (frontage on Route 22 West & Foothill Rd. at overpass)  
#13-018-ZB, Preliminary & Final Major Site Plan w/variances  
TIME: 120=10/24/13

Attorney Francis P. Linnus was present to represent the Applicant. Sworn testimony was presented by FSG Representative Susan Griffin, Architect James A. Loft, Site Engineer George Folk, PE, and Professional Planner Michael Tobia.

The Applicant submitted an exhibit which was marked into evidence as follows:

**A-1 7/30/13** Colored Rendering of Site Plan sheet 5 of 7

Attorney Linnus summarized the application stating that the property is located on the corner of Ronson Road on Route 22 located east of the Red Lobster restaurant and Red Bull Inn in the HIC, Highway Interchange Commercial zone. The hotel is a permitted use in the zone; however, an f.a.r. variance is a d-variance which is why this application is before the Zoning Board of Adjustment.

FSG Partner and Representative Susan Griffin summarized the application stating that this is the sixth hotel completed by FSG Partnership. It is not an extended stay hotel with patrons staying less than 89-days. The marketing focus area included Interstate Highways 287 and 78 for accessibility. The proposed hotel will not prepare food like a restaurant, but will give away food i.e. breakfast. A 135-room Hampton Inn and Suites is proposed with 20% suites (35-suites and 107-rooms) that include an alcove seating area separate from the sleeping area including a microwave and small refrigerator. The hotel lobby area will be elaborate including a fireplace. The space will transition from a space to serve breakfast, an evening space and communal room. Connected to the lobby there will also be a small bar area with five seats, an inside in ground pool without a lifeguard, full service fitness center and a small meeting room all of which will not be advertised for use by the general public, rather it will only be available to those while staying at the hotel. The bar hours of operation will be approximately 4:30pm to 11pm at the latest. Construction will take approximately 12-months and almost two-hundred construction jobs will be created. There will be approximately fifty to fifty four full-time employees when the hotel opens for business after construction. Housekeeping will have two shifts from 7am to 3pm

or 3pm to 11pm and the maximum shift will consist of approximately 25-employees which will include both housekeeping and management. Partner Griffin confirmed that the hours of refuse and recycling collection will be not be known until they go out to bid for the services. During the planning stage, the idea to include a restaurant and outdoor patio area was dropped in order to bring the f.a.r. into more of a compliance number. There are 135-parking spaces proposed, which equates to one space per room which is consistent with Smith Travel Global, a reference for assessing the parking needs for room sites. In addition, she stated that a plan for any type of solar is not being proposed.

Partner Griffin reviewed Planner Doyle's report dated 7/22/13 and she confirmed that the hotel does not provide catering services; however, patrons could hire an outside vendor to cater a small event in the meeting room or the lobby area. The average stay of the hotel patrons would be 1.5 to 1.8 night average per stay and she confirmed it is not an extended stay lodge.

Chairman Vornehm opened the hearing to the public.

Gjan Tsai, owner of Red Lobster restaurant located to the west of the proposed hotel, addressed concerns regarding proposed parking and entrances to the hotel from Route 22.

With no further comments, Chairman Vornehm closed the public portion of the hearing.

Architect Jim A. Loft stated there is a math error in regards to the proposed f.a.r. and he clarified that an f.a.r. variance is needed as .385 is proposed where .35 maximum is required. The building materials include real brick, upscale PVC siding and mullions in the windows for a more residential look. He reviewed Planner Doyle's report dated 7/22/13 and he confirmed the rooftop HVAC system units will be screened from view and agreed to work with Planner Doyle prior to securing a building permit. Each room will have an individual cooling/heating units installed under the window. Some of the proposed parapets are 3-ft in height and range to a maximum of 8-ft in height at the entry and will screen the HVAC units on the roof. The façade signage will only be 3-ft above the roofline on the parapet, although the front entry will have a parapet of 8-ft the signage will not go above 3-ft in height. The roof is limited to 2% coverage by mechanicals and the goal is to screen the HVAC units including the view from Foothill Road above the rear of the property. Architect Loft confirmed that the building materials have a residential feel with regard to the color and the brick selected is consistent with the Master Plan.

Architect Loft discussed the planning stages of the hotel with a reduction from 30% suites required by the Hampton Inn Suites brand, down to 20% as proposed. A waiver was obtained from the Hampton Inn for this reduction.

Chairman Vornehm opened the hearing to the public.

Louise Szpila, 425 Foothill Road, addressed concerns regarding the visual impact of the proposed lighting and noise pollution onto Foothill Road. Architect Loft stated there are no

signs proposed at the rear of the hotel facing Foothill Road, the low intensity of the parking lot lighting and the accent lighting is only proposed on the front of the building facing Route 22. With no further comments from the public, Chairman Vornehm closed the public portion of the hearing.

Site Engineer George Folk, PE of David A. Stires Associates referenced exhibit A-1 and discussed the existing conditions of the property, Block 581 Lots 4, 8 & 9 stating that it is overgrown with vegetation and the property generally has a slope of 6%, some isolated wetlands in the westerly area of the property and a swale area, which does require NJDEP permits. Public utilities including gas, electric, water, and sewer are available. The existing residential dwelling on the site will be demolished and the three lots will be consolidated into one lot. A 135-room, 4-story hotel, parking lot, stormwater management facility and dumpster/recycling area are proposed with direct access to Route 22 and auxiliary access on Ronson Road. No access is proposed to or from Foothill Road. The property fronts on three roads: Foothill, Ronson and Route 22.

Engineer Folk reviewed Board Engineer Bogart's report dated 7/24/13 and stated that the manmade steep slopes along Foothill Road area doesn't meet the intent of the ordinance provision for Hillside Development; however, he agreed to provide the calculations as requested by Engineer Bogart and other outstanding items in the report. The required retaining wall is proposed to be two 4-ft walls instead of one 8-ft tall retaining wall which will have added landscaping between them. He agreed to make a sidewalk contribution, but preferred not to regrade that area that would require telephone poles to be moved. Engineer Folk preferred use of HDPE rather than RCP and stated that 3% pitch is self-cleaning for stormwater management; however, he agreed to work with the Board Engineer.

Engineer Folk reviewed Board Planner Doyle's report dated 7/22/13 and discussed the proposed lighting which is LED lighting with a three to one ratio, a soft light with no hot spots. All of the proposed lights will remain on and there is no security lighting. The signs are internally lit and will be on from dusk to dawn. He agreed to work with Planner Doyle regarding the required landscaping in item #'s 19 and 20 of her report and agreed to comply with the other outstanding issues in her report.

In addition, Engineer Folk agreed to comply with the reports of Sewer Utility Engineer Robert Reich dated 7/22/13, Fire Official Phillip Langon dated 7/1/13, and Director of Human Services Chris Poulsen dated 7/23/13.

Engineer Folk confirmed approval from the Somerset County Planning Board has been received and a copy of the correspondence dated 6/5/13 was included in the application packet.

Board Engineer Forsythe questioned the use of proposed loading area located to the northerly side of the building. Engineer Folk stated that tractor trailer or box trucks may use it. Engineer

Forsythe requested the Applicant take a look at possible cross-access easement for vehicles or pedestrian traffic to and from the restaurant to the west.

Chairman Vornehm opened the hearing to the public.

Louise Szpila addressed concerns regarding the proposed retaining walls, a buffer between the residences and height of the tallest freestanding sign.

Attorney Linnus stated that his traffic engineer is not present; therefore, Planner Tobia will not be able to testify until after the traffic engineer. Attorney Linnus then requested a short recess in order speak with his team.

Chairman Vornehm conducted a straw poll and seven of the Board members confirmed they would be present on 8/27/13. Chairman Vornehm requested Land Use Administrator Broughman forward a copy of this hearing recording to absent member Alan Fross.

Attorney Linnus requested to proceed with testimony from Planner Tobia as he will not be available on 8/27/13.

For the record, Board Member Powers stated that Michael Tobia, PP has done some work for a company she owns an interest in during the past, but she does not feel she has a conflict.

Planner Tobia stated the property is located in the HIC zone and hotels are a permitted use. The proposed indoor pool, fitness center and bar are ancillary uses adjoining the hotel and are not available to non-guests of the proposed hotel; therefore, they are not considered a conditional use in this sense.

Planner Tobia reviewed Board Planner Doyle's report dated 7/22/13 specifically the variances for lot area, access to residential Ronson Road, various bulk variances due to practical difficulty hardship including front yard setbacks on three roads, parking setback on the three roads (Foothill, Ronson, and Route 22), proposed three freestanding signs where one is allowed, solid waste enclosure within Ronson Road front yard setback, retaining walls within Foothill front yard setback, maximum parapet height of 3-ft where in some areas is proposed at 8-ft height, and requirement for loading zone not allowed in front yard.

Planner Tobia stated that the application complies with the maximum hotel height of 4-stories/45-ft, rear yard of 134.4' where 75-ft is required, improved lot coverage of 44.3% where 60% is allowed, total freestanding sign area of 47.6-sf where 100-sf is allowed, maximum height of light fixtures at 25-feet, and street tree landscaping.

Planner Tobia stated that the property has frontage on three roads: Foothill, Ronson, and Route 22 which creates hardship variances in addition to the triangular shape of the land. Three freestanding signs are proposed; however, two of them are directional signs 6.67-sf each and the

main freestanding sign is 34.12-sf which totals 47.46-sf that is less than the 100-sf allowed. Since the property is on a corner, two façade signs are being requested: east 100-sf and south=136-sf which total 236-sf where a maximum of 100-st is allowed.

The parapet height deviation is needed in order to break up an otherwise solid line of a flat roofed hotel. The 8-ft parapet wall at the front of the building defines the entry way. The dumpster enclosure is proposed at 9.5' which offers screening from Foothill Road above; however, if the Board so desires it can be reduced to 6-ft with inclusion of addition landscaping for screening.

Planner Tobia discussed the negative criteria stating there are no residential properties adjacent to the site and the nearest residential property is 800-ft away from the property in question. Surrounding land uses include office building, restaurant, NJDOT jug handle and Route 22 itself. There is neither substantial detriment to the public good nor a substantial impairment to the intent and purpose of the zone plan and zoning ordinance. He stated that the 2010 Master Plan on page 12 states there is a need for more hotel space in the Township. Construction jobs and hotel jobs will be created in addition to creation of a ratable to the Township. The architectural materials and appearance is consistent with the Master Plan. The proposal promotes the purposes of the MLUL including promotion of the public health, safety, morals, and general welfare; desirable visual environment, more efficient use of the land.

Attorney Linnus stated that he will have his traffic expert, Gary Dean of Dolan and Dean, present traffic testimony at the next hearing date.

Due to the late hour of the meeting, Chairman Vornehm carried the hearing to 8/27/13 at 7:30 pm in the Municipal Courtroom 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.

**OTHER BOARD BUSINESS:**

Board Attorney Vastola advised the Board that they will need to appoint a Radio Frequency Engineer for review of an upcoming cellular tower application, possibly Mr. Menkes. He stated that he would have more information available at the next Board meeting.

**ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 10:30 pm.

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