

**BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, August 27, 2013
—MINUTES—**

CALL MEETING TO ORDER:

Chairman Vornehm called the meeting to order at 7:30 pm 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 – **absent**

Roger Pearly, Alt. #4 - present

Lee Schapiro – present

Carl Schulz – **absent**

Pushpavati Amin – present

Michael Kirsh, Alt. #1 – **absent**

Alan Fross, Alt. #3 – present

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

MINUTES FOR APPROVAL:

August 6, 2013, Regular Meeting – The foregoing minutes will be distributed for Board consideration at a future meeting when completed.

August 20, 2013, Regular Meeting – Motion by Mrs. Amin, second by Mr. Fross, the foregoing minutes were adopted as presented on the following roll call vote:

AFFIRMATIVE: Mr. Schapiro, Mrs. Amin, Mr. Fross, Mr. Pearly,
Chairman Vornehm

ABSENT: Mr. Schulz, Mr. Kirsh, Mrs. Powers

NOT ELIGIBLE: Mr. Sweeney, Mr. Riga, Mr. Humenick

MEMORIALIZING RESOLUTIONS:

STIUSO - 970 Rosemary Road

Block 604 Lot 29

#13-007-ZB Simple Variance Application (Addition: connect dwelling to detached garage)

DECISION: Approved 8/20/13

Motion by Mrs. Amin, second by Mr. Schapiro, the foregoing resolution memorializing the approval on 8/20/13 was adopted as presented on the following roll call vote:

AFFIRMATIVE: Mr. Schapiro, Mrs. Amin, Mr. Fross, Mr. Pearly,
Chairman Vornehm

ABSENT: Mr. Schulz, Mr. Kirsh, Mrs. Powers

NOT ELIGIBLE: Mr. Sweeney, Mr. Riga, Mr. Humenick

ANTHONY GALLO, PE - 649 Carlene Drive

Block 426 Lot 21

#13-011-ZB Simple Variance Application - (New Front Porch/ Stoop)

DECISION: Approved w/conditions 5/21/13

Attorney Vastola stated that the foregoing resolution was memorialized on 6/18/13; however, modifications to the conditions need the approval of the Board.

Motion by Mr. Sweeney, second by Mrs. Amin, the foregoing amended resolution memorializing the approval with conditions on 5/21/13 was adopted on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mr. Riga, Mr. Humenick,
Mrs. Amin, Mr. Fross, Chairman Vornehm

ABSENT: Mr. Schulz, Mr. Kirsh, Mrs. Powers

NOT ELIGIBLE: Mr. Pearly

HEARING AND DELIBERATIONS:

SONNER - 85 Loeser Ave

Block 300 Lot 10

12-031-ZB Appeal Zoning Officer's Decision

TIME: 120=12/3/13

Applicant Robert Sonner requested the Board to reschedule his application as notice was not provided and his attorney Richard Fleischer was away on vacation.

Board Attorney Vastola stated that the application may be rescheduled for 9/17/13; however, he would contact Attorney Fleischer when he returns from vacation to confirm. New notice is required.

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 Professional Engineer George Folk, Traffic Engineer Gary Dean, and FSG Representative Susan Griffin. The hearing was continued from 7/30/13.

Engineer Folk provided an overview of the application stating the Applicant proposes to raze the existing structures and develop the property with a four-story 135-room Hampton Inn and Suites hotel, with a bar area, breakfast service, food store and market on the first floor. Also, on the first floor are proposed a meeting room, swimming pool, fitness area, and laundry for guests. Hotels are permitted in the HIC Zone. The property is known as Lots 4, 8 and 9 in Block 581 of the Tax Map, located in the HIC, Highway Interchange Commercial Zone.

Engineer Folk reviewed the f.a.r. calculations stating that the HIC zone allows for 35% while 37.7% is being requested; however, after the steep slope calculations of the manmade slope created during the construction of Foothill Road the f.a.r. is 40.7%. The property, although 4 sided it is irregularly shaped with multiple frontages. The irregular shape of the property results in the need for a number of bulk variances. Additional variances and waivers are needed for the following: (a) Parking spaces required 179, 135 proposed. (b) Sign set back 20 feet required, 10 feet proposed. (c) Freestanding signs permitted two, proposed three. (d) Façade sign area 100 S.F. permitted, 235 S.F. proposed. (e) Parapet Height 3 feet permitted, 8 feet in some locations proposed. (f) Maximum height of fence 6 feet permitted, 8 feet proposed. (g) Parking lot Light fixture height 25 feet permitted, 25.5 feet originally proposed, request for variance withdrawn. (h) Loading area, not permitted in front yard, loading area proposed in front yard.

Traffic Engineer Gary Dean discussed his report entitled Traffic Impact Analysis dated 4/1/13. He stated that the application is for a 135-room, limited service, business hotel with 135 parking spaces. The property fronts on Route 22, Ronson Road, and Foothill Road. Traffic counts were conducted in January 2013 during peak hours from 7:00 am to 9:00 am and from 4:15 pm to 6:15 pm. Morning peak hours include guests leaving and employees arriving with the reverse true for evening peak hours. The results of the traffic counts indicate that there is a one-hour interval during both the morning and evening periods when overall street traffic reaches its highest levels.

Traffic Engineer Dean discussed the Chimney Rock Road overpass project and stated that a traffic signal at Ronson Road is proposed. The existing u-turn at the diner on Route 22 will be closed. He stated that it would be best for vehicles exiting Route 287 should go further down Route 22 and double back than trying to go three lanes over to enter the Hampton Inn site which would be best for the hotel to provide the directions for their prospective guests. Delivery trucks to the site would occur during the weekday hours.

Traffic Engineer Dean stated that an access application was submitted to the NJDOT on 6/20/13 and it was deemed complete on 7/3/13. He stated the permit should be returned by 10/1/13. The NJDOT does have a way finder sign program or NJ Logo Trust for food and fuel signs on NJDOT roadways. He stated the guardrail should be extended from Foothill Road up to Ronson Road as there is a 14-ft grade difference in that area.

The Board deliberated and discussed several conditions including:

- The property will be developed only as a Hampton Inn & Suites.
- The bar shall be for the use of hotel guests and their guests or visitors only and there shall be no advertisement for the bar.
- The hours of operation for the bar shall be from 4:30 p.m. to 11:30 p.m., 7 days a week.
- There shall be no banquets or wedding celebrations at the facility.
- Prior to the issuance of any building permits applicant shall obtain NJDOT permits for the access points as shown on the plans. If the approval deviates from the access points shown on the plan applicant must return to the Board for approval of the amended site plan.
- Applicant agreed to comply with the outstanding issues in the Board Planner's report dated 7/22/13.
- Applicant agreed to comply with the outstanding issues in the Board Engineer's report dated 7/24/13.
- The applicant shall comply with the comments in the report of Sewer Utility.
- The applicant shall comply with the comments in the report of the Fire Official.
- The applicant shall comply with the comments in the report of the Director of Human Services dated July 23, 2013.
- The site plan shall be amended to designate the property as Lot 4.01 in Block 581. Applicant's counsel shall contact the Tax Assessor to determine if a deed is needed to confirm this change.
- The easement required by comment 2 under the Policy section of the Engineer's report shall be prepared by the applicant's counsel and approved by the Township Attorney. Once approved the deed shall be recorded and a recorded copy forwarded to the Township Clerk and Township Engineer. There shall also be filed by Applicant's counsel a certification based on a current title report that the only lien superior to the easement is that for municipal taxes.
- A Developer's Agreement shall be required. The Agreement shall be prepared by the Township Attorney.
- Applicant has elected to make a contribution in lieu of constructing sidewalks. The amount of the contribution shall be determined by the Township Engineer.
- The Applicant shall submit a Bridgewater Township Compliance Report prior to the plans being signed, and prior to scheduling the pre-construction meeting and issuance of construction permits.

Motion by Mr. Schapiro, second by Mrs. Amin, the FSG BRIDGEWATER HOTEL, LLC – Hampton Inn & Suites Preliminary & Final Major Site Plan w/variances application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mr. Riga, Mr. Humenick,
Mrs. Amin, Mr. Fross, Chairman Vornehm
ABSENT: Mr. Schulz, Mr. Kirsh, Mrs. Powers
NOT ELIGIBLE: Mr. Pearly

MEETING OPEN TO THE PUBLIC:

Members of the public wishing to address the Board on any matter not listed on the agenda may do so at this time.

OTHER BOARD BUSINESS:

There was no other business discussed.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:00 pm.

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