

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting

Tuesday, August 12, 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 - Absent
Mayor Dan Hayes- Present	Councilman Matthew Moench- Absent
Barbara Kane- Present	Tricia Casamento- Present

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

5. APPROVAL OF BOARD MINUTES

July 8, 2014 Regular Meeting – Motion by Mr. Franco, second by Mr. Rodzinak, the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Franco, Chairman Rusak.

ABSENT: Mr. Charles, Councilman Moench

NOT ELIGIBLE: Mayor Hayes, Mrs. Kane, Mrs. Casamento

6. MEMORIALIZATION OF RESOLUTIONS:

CRC COMMUNITIES, INC. aka SHERID

Block 718, Lots 141, 142, & 142.01

#13-028-PB, Foothill Road Final and Major Subdivision

Motion by Mr. Rodzinak, second by Mr. Franco, the foregoing resolution memorializing the approval on 7/8/14 was adopted as presented on the following roll call vote:

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

FISHER SCIENTIFIC COMPANY - Route 202 and Edgewood Terrace

(aka: Standard Alternative, LLC)

Block 163, Lot 1

#12-027-PB, Preliminary and Final Major Site Plan (58.4 acre)

Motion by Mr. Franco, second by Mr. Rodzinak, the foregoing resolution memorializing the approval on 7/8/14 was adopted as presented on the following roll call vote:

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

7. LAND DEVELOPMENT APPLICATIONS:

PAGANO ENTERPRISES, INC. (AKA Bridgewater Crossing, LLC)

Route 22 W. Retail stores

Preliminary and Final Major site plan with C- Variance - Retail Building

#13-021-PB, Block 559, Lot 5.02

Per Request of Applicant: Notice to carry application to 10/14/14 without further notice.

Motion by Mr. Franco, second by Mayor Hayes, to carry the foregoing application without notice to October 14, 2014 was based on the following roll call vote:

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

PROPOSED BRIDGEWATER TOWNSHIP PROJECT

Block 173, Lot 1

Milltown Road and Route 22

Mr. Alex Fisher represented the applicant and introduced the Capital Improvement Plan for a Park and Ride Parking Lot facility located on Route 22 at Milltown Rd. Transbridge bus lines will provide transportation to and from NYC from this Park and Ride location.

Mr. Robert C. Bogart, Bridgewater Township Engineer testified on behalf of the project and explained the nature of the project as well as the site. He testified that the busses will provide nonstop transportation to NYC, with one exception of stopping at Newark Airport. Mr. Bogart started that access to the site will be through the Gen III "Fox Chase" lot is located on the west

side of this proposed project. The funding for the project will come from a lawsuit settlement with Gen III (aka Fox Chase). The riders will secure parking passes for the lot and tickets for the bus at an adjacent business on the Gen III lot. Mr. Bogart described the bus traffic patterns and testified that there is an agreement with the bus company for the busses to only turn right from Milltown Road onto Route 22 west which prevents the need for a NJDOT permit. The property will be maintained by the municipality, including the snow and trash removal. Mr. Bogart demonstrated the facility on the previously-provided map.

Mr. Bogart stated there will be a structure provided for protection from the elements however, it will be constructed as soon as the township knows the demographics of the riders and exactly what kind is needed.

Mr. Christopher King, representing Ridewise (Somerset County's Transportation Management Company), addressed the Board and Township by reading a letter of support to the Board.

Mayor Hayes stated the project is in line with the Township's desires and expressed his support for the project.

Motion by Mayor Hayes, second by Mr. Franco, the following resolution of the Planning Board of the Township of Bridgewater reviewing the Capital Improvement Plan for a Park and Ride Parking Lot Facility to be located at Block 173, Lot 1 at Route 22 and Milltown Road, was based on the following roll call vote:

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

GREY OAKS LLC - 270 Garretson Rd.

#13-030-PB, Preliminary and final Major Subdivision - 270 Garretson Road
Block 408, Lot 2

Attorney Michael Osterman represented the applicant and stated the nature of the application located at 270 Garretson Road. Mr. Osterman stated the property is located in R-40 Zone with the rear southerly portion of lot 2.02 located in a C-3 Zone. He testified the portion of lot 2.02 is to be retained by current owners and merged into lot 2.01. The applicant is not currently proposing to develop the portion located in C-3 Zone.

Mr. Craig Stires presented his credentials as Professional Engineer and was accepted by the Board. Mr. Stires introduced **Exhibit A-1 8/12/14** Photograph and **Exhibit A-2 Landscaping Plans**. Mr. Stires described the lots and surrounding areas utilizing **Exhibit A-1**. Mr. Stires further stated the water will be a forced main for each lot to Mankhen Drive to the gravity sewers; otherwise the plans are confirming.

On question of the Board, Mr. Stires explained the forced main sewer system. Mr. Stires stated each house will have a grinder pump which will be directed to the forced main. He also explained the pumps can function independently. Mr. Stires stated the plans are to build the system to the specifications of the Sewer Utility Department and stated that a detention basin would also be installed.

Mr. Stires reviewed the reports prepared by Township Officials by addressing each comment and question. He testified that he received an approved LOI. Mr. Stires stated that he would make the requested clarifications as indicated.

Board Engineer, Mr. Bogart addressed issues with widening the road and stated his suggestion that the township require a non-returnable contribution for future road improvements, so tax payers could be saved the expense of widening the roadway if/when the lots would permit. Mr. Stires introduced **Exhibit A-3**, a photograph taken at the end of Mahnken Drive facing the pre-existing residence. Mr. Osterman expressed concerns with widening the road and stated the applicant would comply to supplying the contribution, if the Board required. The Board Engineer's recommendation is to receive the contribution as a condition of this application.

Board Planner Scarlett Doyle expressed concerns accessing the portion of lot 2.03, which is located in the commercial zone, via a residential zone. Mr. Osterman stated the owners wish to retain this land and are not currently seeking to purchase the land located in the commercial zone. Mr. Osterman further stated the owners will comply to placing a deed restriction in reference to the lot to classify it as open space unless the lot is subdivided off and merged with property located in the commercial zone. Mr. Osterman agreed to a condition to merge with any commercial land that meets the 5 acre zone requirement.

Mr. Bogart stated the comments were in reference to a potential nuisance piece of land. He stated the township was concerned with the land creating trespassing concerns and the solution was to attempt to attach the land to a lot. He further stated if the attachment was to the residence, the solution would be acceptable if the owners agreed to maintain the property properly.

Mr. Stires addressed the concern for sidewalks and stated there are currently no sidewalks located on the south side of Garretson Road, just on the north side. He discussed the RCIS and stated the requirements mandate sidewalks on one side of the road. Board Engineer Mr. Bogart stated there are sidewalks on the south side in other areas of Garretson even though they are not currently located on the south side in this specific area. He stated it is the Township's position to get sidewalks on both sides of Garretson Road, noting the proximity of the high school.

Township Planner Scarlett Doyle expressed concerns with the detention basin and grading, stating that potentially allowing 1 of the 4 lots, independently graded, can negatively affect the other lots.

Attorney Marcia Zalewski represented the owner of the property, Ms. Elizabeth Somerville, and stated she inherited the property by will of her late mother. Ms. Zalewski provided a brief history of the subdivision. Ms. Somerville was sworn in as the property owner.

On question of the Board, Ms. Somerville testified that she is capable of maintaining the woodlands and wetlands that will be merged into her lot.

Township Engineer, Mr. Bogart, made a recommendation to the Board to require a sidewalk be installed with the new lots and Mr. Osterman stated this requirement was acceptable to the applicant.

Chairman Rusak opened the meeting to the public.

Mr. Roy Kane of 476 Mankeh Drive, Bridgewater, NJ, addressed the applicant's professionals and asked about the construction time line for the project, and expressed concerns with noise during the construction process and tree removal. The Board responded and advised that trees will be planted and replaced. Mr. Kane requested clarification from the Board in regards to permitted construction hours and the Board advised of the permitted hours.

Mr. Albert Diblasio of 260 Garretson Road, Bridgewater, NJ, addressed the Board and stated his support for the application. Mr. Diblasio testified that Ms. Somerville keeps her yard clean and is capable of maintaining the property. Mr. Diblasio stated his traffic concerns with widening the road and adding sidewalks. Mr. Diblasio asked if his residence would be provided the capability to connect to the sewer lines and Mr. Stires stated that he is provided with the access as a condition of the application.

Motion by Mr. Franco, second by Mrs. Kane, the Board approved the Preliminary and Final Subdivision, with conditions, on 8/12/14, based on the following roll call vote:

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

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.

Ms. Carol Patullo of 437 Foothill Road, Bridgewater, NJ, addressed the Board in reference to the Lang Application, 29-11-PB. Ms. Patullo provided a brief history of the application and stated the swale is not properly maintained which is causing flooding on her property. She provided a video for the Board members to view. Ms. Patullo further stated she has contacted Mr. Lang in reference to the property however the situation has not yet been rectified.

Board Engineer, Mr. Bogart stated this is private property and that he has already spoken to Mr. Lang to advise him of the complaint. Mr. Bogart stated the Township does not have authority to enter Mr. Lang's property to maintain the swale.

Board Attorney, Mr. Collins advised Ms. Patullo that the Planning Board does not hear neighbor disputes and instructed her to contact Mr. Lang with her own representation to address the dispute. He further stated the Board does not have jurisdiction over drainage concerns.

Ms. Patullo addressed the Board in reference to Mr. Lang's property located on Steele Gap Road. She stated a backhoe was utilized on the property and had been driven through restricted wetlands. The Board Engineer, Mr. Bogart advised that NJDEP has previously been made aware of the complaint.

9. OTHER BOARD BUSINESS:

CIP II/AR BRIDGWATER HOLDINGS

#14-023-PB

Block 483 Lots 17, 18, & 19

Attorney Jeffrey Lehrer represented the owner of CIP II/AR Bridgewater Holdings LLC. Mr. Lehrer described the site as 109.5 acres known as “Center of Excellence”. Mr. Lehrer advised the Board that the Bridgewater Town Council authorized the Planning Board to conduct a preliminary investigation of approx 61.95 acres. Mr. Lehrer introduced the reports and documents that were submitted by the professionals.

Board Attorney Thomas Collins introduced Frank Banish and advised that Mr. Banish was retained by the Board as a Special Professional Planner hired to assist the Board Planner in this investigation. Mr. Banish was then sworn in.

The applicants Professionals Jeffrey Otteau and Richard Coppola were sworn in as well.

Mr. Coppola stated his credentials and the Board recognized him as a Professional Planner.

Mr. Coppola was hired by Advanced Realty to conduct an investigative report for their use in this project. He described the site as 109.5 acres of land between Routes 202-206 and Interstate 287 and stated the overall campus has outlived its useful life. The existing buildings are functionally obsolete with faulty arrangements and designs. The current parking areas mitigate against renovations and reuse. This redevelopment site is owned by a single entity and Eminent Domain is unnecessary. Mr. Coppola described the existing site and structures and explained documents previously distributed to the Board.

Mr. Coppola stated the 5 characteristics of the redevelopment site which are, 1.The shape design and layouts; 2. Buildings constructed for specialized uses; 3. The utilities services; 4. Building materials; 5. The distribution of parking areas. Mr. Coppola explained the heating and cooling costs for the existing buildings and compared the out-dated buildings to modern construction. Mr. Coppola also stated the buildings are ill-conceived and cost-prohibitive compared to today’s modern office environments.

Mr. Coppola explained the total useable square footage compared to the useable rentable square footage and stated that rentals would be required to pay for their office space as well as the shared common spaces between tenants. Mr. Coppola referenced the floor plans previously distributed to the Board. Mr. Coppola’s findings indicate that renting a floor to more than one tenant, the floors common space would have to be shared and the space would be deducted for the leasable rental spaced which is seen as a negative to potential tenants. His overall conclusion is the narrow office buildings are functionally obsolete based on the floor plans and lack of energy efficient amenities. The buildings cannot be renovated and upgraded to the modern needs. Mr. Coppola proceeded to explain each building on the site, highlighting the negative qualities of each. He stated they are all connected to a central utilities section and cannot currently function independently. The utility system was functional when the building was staffed 24/7 however the current utilities cost the owners over \$13.00 per square foot compared to a \$3 per square foot energy efficient building. Each building has antiquated mechanical systems that make reuse extremely difficult and use substantial amounts of water. The buildings contain outdated materials such as asbestos in the central utility plants. Mr. Coppola further described the tract and various easements located on the property.

Mr. Coppola reference the Bridgewater Township Master Plan adopted in 1990 which has been periodically reexamined by the Board. An amendment was adopted in Feb 2004 and revised in March 2003. Mr. Coppola cited page four and applied the amendment to the current application.

Mr. Coppola discussed vehicular traffic capabilities with the site as well the redevelopment Housing laws that apply to the site. Conclusion that 61.95 acres redevelop site is an area in need of redevelopment. The Planning Board must hold a public hearing once the preliminary investigation is complete. Once recommendation is endorsed by Township Council, it is necessary for Township Council to develop and adopt the Redevelopment Plan.

Mr. Jeff Otteau stated his credentials and was accepted by the Board as a Real estate Analyst and Real Estate Appraiser. Mr. Otteau advised his role was to analyze the viability of the approx 62 acres, the subject property of this redevelopment plan. He advised the Board of the current economic status in New Jersey and it applies to real estate. He also discussed current trends with facilities similar to the previous Sanofi Aventis Corporation that used to occupy this space. Mr. Otteau examined the office space demand throughout New Jersey. He testified that the vacancy rate for office space in Somerset County is 23% and in the Pharmaceutical Industry in NJ, office space is at 39% vacant.

Mr. Otteau explained the demographic changes due to the current trends he has previously discussed. He cited a United Van Lines study that found 60% of families are moving out of the State, which is the highest in the country. Mr. Otteau also discussed the Millennial Shift, between the ages of 21-34, and stated that most Millennial's are leaving the area mostly due to current expenses and limited housing options.

Mr. Lehrer introduced Peter Coccoziello, CEO and President of Advance Realty. Mr. Coccoziello was sworn in. He thanked the Board for listening to the presentation and provided a brief history of Advance Realty and their presence within Somerset County.

Mayor Hayes stated his general support of the redevelopment concept.

On question of the Board, Mr. Coppola stated that from a Planning viewpoint, the 202-206 corridors is a key link which allows development along the corridor itself. He stated the subject site can bring life to the corridor which is easily accessible.

Chairman Rusak opened the meeting to the public. No one addressed the CIP II/AR professionals.

Motion by Mr. Rodzinak, second by Mayor Hayes, to allow Township Planner and Special Planner Frank Banisch to continue with the Preliminary Investigation, was based on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Franco, Chairman Rusak, Mayor
Hayes, Mrs. Kane, Mrs. Casamento

ABSENT: Mr. Charles, Councilman Moench

10. ADJOURNMENT:

The Board concurred to adjourn the meeting at 10:27 pm

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