

**BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Tuesday, August 6, 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 – present

Roger Pearly, Alt. #4 - present

Lee Schapiro – present

Carl Schulz – **absent**

Pushpavati Amin – present

Michael Kirsh, Alt. #1 – present

Alan Fross, Alt. #3 – present

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

**MINUTES FOR APPROVAL:**

**July 16, 2013, Regular Meeting** – Motion by Mr. Kirsh, second by Mr. Sweeney, the foregoing minutes were approved as amended on the following roll call vote:

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

ABSENT: Mr. Schulz

NOT ELIGIBLE: Mr. Riga, Mr. Fross, Mr. Pearly

-----  
**July 30, 2013, Regular Meeting** – Motion by Mr. Sweeney, second by Mrs. Amin, the foregoing minutes were adopted as amended on the following roll call vote:

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

ABSENT: Mr. Schulz

NOT ELIGIBLE: Mrs. Powers, Mr. Fross, Mr. Pearly

**MEMORIALIZING RESOLUTIONS:**

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

**HEARING AND DELIBERATIONS:**

SUNOCO - 301 Country Club Road

Block 400 Lot 18

# 13-006-ZB Preliminary & Final Major Site Plan w/variances - Existing Sunoco Station Rebuild with Convenience Store

TIME: Extension granted to 12/31/13.

Chairman Vornehm confirmed that the foregoing application would not be heard as they will submit revised plans in the near future and new notice will be required when the application is scheduled for public hearing.

-----

7-ELEVEN - FINDERNE AVENUE & EAST MAIN STREET

Block 315 Lots 4, 5 & 6

# 13-001-ZB Preliminary and Final Major Site Plan with D-variances & Major Subdivision

TIME: 120=10/2/13

Attorney Jason R. Tuvel was present to represent the Applicant. Sworn testimony was presented by Site Engineer Robert Freund, PE and Traffic Engineer Joseph Steiger, PE. This application was carried from 7/16/13.

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

**A-6 8/6/13** Colored Rendering of Site Plan/Subdivision dated 8/6/13

**A-7 8/6/13** Truck Turning Exhibit

Engineer Freund discussed the substantive changes to the site plan as referenced in his report dated 7/26/13 including reduced number of parking spaces on Lot 4.01, for 7-Eleven, improved site circulation for the Meineke business with one way on the southeast corner of the building including a 'Do Not Enter' sign, eleven parking spaces to the rear and 8-parking spaces in front of Meineke, and additional landscaping.

Engineer Freund discussed the report from Somerset County Planning Board dated 8/5/13 regarding the access points on FINDERNE AVENUE. A turn restricted egress with a physical island is provided at the common line between proposed Lots 4.01 and 6.01 and the existing egress on Lot 6.01 is narrowed to 18-feet and restricted to egress only. The proposed landscape island is extended to the south to narrow the existing driveway opening on proposed Lot 6.01.

Engineer Freund reviewed Engineer Bogart's report dated 8/1/13 and he agreed to work with Engineer Bogart regarding any outstanding items. He referenced exhibit A-7 and discussed the new geometry of the driveway. Deliveries take about 45-minutes, which will offload onto carts or hand trucks and it will impede the ADA space. Planner Doyle recommended sliding the ADA parking space to the left to reduce the impediment.

Engineer Freund reviewed Planner Doyle's report dated 8/2/13 and he agreed to work with Planner Doyle regarding any outstanding items. In addition, Ms. Doyle stated that eight street trees are required for both lots total. Engineer Freund stated that none are proposed along Meineke; however, some could be added along East Main Street.

Traffic Engineer Joseph Staigar, PE reviewed his Traffic Impact Analysis for 7-Eleven report dated 11/28/12, last revised 6/7/13. He confirmed that his analysis is only for 7-Eleven and not for the existing Meineke building. He discussed the existing conditions of the two lots located at the corner of Finderne Avenue and East Main Street. He stated that traffic counts were taken November 2012 during the morning and evening peak hours from 7:00 am to 9:00 am and from 4:00 pm to 6:00 pm, which was consistent with the traffic count data conducted by Somerset County. He stated that convenience store traffic is primarily pass by trips, not destination trips; therefore, no new traffic is generated. He stated the signalized intersection with no signals at the site driveways, will provide gaps which will control the site driveway movements. He discussed Table 1 and Table 2 in his report stating that the maximum increase in new traffic generated to the area is 80 trips. Both the ITE and NJDOT define a significant increase in traffic as 100 or more peak hour trips. As such, the project's impact on adjacent intersections is deemed insignificant. He concluded that the subject intersection will continue to operate at an acceptable Level of Service 'D' or better during both peak hours analyzed. Movements at the site driveways on Finderne Avenue and East Main Street will operate with minimal delay at Level of Service 'B' or better during both peak hours analyzed. Based on a comparison of future Levels of Service, it can be concluded that the proposed development will have very minor, if any, resulting impact on the traffic conditions along the adjacent roadway network and there is sufficient reserve capacity at the adjacent intersection to accommodate the proposed use.

Engineer Staigar further discussed the onsite circulation stating that Lot 6.01 has two driveways: one that is exit only with a left or right out onto Finderne and the second driveway that is shared between Lot 6.01 and 4.01 with a left in/right in and right out only onto Finderne. Lot 4.01 has one driveway on East Main Street with left in and out plus right in and out onto East Main Street. The driveways are in optimal locations with clear visibility and controlled by the intersection signal. Cars that cue in the 18-ft wide common driveway on Lot 4.01 will clear when the traffic signal turns green; thereby, it is controlled by the traffic signal. Twenty-foot width is the maximum width allowed for the driveway at the rear of 7-Eleven. Emergency vehicles, garbage trucks and tractor trailers can fit. He referenced exhibit A-7 and discussed the truck movements. The driveway has a Level of Service 'A' or 'B'.

Engineer Staigar discussed the parking configuration stating the parking spaces are perpendicular to the drive isle with good visibility. There are currently three driveways with full movement on Finderne which will be reduced to two driveways with the restricted movements previously discussed. He stated that 7-Eleven will pay a traffic impact fee to the County; however, the County is not planning to improve the intersection. He stated that shared driveways mean better efficiency. There are no conflicts between the two lots: uses are compatible, 7-Eleven will not generate new traffic, and Meineke will not generate new traffic.

Engineer Staigar referenced sheet 4 of 15, Sign Plan and discussed the proposed freestanding signs: East Main Street will have 25-sf area at 20-foot high and Finderne will have 25-sf area at 25-ft high. He stated freestanding signs are the beacons for impulse decision makers passing by.

Planner Doyle stated that the existing Burger King has a freestanding sign one half the height of the proposed signs. Engineer Staigar stated that with the addition of required street trees the proposed signs must still be seen. Planner Doyle suggested that when the NJ Lottery offers high prizes the 7-Eleven would be a destination. Engineer Staigar stated that the site is not designed for a black Friday or super storm sandy.

Members of the public were present as follows:

Jeff Lichtman, owner of Burger King, addressed concerns about delivery trucks coming from Manville making a left into 7-Eleven from Finderne during off peak hours, 6:00 am to 7:00 am or 9:00 pm to 11:00 pm, and then having to back up in order to leave the site. In addition, he expressed concerns that the traffic analysis did not address traffic violations or accidents at the intersection. He disagreed that the 7-Eleven was not considered a destination by the ITE or traffic analysis.

Mike Farnham, 36 Finderne Ave., addressed concerns regarding traffic backup on Finderne Ave. and East Main Street at the 7-Eleven site.

Due to the late hour of the meeting, Chairman Vornehm carried the hearing to 10/1/13 at 7:30 pm 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:**

APPOINT CONSULTANT HANK MENKES, RADIO FREQUENCY ENGINEER TO PROVIDE EXPERT RADIO FREQUENCY SERVICES TO THE BOARD OF ADJUSTMENT REGARDING T-MOBILE LITIGATION (BLOCK 500 LOT 1)

The Board did not address the other board business referenced above. No action was taken.

**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