

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, December 16, 2014

--MINUTES--

CALL MEETING TO ORDER:

Vice Chairman Sweeney 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 p.m. and no new testimony will be taken after 10:30 p.m. Hearing assistance is available upon request.

SWEAR IN NEW BOARD MEMBER:

Attorney Vastola gave the Oath of Office to John Fallone, as Alternate #4 Board member.

ROLL CALL:

Vice Chairman Don Sweeney - present	Alan Fross, - absent
Paul Riga - present	Roger Pearly, Alt #1 - absent
Pushpavati Amin - present	James Weideli, Alt, #2 - present
Evans Humenick - present	Dawn Guttschall, Alt. #3, present
Michael Kirsh - present	John Fallone, Alt #4 - present
Beth Powers - absent	

Others present: Attorney Lawrence Vastola, Attorney Brian Schwartz, Board Engineer Thomas J. Forsythe, Board Planner Scarlett Doyle, & Eileen Parks, Recording Secretary.

MINUTES FOR APPROVAL:

November 25, 2014, Regular Meeting - (*pending*) the foregoing minutes will be presented for Board consideration when completed. No action was taken.

MEMORIALIZING RESOLUTIONS:

PENSCO TRUST COMPANY, LLC - 1507 & 1513 Washington Valley Road
Block 905, Lot 6

#14-015, Preliminary and Final Major Subdivision w/variances

DECISION: Denied 10/25/14

Eligible to vote: Mr. Sweeney, Mrs. Amin, Mr. Fross, Mr. Pearly

Mr. Sweeney made a correction to the resolution to read northwesterly corner.

Motion made by Mrs. Amin, second by Mr. Sweeney, the foregoing resolution was MEMORIALIZED WITH REVISION based on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin
NOT ELIGIBLE: Mr. Riga, Mr. Humenick, Mr. Kirsh, Mr. Weideli,
Ms. Gutschall, Mr. Fallone
ABSENT: Mr. Fross, Mr. Pearly, Mrs. Powers

MOTION TO RESCHEDULE REORGANIZATION MEETING:

Mrs. Amin stated that the reorganization meeting for this board is usually held after the Council reorganization meeting which was scheduled for January 5, 2015. This would mean that this board could hold its reorganization on the 1st Tuesday of January.

Motion made by Mrs. Amin, second by Mr. Riga, a special meeting was scheduled for the reorganization of the Bridgewater Township Zoning Board of Adjustment for January 6, 2015 at 7:30 p.m. at the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey based on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mr. Kirsh, Mr. Weideli, Ms. Gutschall,
NOT ELIGIBLE: Mr. Fallone
ABSENT: Mr. Fross, Mrs. Powers, Mr. Pearly

Attorney Vastola stated that he would take care of publication for special re-organization meeting.

Mr. Kirsh stated that the Board would need to have a discussion regarding the appropriate frequency of the Board's meetings at some point.

HEARING AND DELIBERATIONS:

SENA - 5 WIMPLE WAY
Block 716, Lot 10
#14-029-ZB, Bulk Variance (New house on vacant lot)
TIME: 2/18/15

Mr. David Stires, PE & PP, and the contract buyer, Michael Sena were sworn in for testimony. Mr. Stires stated that this application was a simple variance application. Mr. Stires discussed the history of 5 Wimple Way which was near Mountain Top Road per Filed Map #1308, which created the cul-de-sac with 10 lots of Section III of Laurel Rise subdivision filed on August 12, 1970. Mr. Stires stated that the application was for a lot width variance of 160.24 ft, where 165 ft is required, noting that prior to a revision to the ordinance, lot width was measured at setback line only and not at lot frontage which made the lot non-conforming. Mr. Stires stated that both adjacent lots were conforming while across street the lots did not conform to the lot width. Mr. Stires stated that the application was to construct a ranch house on the lot which would be conforming to all other bulk standards in R50 zone. Mr. Stires stated that he did not have finalized architectural plans at the time the application was submitted but did have plans now

which were almost the same as shown on the submitted plan and still conforming to the bulk standards. A set of the site plan was entered as **Exhibit A-1**, the architectural plans was entered as **Exhibit A-2**. The report prepared by Thomas J. Forsythe, PE, dated November 4, 2014, was entered as **Exhibit A-3**. The Board discussed the existing swale that runs on a portion of the neighboring property the suggestion in the report to create diversion swale off of the adjacent lot. Mr. Stires stated that it was viable to move the swale to divert the runoff out to Wimple Way and agreed to all comments outlined in Mr. Forstyhe's report. The report by Scarlett Doyle, PP, dated October 31, 2014, was entered as **Exhibit A-4**. Mr. Stires agreed to comply with the report including to only removing trees that were necessary and to replace any trees to the satisfaction of Ms. Doyle noting that the report suggested that two additional street trees were necessary. The report by Robert Reich, PE was entered as **Exhibit A-5**; Mr. Stires agreed to comply with this report. Mr. Stires discussed the waiver for installing a sidewalk noting that there was on opposite side of street. Mr. Vastola stated that the Board could ask for a contribution to township to the sidewalk fund but that it was up to board to decide. Mr. Forsythe stated that he did not think a developer's agreement was necessary.

Vice Chair Sweeney asked for questions from the Board and professionals, there were none. Mr. Sweeny opened the meeting to the public.

David Denhart, 3 Wimple Way, stated that he did not clearly understand the swale and the property boundary and how the proposed house was to be situated on the property. Mr. Stires explained. Mr. Denhart asked if the fallen trees would be cleaned up, Mr. Stires agreed.

Mr. Denhart asked if the proposed dwelling would have a foundation and if there would be blasting that could result to structural damage to his house. Mr. Stires stated that the construction would conform to all proper standards.

Attorney Vastola stated that this application was for a 'c' variance on a lot created by a Planning Board subdivision and that the applicant agreed to comply with drainage swale as noted in Mr. Forsythe's report and would agree that any trees removed were to be replaced per Mr. Doyle's report and added that the Board should decide regarding the sidewalk. Mr. Sweeney asked if the Board usually asked for donation to sidewalk fund, Mr. Forsythe stated that generally if there was a sidewalk on one side of street it was up to Board to decide adding that there was no legal reason to ask for a donation.

The Board discussed the variance application and decided not to ask for a donation to the sidewalk fund.

Motion made by Mr. Riga, second by Mr. Weideli, the foregoing application was APPROVED WITH CONDITIONS based on the following roll call vote:

AFFIRMATIVE:	Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mr. Kirsh, Mr. Weideli, Ms. Gutschall,
NOT ELIGIBLE:	Mr. Fallone
ABSENT:	Mr. Fross, Ms. Powers, Mr. Pearly

Mr. Vastola stated that the resolution would be scheduled for the January 6, 2015 meeting.

Attorney Vastola recused himself due to conflict of interest in the following application and left the meeting. Attorney Brian Schwartz entered the meeting for the following application.

CHIMNEY ROCK INN - 800 Thompson Avenue
Block 801, Lots 44 & 45
#14-016-ZB, Preliminary & Final Site Plan w/variances (warehouse offices)
TIME: 3/12/15

Attorney, Donald Whitelaw, Esq. appeared for the applicant. Owner & applicant Alan Frank, was sworn in for testimony. Mr. Frank discussed the application and current operations of the Chimney Rock Restaurant, offices on the second floor and the commissary, Mr. Frank discussed the hours of the restaurant: 11:00 am - 11.30 pm, office hours: 8:00 am -5:00 pm, commissary hours: 6:00 am - 4:00 pm. Mr. Frank discussed the packaging and offloading of product onto 1 refrigerated box truck and the number of employees: for the restaurant, office and commissary. Mr. Frank discussed the background of the property over the 20 years he has been there including that the commissary building has been there for 12 years. Mr. Frank discussed the access & parking including an existing agreement to use parking area on the adjacent property noting that he did not have a formal access agreement from Stavola, but was more of a gentleman's agreement. Mr. Frank stated that proposal was to build new commissary building with 2nd floor office space noting that he planned on expanding his operation in 3 new locations with still only the 1 refrigerated box truck. Mr. Frank stated he would replace the existing commissary building to service dietary restricted products which would provide a space to serve specialty breakfast and lunch for customers with special dietary needs noting that this would require a separate space to avoid contamination.

Mr. Kirsh asked what the smaller building would be used for; Mr. Frank explained that it would continue to be used for retail sales on the first floor and offices on the second floor, adding that the proposed commissary building would be more modern. Mr. Frank stated that he would like to rent out the second floor office space of the existing building and keep all of his operations in the new building. Mrs. Amin asked if there would be additional employees, Mr. Frank stated that approximately 7 more employees for the office space, 5 or 6 in the commissary building and 4 more in the specialty shop for a total of 17 additional employees. Mrs. Amin asked for more information about the operation noting the expansion of the space. Mr. Frank stated that currently there were 2 Chimney Rock Inn locations and 1 hospitality building in Branchburg and that he proposed the special dietary shop with counter service and a couple of tables. Mr. Riga asked if this would impact the parking agreement and asked if there was any concern for adequate parking. Mr. Frank stated that the parking requirements would be met. Mr. Humenick asked if there would be any special equipment in the kitchen for the dietary restrictions. Mr. Frank stated that there would be upgrades and replacement of some equipment. Mr. Humenick asked the hours for dining and if there would be adequate parking,

Mr. Frank stated they would be 6:00 am to 2:00 pm and stated that there would be parking for the additional dining.

Ms. Doyle noted that the current restaurant has office space above and asked if it will function for other office use which would be compatible for other uses for parking. Mr. Frank stated that he would not rent to a tenant that would not work with their hours to provide adequate parking. Ms. Doyle asked if the new building would have any floors that would be used for storage. Mr. Frank stated that there will be an attic in the rear of the building for storage only and which would not be occupied by tenants and there was no basement.

Mr. Sweeney discussed Mr. Forsythe's report dated December 10, 2014 and Ms. Doyle's report, dated December 9, 2014. Mr. Sweeney discussed the history of the property and noted that the Chimney Rock restaurant was always busy with a full parking lot with cars parked to the right of the commissary building in an area not specific for parking and cars were always in the Stavola lot. Mr. Sweeney discussed that there were 131 existing parking spaces and 125 proposed spaces while increasing the building and adding 17 employees. Mr. Frank stated that the upper level parking was not usually full and that on the busiest days, such as in December, he asks his neighbor, gives him a certificate of insurance to park there. Mr. Frank stated that all other uses close at 5:00 pm. Mrs. Amin asked if the Stavola parking spaces were in the parking calculation, Mr. Frank stated that they were not. Mrs. Amin asked if there was an overlap in timing of the parking on the neighbor's lot. Mr. Frank stated that the quarry only has one person there and shuts down a 4:00 pm. Mrs. Amin stated that if the use changes it may become an issue. Mr. Weideli stated that he has not seen a parking problem. Mr. Humenick suggested that the employees park in the upper lot, Mr. Frank stated that they already do.

Mr. Sweeney asked if the applicant would agree to combine the lots, Mr. Frank agreed. Mr. Sweeney asked if there was any proposed signage. Mr. Frank stated that there would be no free standing sign adding that there may be a building sign on the proposed commissary. Mr. Sweeney asked the hours of recycling and garbage pickup and if there would be any conflicts with movement on the site. Mr. Frank stated that pick up was required by 6:00 am - 8:00 am with any deliveries required before the offices open. Mr. Humenick asked if there would be any lottery ticket sales. Mr. Frank stated that there would be no ticket sales.

Attorney Schwartz asked if there would be any take out from the restaurant. Mr. Frank stated that there would be some but that there would be no dedicated spaces for takeout customers.

Mitchell Ardman, PE, applicants engineer was sworn in for testimony. Mr. Ardman stated his credentials and was accepted as a professional engineer licensed in New Jersey. **Exhibit 1-A**, a colorized sheet BT-1 of the site plan was entered. Mr. Ardman discussed the site, surrounding area, utilities and lighting. Mr. Kirsh asked to clarify what parking spaces were in the calculation, Mr. Ardman explained. Mr. Kirsh asked if the application was changing any existing parking spaces, Mr. Ardman stated that some parking will be restriped. Mr. Weideli asked to identify the existing parking space locations, Mr. Ardman explained. **Exhibit 2-A** a colorized sheet SP-2 of the site plan, which showed a blow up area of the proposed building, which was 50 ft. x 90 ft., Mr. Ardman discussed the changes in parking stalls in upper parking

area as well as restriping of parking spaces and the reconstruction of island Mr. Ardman stated that this would result in the loss of 6 stalls. Mr. Arman discussed the ADA requirements provided, the truck delivery loading space which was designed for a larger truck than currently used. Mr. Ardman discussed the delivery schedule and the dumpster location to avoid any conflict adding that the part of the dumpster was located in the steep slope area with a block wall proposed to mitigate the encroachment into the steep slopes further adding that the pavement will need to be reconstructed in that area. Mrs. Amin asked for clarification of the delivery times, Mr. Ardman stated that the truck would be in by 9:00 am and out by 10:00 am to avoid conflicts. Mr. Kirsh asked for clarification of the disturbed and reconstructed area, Mr. Riga asked to clarify the 6 parking stall loss, Mr. Ardman explained. Mr. Ardman stated that a new sanitary service line and water service line would be installed to the new building, that the light poles were to remain with the same lighting footprint adding that there may be lighting moved to above the doors for safety. Mr. Ardman discussed the drainage with inlets installed downhill to pick up runoff and stated that new drywells would be installed, 3 in the lower area and an additional drywell was proposed as shown on the plans in the southern area, noting that the plans would be revised. Mr. Ardman stated that these additional inlets and piping to the existing inlets would prevent some of the existing drainage problems and icing in the upper parking area by picking up the sheet flow.

Mr. Sweeney discussed the engineering report regarding the trash enclosure being located on slopes greater than 30% and asked if there was any alternative location for the enclosure. Mr. Ardman stated that the applicant did not want to cart garbage across the parking area and another location would result in losing an additional 4 to 6 stalls adding that only the rear portion of the dumpster was in the steep slopes and if adjusted out the slopes it would be at an odd angle for trash pickup and may lose additional stalls where parking was critical. Mr. Ardman stated that the existing steep slopes were manmade and not natural. Mr. Sweeney asked if the fire official had commented. Mr. Ardman stated that he had not received a report. Mr. Ardman agreed to comply with the requirement that all outside permits to be obtained and agreed to the additions to be added to the plan as stated in Mr. Forsythe's report. Mr. Sweeney stated that the required parking stall width was 9.5 feet where some of the parking spaces were 9 feet wide. Mr. Kirsh added that the planner's report noted that some stalls were 8.5 feet wide. Mr. Ardman stated that he did not measure every stall but some of the existing stalls may be 8.5 feet which were not to change. Mr. Schwartz stated that 8.5 feet was tight and Ms. Doyle suggested that 8.5 foot wide spaces be used for employee parking only. Mr. Sweeney asked if the applicant would agree that as a condition, no new parking space would be less than 9 feet wide and a note added to the plans, Mr. Ardman agreed. Mr. Sweeney discussed the drywells and if soil testing would be provided along with the requested notes and labels as noted in Mr. Forsythe's report. Mr. Ardman agreed to comply with all comments under 'C' and 'D' in Mr. Forsythe's report. Mr. Ardman stated that he would provide landscape and lighting to the satisfaction of the Board's professionals.

Mr. Sweeney discussed the report prepared by Scarlett Doyle, PP, page 3, #6 regarding the required FAR of 0.15 allowed where the FAR was proposed to be increase to .26. Mr. Ardman stated that the additional floor area was critical to the operation of the commissary building. Mr. Frank stated that the area was needed to move forward with the project and stated that his

planner would provide testimony. Mr. Sweeney asked if there were comments from the Health Department; Mr. Ardman stated he would work with the health department. Ms. Doyle asked if the solid waste enclosure was adequate noting that the enclosure was proposed in the steep slope area and the applicant may need to add another enclosure in the lower area. Mr. Sweeney asked if it could be moved to another location. Mr. Frank stated that the enclosure would include garbage, recycling and an area for used cooking oil which could be 300 degrees and stated that the proximity to the building was critical. Mr. Frank stated that there was an enclosure on the lower level already and added that if it became a problem he would increase the number of garbage pickups. Mr. Sweeney asked if the applicant would agree as a condition of approval that there would be no increase in the size of the trash enclosure and if there was a problem that there would be an increase in pick up. Mr. Frank agreed. The Board discussed the location of the enclosure and the possibility of relocating. Mr. Ardman stated that he would place certification on the plan that the lighting will be adequate for pedestrian safety without adding new lights. Mr. Sweeney asked if the applicant would comply with the report prepared by sewer engineer Robert Reich, dated December 10, 2014, Mr. Ardman agreed.

Mr. Fallone asked if the parking spaces shown in the calculation included the additional 17 employee use. Mr. Ardman stated he will revise the parking calculation.

Mrs. Amin asked if there were any houses on the adjacent properties. Mr. Ardman explained that it was all wooded surrounding the site. Mrs. Amin asked if Lots 44 & 45 would become one lot and what the number would be, Mr. Ardman agreed that the lots would be combined and would confirm the lot number with the tax assessor.

Ms. Doyle asked if the applicant would shield source of lighting, Mr. Ardman agreed to shield the lighting and added that the entrance door lights area a code requirement and if necessary to add in the parking area the applicant would use lighting similar to the existing. Mrs. Amin asked if there was adequate lighting, Mr. Ardman stated that he will check the lighting and will work with the Board's professionals to provide adequate lighting.

Mr. Sweeney opened the hearing to the public, there were no public comments.

Edward M. O'Brien, AIA, the applicant's architect, was sworn in for testimony. Mr. O'Brien stated his credentials as a licensed architect in New Jersey and was accepted as same. **Exhibit 3-A**, colorized architectural elevations, sheet A-2 of the proposed building was entered. Mr. O'Brien discussed the proposed building. **Exhibit 4-A** sheet A-1 of architectural plans showing the floor plan for the first and second floor layout of the proposed building. Mr. O'Brien discussed the layout and heating & cooling with no roof mounted systems. Mr. O'Brien stated that the building height had been revised to conform to the ordinance.

Mr. Kirsh asked about handicap access to the second floor, Mr. O'Brien stated that the plan conformed to all barrier free codes in the NJUCC stating that the code read that if a building was not naturally conducive to barrier free then it was not required unless it was medical or retail. Ms. Doyle stated that the applicant would not get a building permit if not compliant

under the code. Mr. Kirsh asked if there was any proposed area for personal storage. Mr. O'Brien stated that was not part of the plan yet and will be worked out with the owner. Mr. Fallone asked if the proposed cupola would be lighted at night. Mr. Frank stated that he would like the cupola to be lighted. Mrs. Amin asked to confirm that the attic space would not be used for any additional use; Mr. O'Brien explained that it would be for storage only. Mr. Humenick asked if an employee on the second floor became disabled, what could be done to accommodate the person, Mr. O'Brien explained.

Mr. Schwartz asked if the proposed architecture was compatible with the existing building. Mr. O'Brien stated that it would be compatible and would be functional. Mr. Frank stated that he had not decided on the material of cedar or colored cement but it would be similar to the other building on site and that the trash enclosure would be similar. Ms. Doyle asked if the lighting would be covered if it was offensive, Mr. O'Brien agreed. Mrs. Amin asked the location of the condensing unit; Mr. O'Brien stated that it would be on the ground in the back of the building.

Mr. Fallone left the meeting at 9:38 pm and did not return.

The applicant's planner, Roger DeNiscia, PP, of Montclair, NJ, was sworn in for testimony, Mr. DeNiscia stated he had testified numerous times before the Board and was accepted as same. Mr. DeNiscia stated the variances required for 'c' bulk standards, **Exhibit 5-A**, 7 photos of site, was entered. Exhibit 6-A, an aerial photo, was entered. Mr. DeNiscia discussed the application and variances being requested noting the unusual topography on the nearly 2 acre site. Mr. DeNiscia described buildings and existing site conditions which had no comprehensive storm water management system on the site. Mr. DeNiscia described the compound use of site, parking area, with 36 employees noting that the predominant activity was the restaurant use and was functioning well. Mr. DeNiscia stated that there was need to maintain and increase business. The existing commissary and office would be relocated to the proposed building while the existing commissary would be converted to small café and coffee shop. Mr. DeNiscia stated that the proposal would create 17 additional jobs, increasing economic development. Mr. DeNiscia described the typical activity during the day per hour and how many parking spaces were required at each time. He stated that the parking & building space were adequate for uses proposed. Mr. DeNiscia described the storm water management system to be installed which would improve site and surrounding properties. Mr. DeNiscia stated that the master plan goals of increasing employment, tax ratables through use of non residential land were being forwarded. Mr. DeNiscia described the unique properties of the site including the topography noting that Thompson Avenue was designed to carry high volume of traffic and that the only non residential use on Chimney Rock Road was this site and added that the additional building and use would not change character of area. Mr. DeNiscia stated that in the C-3A zone district this was not a permitted use and the application was a modification of the existing use with some requested bulk variances including improved area of 70.3% proposed where 62.3% was existing and 50% was permitted, and a variance for FAR of .26 where 0.15 was existing, a side yard setback variance of 3 ft, a rear yard variance of 41.12 ft proposed where 50 ft. was required, a variance for steep slope intrusion requested 250 square feet of disturbance. Mr. DeNiscia gave his summation of the justification for the requested

variances and non conforming use stating that the site was particularly suited for the expansion of the use noting the benefit would far outweigh any detriment. Mr. DeNiscia stated that the courts have ruled that FAR design variances could be granted by the Board if site can accommodate the deficiency. Mr. DeNiscia stated that the storm water enhancements to the site take in the requirements of both the proposed building and improve the existing storm water management. Mr. DeNiscia stated that the steep slope disturbance would be minimal and will provide no impact to steep slope ordinance and that the overall project would advance the purposes of MLUL and further that the application would not be a substantial detriment to the intent & purpose of zone plan.

Mrs. Amin asked the number of new employees and asked the number of spaces which would be left for costumers, noting that there were 287 seats in restaurant; Mrs. Amin asked if there would be a deficiency of spaces for the restaurant use. Mr. DeNiscia stated that the parking spaces available when hours of operation of the other uses would be closed. Mr. Humanick-asked if the parking calculation included the office on the second floor, Mr. DeNiscia stated that yes it was included and the parking standards have visitors calculated into them. Mr. Humenick suggested employees park in upper parking area.

Mr. Whitelaw gave his summation, noting that the applicant was a long time businessman in the Township and would like to keep growing his business in Bridgewater.

Mr. Schwartz discussed application, approval would be conditioned upon compliance with engineers and planner reports, future signage to conform to the ordinance, 6 am trash pickup, architecture to be compatible with existing, a developers agreement to be put in place, no new parking spaces less than 9 ft width and all other conditions as discussed.

The Board members gave their comments regarding the application.

Motion made by Mrs. Amin, second by Mr. Weideli, that the foregoing application was APPROVED WITH CONDITIONS based on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mr. Kirsh, Mr. Weideli, Ms. Gutschall,
ABSENT: Mr. Fross, Ms. Powers, Mr. Pearly, Mr. Fallone

MEETING OPEN TO THE PUBLIC:

There were no members present from the public to discuss any item listed on the agenda.

OTHER BOARD BUSINESS:

Mr. Sweeney stated that the next meeting was on December 30, 2014 and asked the Board members if they were available to attend. Mr. Kirsh stated that he was not available and that the Board would need a discussion of the frequency of the meetings and should look at the meeting dates to avoid any conflicts for the next year.

ADJOURNMENT:

A motion to adjourn the meeting was made by: Mr. Weideli seconded by: Mr. Kirsh at 10:30 pm. All were in favor.

Respectfully submitted by:
Eileen Parks
Recording Secretary