

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting

Tuesday July 8, 2014

—Minutes—

1. CALL MEETING TO ORDER:

Chairman Walter Rusak opened the Planning Board meeting at 7:00 p.m. in the Bridgewater Municipal Courtroom located at 100 Commons Way, Bridgewater, New Jersey 08807.

2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

The Chairman read the Open Public Meetings Act, as follows: “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 8, 2014, 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.

3. SALUTE TO FLAG:

There was a salute to the flag.

4. ROLL CALL:

James Franco - Present	Chairman Walter Rusak - Present
Steve Rodzinak - Present	Ron Charles - Present
Mayor Dan Hayes- Absent	Councilman Matthew Moench- Present
Barbara Kane- Absent	Tricia Casamento- Absent

Others in attendance were Robert C. Bogart, PE, Board and Township Engineer, Thomas Collins, Esq., Board Attorney, Scarlett Doyle, PP, Board and Township Planner, Marianna Voorhees and Jo-Ann Petruzzello, Secretaries to the Planning Division

5. APPROVAL OF BOARD MINUTES

April 28, 2014 Regular Meeting – Motion by Mr. Rodzinak, second by Councilman Moench, the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Councilman Moench, Chairman Rusak.
ABSENT:	Mayor Hayes, Mrs. Kane, Mrs. Casamento
NOT ELIGIBLE:	Mr. Charles, Mr. Franco

June 10, 2014 Regular Meeting – Motion by Mr. Rodzinak, second by Mr. Charles, the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Chairman Rusak.
 ABSENT: Mayor Hayes, Mrs. Kane, Mrs. Casamento
 NOT ELIGIBLE: Councilman Moench.

June 23, 2014 Regular Meeting – Motion by Mr. Rodzinak, Mr. Charles, the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Moench, Chairman Rusak.
 ABSENT: Mayor Hayes, Mrs. Kane, Mrs. Casamento

6. MEMORIALIZATION OF RESOLUTIONS:

FOX CHASE- 713 COMPANY-US Rte. 22.

Block 173 Lots 1 and 2

14-019-PB, Preliminary and Final Site Plan, with variances

DECISION: Approved 6/23/14

Motion by Mr. Rodzinak, second by Mr. Charles, the foregoing resolution memorializing the approval on 6/23/14 was adopted as presented on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco
 ABSTAINED: Councilman Moench
 ABSENT: Mayor Hayes, Mrs. Kane, Mrs. Casamento
 NOT ELIGIBLE: Chairman Rusak

7. LAND DEVELOPMENT APPLICATIONS:

CRC COMMUNITIES, INC. aka SHERID (Compliance review only)

Block 718, Lots 141, 142, & 142.01

13-028-PB, Foothill Road Final and Major subdivision

Board Planner Scarlett Doyle removed herself due to a conflict of interest.

James J. Manz, PE was sworn in as the applicant's Professional Engineer

Christopher Pickell was sworn in as the applicant's Architect.

Attorney Guliet Hirsch represented the applicant and provided introductory remarks, indicating that the application was for a Final Major Subdivision for premises located on Foothill Rd. Ms. Hirsch stated the reason for this application is for the dilapidated house on Lot 142.01 required to be demolished, in which the Board maintains jurisdiction and required the applicant to return for permission. Ms. Hirsch identified each document provided in the application given to the Board.

Mr. Mantz introduced **Exhibit A-1 7/8/14** and described the property as well as the location of the proposed residence. Mr. Mantz testified that he chose a house that

would fit into the existing lot and described the proposed house to the Board. Mr. Mantz stated that the house complies with all of the setbacks and zoning requirements. He addressed the landscaping concerns with the Board as well as the grading plans. Mr. Mantz stated the detention basin, that is located to the left of the house, will not be changed.

The Chariman opened the meeting for questions from the public.

Mrs. Patty Selikoff of 16 Gibson Terrace, Bridgewater, NJ, addressed the Board and applicants professionals. Mrs. Selikoff requested the time frame of the construction project and expressed concerns with drainage and swales on the property. Mr. Bogart advised Mrs. Selikoff that the drainage plan was approved previously by the Board and stated the purpose of this meeting was only to address the request to remove the dilapidated house. Mrs. Selikoff also expressed concerns about the landscaping and the removal of trees.

Chairman Rusak advised the public that the Board is only voting on the demolition of the dilapidated house and that other aspects of this application were previously approved.

Councilman Moench requested clarification of the background and conditions imposed for this house during the initial application process. Mrs. Hirsch advised there is no definitive answer however; Mr. Bogart believes the owner had attempted to keep the home for personal reasons.

Architect Christopher Pickell described the dilapidated house's current state to the Board. Mr. Pickell advised that the house is not historic and is not registered as historic with the State.

Mr. John Zhu of 500 Foothill Road, Bridgewater, NJ, approached Ms. Hirsch and requested the lot, block and address of the site. Ms. Hirsch complied with the request.

Mr. Scott Zelikoff of 16 Gibson Terrace, Bridgewater, NJ, addressed the Board and the applicant's professionals in reference to the demolition of the house and the possible contaminated water runoff. Mr. Zelikoff asked Mr. Pickell if asbestos was present. Mr. Pickell testified that he did not recall observing asbestos in the residence.

Mr. Zelikoff requested a new study be conducted to ensure there is no harmful materials in the residence and ensure the drainage and grading is acceptable. Ms. Hirsch reiterated this issue is not before the Board.

Motion by Mr. Rodzinak, second by Mr. Franco, the Board approved the demolition of the existing dilapidated house on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Moench, Chairman Rusak.
ABSENT: Mayor Hayes, Mrs. Kane, Mrs. Casamento

FISHER SCIENTIFIC COMPANY - Route 202 and Edgewood Terrace
(aka: Standard Alternative, LLC)
Block 163, Lot 1
Preliminary and Final Major Site Plan (58.4 acre)
Solar Arrays: (solar farm, equipment pads, electrical conduit and fencing)

Planner Doyle returned to the meeting.

All witnesses were sworn in.

Attorney Henry Chou represented the applicant and provided introductory remarks, indicating that the application was for a Preliminary and Final Major Site Plan for solar arrays on the 58.4 acre site.

Mr. Lou Scheidt testified on behalf of the applicant as the Engineer for the project. Mr. Scheidt described the location of the solar arrays on the property utilizing a map of the facility. Mr. Scheidt further described the site, including locations of existing landscaping, parking, industrial buildings and proposed arrays. Mr. Scheidt stated the arrays are not located near the monitoring wells and stated this 1 meg facility is well-suited for this site. The applicant will provide street trees in conjunction with Mrs. Doyle's suggestion. Mr. Scheidt testified the applicant will comply with #5 and #6 of the Engineers Report. Mr. Scheidt agreed to number #7, 8, 11, 12, & 13 of the report. Mr. Scheidt testified that the ballast blocks are being used as a very conservative approach and will meet the stormwater management requirements. Mr. Scheidt advised there will be no glares from the panels because they will face the opposite direction of the east bound lane. The Board requested Mr. Scheidt indicate which way the panels will face, how the panels will be tilted and how the tilt affects surrounding areas such as residences and trains. The Board asked questions about the different setbacks on the property which Mr. Scheidt clarified.

Mr. Scheidt testified the applicant will assure a landscape screen in the northerly side of the arrays for dwellings to the north of the site. In addition, a landscape screen, as needed, will be provided to screen the arrays from the dwellings located to the south of the railroad tracks. In both cases, landscaping may need to be further filled in if it is found that the trees and brush do not provide full screening in the wintertime.

Sharon Barnes 38 Charlotte Drive, Bridgewater, NJ, addressed the Board and applicants professionals requesting information on landscaping and the location of the solar panels from the Charlotte Drive homes.

Ms. Laura Brinkerhoff testified as a Professional Geologist on behalf of the client. Ms. Brinkerhoff discussed the environmental and geological aspects of the project. Ms. Brinkerhoff addressed the soil remediation by the railroad tracks which includes an asphalt cap. The paved cap area is located between the railroad tracks and the existing industrial building. Ms. Brinkerhoff testified that the arrays would not be

near these sensitive areas. Ms. Brinkerhoff also stated that there is no soil contamination in the area and the foundations of the fencing (3 ft deep) is much higher than the 60 ft water table.

Ms. Brinkerhoff testified that an LOI approval was secured, which included a zero transition buffer area for the designated ditch. She stated the ditch will not be filled in. The geometry of the arrays is based, in part, by the geometry of the drainage ditch.

Samuel Faivus testified as the Chief Officer for Standard Alternatives LLC. Mr. Faivus stated that they are the developers and owners of the solar arrays by the 20 year land lease. At the end of the 20 year lease, they will turn this area to the land owner. Mr. Faivus stated Standard Alternatives LLC owns the energy and will sell it back to Fisher Scientific on a “net metering” basis.

After a discussion with the Board, on note of Attorney Collins, the applicant will agree to have the Developer’s Agreement include both the land owner as well as the applicant.

Mr. Faivus stated that the inverter cabinets are locked and an emergency disconnect switch will be available for emergency services.

Mr. Scheite returned to testify on the C-2 Variances requested. Mr. Scheite stated that the variances should be granted because it repurposes environmentally-sensitive land and promotes renewable energy. Mr. Scheite testified that the benefits outweigh the negatives and do not substantially impair the intent and purpose of the zone plan or zoning ordinance.

Councilman Moench supported the setback variances based on the added landscaping which is to be installed.

Motion by Chairman Rusak, second by Mr. Charles, the Board approved the C Variances, and Preliminary and Major Site Plans for the Standard Alternative LLC solar arrays based on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Moench, Chairman Rusak.

ABSENT: Mayor Hayes, Mrs. Kane, Mrs. Casamento

8. MEETING OPEN TO THE PUBLIC:

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

9. OTHER BOARD BUSINESS:

Public hearing of Amendment to Land Use Element of the Master Plan, Reexamination Report, & Redevelopment Plan.

Board Secretary, Scarlett Doyle explained the process of the Redevelopment Plan based on the history of the property. The property is 17+ acres and the Council asked the Planning Board to review the property for redevelopment. Mrs. Doyle clarified the current zoning ordinances for the property and explained the current state of the building and property. Mrs. Doyle explained the redevelopment plan which is a multi-family housing complex with 15% of the units designated as affordable housing. Mrs. Doyle spoke of Mr. Bogart's conversation with the Board of Education Busing Coordinator. The coordinator did not want to adjust the bus route which creates the need for a requirement for pads where students can wait for buses. Mrs. Doyle explained Ramsey Street and a circuitous road that would lead onto Field Street would be relief roads and is not viewed as the main access points. Mrs. Doyle stated the units are intended to be rented to tenants. She further explained the buildings specifications and requirements. Mrs. Doyle explained the architectural's to the Board and public. Mrs. Doyle clarified that there is no current development application in front of the Board and proceeded to explain the process if a development application were to be received. Mrs. Doyle further explained the purpose of the redevelopment plan and how it pertains to the Planning Board.

The Board clarified that if they chose to move forward with this redevelopment plan, the Board will maintain jurisdiction of aesthetics. The Board also requested estimates on how many tenants would be occupying the building. Mrs. Doyle stated that there currently no estimates on the amount of tenants although there are approximately 234 units proposed. The Board asked how the redevelopment plan will further redevelop the property and Mrs. Doyle explained that the state has already determined that there is an adequate supply of senior citizen housing and therefore the State adopted a conversion law which permitted senior citizen housing to be converted to market units.

The Board asked about options for the owner if the Board does not accept the redevelopment plan and Mr. Collins advised that this is the only redevelopment plan that is currently authorized. The owner would be required to sign a Redevelopers Agreement, and the owner would be obligated to comply with all details of the plan. If the owner refused to sign the Redevelopers Agreement, no other options could be considered for the property due to the current zoning restrictions.

Councilman Moench expressed concern with the project as well as the Council approval.

Chairman Rusak opened the meeting to the public for questions and comments.

Chris Mariconda of 19 Ramsey Street, Bridgewater, NJ, expressed traffic and school bus concerns on Route 28 and Main Street in reference to the proposed redevelopment plan. Ms. Mariconda also expressed concerns with the amount of affordable housing already existing in the area. Mrs. Mariconda expressed concerns about pre-existing odor issues in the Finderne section of Bridgewater, potential train increases as it pertains to noise and offered her opinion that age restricted units would be the best option for the site.

Arlene Harcor of 34 Field Street, Bridgewater, NJ, asked the Board questions pertaining to aesthetics and expressed concerns with increased traffic throughout the area.

Samantha and Daniel Ally of 29 Manville Boulevard, Bridgewater, NJ, expressed concerns about the existing road conditions and asked the Board Zoning questions in reference to the proposed project. Mr. and Mrs. Ally stated the single and two family residences would change the neighborhood aesthetic and offered potential solutions for the property such as a park or installing solar panels.

Councilman Moench reiterated to the public that Bridgewater Township does not currently own the land in question and therefore cannot build a park or fields. Councilman Moench further clarified the redevelopment plan and the purpose of this hearing.

Chris Mariconda of 19 Ramsey Street, Bridgewater, NJ, readdressed the Board and asked about any ordinances holding the owner responsible for the appearance and maintenance of the property.

Councilman Moench advised the Board was trying to find a permanent solution for the property and that there are enforcement issues which are not a viable long term solution for the condition of the property.

Mr. Charles stated the Redevelopment Plan was established because the owners have failed to maintain the property

Samantha Ally of 29 Manville Boulevard, Bridgewater, NJ, readdressed the Board and asked if leaving the property alone was an option rather than create multi-family units.

Councilman Moench stated that this is not just an aesthetic issue, but also a health and safety issue for the public.

Pat Lamastro of 24 Riha Street, Bridgewater, NJ, addressed the Board with concerns about children in the units, traffic, and the police department.

The Board expressed concerns on voting on the Redevelopment Plan because there are issues with the current proposed plan that needs to be reevaluated. The Board concurred that a traffic engineer should be retained to provide a traffic study on the effects of this redevelopment site if it were implemental in accordance with the plan.

Chairman Rusak requested to carry the Redevelopment Plan hearing to a later date and the Board concurred to move the date to October 14th, 2014.

10. ADJOURNMENT:

The Board concurred to adjourn the meeting at 10:15 pm

Respectfully Submitted:
Jo-Ann M. Petruzzello
Secretary to Planning Division