

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, March 25, 2014
—MINTUES—

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 15, 2014 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 – **absent**

Pushpavati Amin – present

Bill Vornehm – present

Alan Fross, Alt. #2 – present

James Weideli, Alt. #4 - present

Lee Schapiro – present (arrived 7:33 pm)

Evans Humenick – present

Michael Kirsh, – **absent**

Beth Powers, Alt. #1 – **absent**

Roger Pearly, Alt. #3 – present

Others present: Attorney Lawrence A. Vastola, Land Use Administrator Marie L. Broughman, Board Planner Scarlett Doyle

MINUTES FOR APPROVAL:

November 26, 2013 Regular Meeting (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.

December 17, 2013 Regular Meeting (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.

January 14, 2014 Reorganization & Regular Meeting (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.

January 28, 2014 Regular Meeting (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.

MEMORIALIZING RESOLUTIONS:

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)

DECISION: Denied 2/25/14

Eligible to vote: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,
Chairman Vornehm

The foregoing resolution will be presented for Board consideration when completed. No action was taken.

HEARING AND DELIBERATIONS:

FSG BRIDGEWATER HOTEL LLC – Hampton Inn and Suites

Block 581 Lots 4, 8, 9

#13-018-ZB, Amend Prior Approval: Prelim & Final Major Site Plan w/variances (Revised NJDOT access/egress)

TIME: 120=7/2/14

Attorney Francis Linnus was present to represent the Applicant. Sworn testimony was presented by Engineer George Folk, Traffic Engineer Gary Dean, and FSG Representative Susan Griffin.

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

A-1 3/25/14 Rendering – Site Plan, dated 5/6/13, last revised 2/24/14

Traffic Engineer Dean testified that initially, NJDOT did not want any access to the property from Rt. 22. The reasoning was that it would interfere with the proposed acceleration lane from Ronson Road. In any event after a number of meetings with the Department including one with the Commissioner it was decided that applicant could have an ingress only drive to be located at the westerly side of the property. Egress from the site is to be limited to a driveway at the westerly side of Ronson Road, which would also act as a point of access. While it was his testimony that the foregoing was approved by the Department, final written approval has yet to be received.

While the Board acknowledges that it must defer to the jurisdiction of NJDOT in determining the use of State Highways, there is concern on its part with respect to this proposal. The concern is for vehicles traveling north on Interstate 287 intending to use the facility. The exit for such vehicles onto Route 22 comes from the highway onto the far left lane of Route 22 very close to the entrance to the site. The maneuver from this lane to the site is, in the Board's view difficult and perhaps dangerous. This issue was discussed with FSG Representative Susan Griffin. Her testimony was that studies revealed that site traffic would be coming primarily from the southbound traffic on Interstate 287 as there are a number of facilities available for northbound traffic before the Route 22 interchange. She did, however,

acknowledge the difficulty of the aforesaid maneuver and testified that Hampton Inn would take steps in its directional instructions to avoid access from this interchange.

In addition to the foregoing, the applicant proposed to reduce the number of proposed rooms from 135 to 133 by adding two additional king suites, as well as changes to the engineering necessitated by the change of the Route 22 access point. The changes to engineering were addressed in the Township Engineer's report dated 3/24/14 written by Engineer Bill Tanner of Van Cleef Engineering Associates. The applicant agreed to comply with all of the comments in said report. The applicant also agreed to comply with all of the comments in the reports of the Fire Subcode Official dated 3/25/14, and Sewer Utility dated 3/7/14.

The Board reviewed the report of the Township Planner dated 3/12/14. The applicant agreed to comply with comments 4 and 5 of said report.

None of the changes, including the change in the type of rooms to be provided, has an impact on parking or otherwise impact the project. The Board concludes that with conditions the amended site plan can be granted and the granting thereof will not substantially impair the zone plan or land use ordinance or be a substantial detriment to the public welfare of the residents of the Township of Bridgewater.

Members of the public addressed the Board as follows:

Mary Boyle, employee of Hamamatsu 360 Foothill Rd., and address concerns regarding the horrific traffic at this location on Ronson Road. Traffic Engineer Dean stated that Ronson Road will be widened.

The Board deliberated and discussed several conditions including:

- The conditions set forth in the prior resolution remain in full force and effect.
- The directional instructions to the site provided by Hampton Inn shall be such as to lessen access to the site from the Route 22/287 interchange.
- Applicant shall comply with comments 2 through 5 of the Township Engineer's report.
- Applicant shall comply with the comments in the Fire Subcode Officials reports.
- Applicant shall comply with the comments in the report from Sewer Utility.
- Applicant shall comply with comments 4 and 5 in the Township Planner's report.
- No building permit shall be issued until applicant has received final written approval from NJDOT for the driveways as shown on the amended site plan submitted with the application. Should there be a substantial change, then applicant must once again return to the Board for approval. Whether a change is substantial shall be determined by the Township Engineer.
- The easement required in comment 5 of the Township Engineer's report shall be prepared by the applicant's attorney and approved by the Township Engineer. The approved easement shall be recorded in the Office of the Somerset County Clerk and a copy of the recorded easement filed with the Township Clerk and Township Engineer. The same shall be accompanied by the certification of the applicant's title company that the only lien to which the easement is subject is the lien for real property taxes.

- 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. Sweeney, second by Mr. Schapiro the FSG BRIDGEWATER HOTEL LLC – Hampton Inn and Suites amended application was approved with conditions on the following roll call vote:

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

WOODRING – 1058 Mayflower Ct., Martinsville
Block 806 Lot 62
#13-024-ZB, Simple Variance (front open portico)
TIME: 120=7/5/14

The foregoing application was not heard as the legal notice was defective and the Board does not have jurisdiction. The Application will be rescheduled to 4/29/14 with new notice required.

OGIBA, Raymond – 88 Adamsville Road
Block 238 Lot 1
#31-11-ZB, Amend prior approval of 3/6/12

Motion by Mrs. Amin, second by Mr. Sweeney, the revised resolution to amend the setback to 5.86 feet instead of the 6.42 feet from the sideline of Charles Street on the survey was adopted on the following roll call vote:

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

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:

The Board reaffirmed Board Attorney Vastola.

Motion by Mrs. Amin, second by Mr. Sweeney, which carried on the following roll call vote:

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

ABSENT: Mr. Riga, Mr. Kirsh, Mrs. Powers
NOT ELIGIBLE: Mr. Weideli

Board Planner Doyle stated that the definition of convenience stores in the Code Book is as follows:

A retail establishment of up to 5,000 square feet and open for long hours, providing quick service for takeout. Convenience stores sell primarily food products, household items, newspapers and magazines, candy and beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.

Planner Doyle stated that if the Board wants to change the definition they could make recommendations in their Annual Report for 2014. Such recommended changes could include hours of operation when next to residential property/

Chairman Vornehm canceled the 4/1/14 & 4/15/14 meetings due to lack of business. The next scheduled meeting will be on 4/29/14 at 7:30 pm.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 10:00 pm.

Respectfully submitted,
Marie L. Broughman
Land Use Administrator/Board Clerk