

BRIDGEWATER TOWNSHIP PLANNING BOARD
Regular Meeting
Monday April 27, 2015
—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Rusak called the meeting to order at 7: 00 p.m.in the Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

2. OPEN PUBLIC MEETINGS ACT 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 19, 2015, 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.

Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the planning department secretary before the public meeting.” However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding weekends and holidays, may be necessary

3. SALUTE TO FLAG:

There was salute to the flag.

4. ROLL CALL:

Stephen Rodzinak – present	Ron Charles – present
James Franco – present	Tricia Casamento – present
Chairman Walter F. Rusak – present	Mayor Dan Hayes – present
Councilman Allen Kurdyla – present	Evan Lerner, Alt. #1 – present

Others present: Board Attorney Thomas Collins, William Burr PE, Board Planner Scarlett Doyle, Recording Secretary Ann Marie Lehberger

5. APPROVAL OF BOARD MINUTES:

March 10, 2015 Regular Meeting - Motion by Mayor Hayes, second by Mr. Charles, the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Chairman Rusak, Mayor Hayes
ABSTAIN:	Mrs. Casamento, Mr. Lerner

March 10, 2015 Executive Session - Motion by Councilman Kurdyla, second by Mr. Franco, the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Chairman Rusak, Mayor Hayes
ABSTAIN:	Mrs. Casamento, Mr. Lerner

March 23, 2015 Regular Meeting - Motion by Mr. Charles, second by Mrs. Casamento, the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Chairman Rusak,
Mayor Hayes, Mrs. Casamento
NOT ELIGIBLE: Mr. Lerner

6. MEMORIALIZATION OF RESOLUTIONS:

Walnut Builders LLC-570 Buena Parkway

Block 184 Lots 18

#15-007-PB, Preliminary and Final Major Subdivision (3-lots)

Time: 4/3/15

DECISION: Approved with conditions 3/23/15

Eligible to Vote: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Mr. Rusak, Mayor Hayes, Mrs. Casamento

Motion by Mr. Rodzinak, second by Councilman Kurdyla, the foregoing resolution memorializing the approval with conditions on 3/23/15 was adopted as presented on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla,
Chairman Rusak, Mrs. Casamento, Mayor Hayes, Mrs. Casamento
NOT ELIGIBLE: Mr. Lerner

7. LAND DEVELOPMENT APPLICATIONS:

Tullo Road Associates

Block 713 Lot 9

#14-025-PB, Preliminary Major Subdivision

Attorney Vincent Bisogno was present to represent the applicant. He discussed the application with the board.

Mr. Paul Fox PE, John Peel and Maryellen Rendas were sworn in for testimony.

Mr. Paul Fox PE presented his credentials and was accepted by the Board. Mr. Fox provided testimony as follows. He described the property to the board. The property is irregularly shaped, it is 8.9 acres in size, the southerly portion is mostly wetlands and the northern portion is open area. It is bordered to the north by Kennesaw way and to the Southeast by Old Tullo Road. The vegetation is mostly wooded. Approximately half of property consists of wetlands. The applicant is proposing to create 4 lots that would be accessed from a cul de sac that would be extended where Kennesaw Way ends. The 4 lots would technically have frontage on both Kennesaw Way and Old Tullo Road. Three of the lots would have approximately 50,000 square feet in size while the 4th lot would have the remainder of the land including the wetlands. Stormwater from Kennesaw Way would collect in a drainage inlet and taken down to a rain garden located between 2 of the lots, from there it would flow into a detention basin that also has a rain garden design to the bottom of it. Final stormwater discharge would be to the south with

eventual flow into the wetlands and the stream. There would be a homeowner's association that would be responsible for the maintenance of the stormwater facilities.

Mr. Fox reviewed the reports of the township professionals with the board.

Mr. Fox submitted exhibits that were marked into evidence as follows:

A-1 4/27/15 Colored Rendering of Alternate Concept Plan

A-2 4/27/15 Copy of Tax Map

Mr. Fox explained that this exhibit shows the proposed homes to be located further forward up on the lots to allow for a more sizeable area behind the homes.

The meeting was opened to comments from the public.

Bill Zinnikas of 988 Tullo Farm Road was sworn in for testimony. Mr. Zinnikas stated that he often walks his dog and would not consider Old Tullo Road to be a gravel road. He also questioned the distance of the proposed homes to the existing homes that are currently there. Mr. Zinnikas also requested an explanation on the variances requested and where the front and rear of the proposed homes would be. He also expressed concern about the size of the homes that were being proposed in the concept plan

Mr. Brian Wood of 1871 Mountaintop Road was sworn in for testimony. Mr. Wood asked how the wetlands buffer to the south of the site would be addressed. It was noted that the next witness would be able to address this.

Mr. Joe Locrotondo of 8 Wilpert Road was sworn in for testimony. Mr. Rotando asked for confirmation of the proposed lot area and what area would remain green area. He noted that many people walk in the area.

Chairman Rusak closed the public portion of the meeting.

Mr. John Peel, Environmental Consultant and Planner was accepted by the board. Mr. Peel described where the wetlands were on the property and provided testimony as follows. The permits are still pending but they are in front of the NJDEP for two approvals that are needed. The first is for transitional waiver averaging plan to modify the wetland buffer. The proposal encroaches into the wetlands buffer on lot D but it will be expanded elsewhere. The second is a general permit 11 for the final stormwater outfall. A letter of interpretation was obtained from the DEP agreeing with the analysis of the wetlands.

The meeting was opened to comments from the public.

Brain Wood of 1871 Mountaintop Road questioned how the buffer zone would affect the property on Lot D.

Board Attorney Tom Collins noted that if the applicant did not receive the transitional waiver averaging approval from the DEP then the proposed house on lot D could not encroach in the transition area. The proposed house on that lot would have to be made smaller in that particular area but it could be made larger outside the transition area.

Chairman Rusak closed the public portion of the meeting.

Maryellen Rendas, one of the owners of Tullo Road Associates was present and provided testimony as follows. Her family acquired the property in 1989. There was a residential home on the property when it was purchased. Her parents had the home demolished in 1989 due to the structural integrity of the home and it has remained a vacant lot since then. She noted that she currently lives on Old Tullo Road. She often patrols the property and a lot of trash and other debris is often left there on the lot. She was told by a Somerset County Park ranger that the trails that are behind the property are not designated trails to be used.

The meeting was opened to comments from the public.

Bill Zinnikas of 988 Tullo Farm Road stated that he frequently walks on the trails and that they are clearly marked as trails.

John Carlson of 1907 Mountaintop Road expressed his concern about storm drainage.

Brian Wood of 1871 Mountaintop Road requested more time to review documents and plans submitted this evening prior to a decision being made.

Susan Willett of 1871 Mountaintop Road noted that she is a photographer and has seen many incredible animals that depend on the area and felt this should strongly be considered. There is a county park that abuts the property that many people use.

Bill Zinnikas of 988 Tullo Farm Road requested more time to review documents and plans submitted this evening prior to a decision being made.

It was the consensus of the board to carry the application until the meeting on June 22, 2015 with no additional notice required

8. **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.

9. **OTHER BOARD BUSINESS:**

Board Planner Scarlett Doyle described the Reexamination Report and Master Plan Amendment to the Land Use Element dated April 27, 2015 as follows. There are several elements that were discussed in the reexamination report. The most critical element that impacts the master plan is the area in the R-20 zone across from the Wegman's property. There is a residential pod located

on the eastbound lane of Route 202 corridor that is surrounded by a manufacturing zone in a U fashion. It has been recommended for a master plan development to redesignate this area in a zone that is more appropriate for the Route 202 corridor. This is a very active corridor between Somerville, Branchburg and Bridgewater. It has been recommended is that a new zone be created which would be called the special economic development zone.

Chairman Rusak opened the public portion of the meeting. There were no questions or comments.

Motion by Mr. Franco, second by Councilman Kurdyla, The Master Plan Periodic Reexamination Report and the Master Plan Amendment to the Land Use Element dated April 27, 2015 were adopted as presented on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Chairman Rusak,
Mayor Hayes, Mrs. Casamento
NOT ELIGIBLE: Mr. Lerner

The board confirmed the receipt of the 2014 Zoning Board of Adjustment Annual Report. The Board agreed to put it on the agenda for the next meeting for discussion.

10. **ADJOURNMENT**

It was the consensus of the Board to adjourn the meeting at approximately 9:30 pm.

Respectfully submitted,
Ann Marie Lehberger
Secretary to the Planning Division