

BRIDGEWATER TOWNSHIP PLANNING BOARD
Regular Meeting
Monday, September 24, 2018
—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Charles 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 10, 2018 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

James Franco – present

Chairman Ron Charles – present

Councilman Howard Norgalis – present

Tricia Casamento – present

Others present: Board Attorney Thomas Collins, Township Engineer David Battaglia, Board Planner Scarlett Doyle

Mayor Dan Hayes – present

Evan Lerner – absent

Urvin Pandya, Alt. #1 – present

Debra Albanese, Alt. #2 – present

5. APPROVAL OF BOARD MINUTES:

6. MEMORIALIZATION OF RESOLUTIONS:

NJ TRANSIT

Block 162 Lots 2 & 3- Route I-287

Courtesy Review of Billboard Replacement

Motion by Councilman Norgalis, second by Chairman Charles, the foregoing resolution was adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Chairman Charles, Councilman Norgalis, Mrs. Casamento, Mayor Hayes, Mr. Pandya, Mrs. Albanese

ABSENT: Mr. Lerner

NOT ELIGIBLE: Mr. Franco

7. LAND DEVELOPMENT APPLICATIONS:

**** EDEN WOOD REALTY (PATRIOT GREENS)**

Block 329 Lots 3.01, 13.01 & 14 (Main St. and Radel Ave.)

#16-004-PB, Preliminary & Final Major Site Plan –Residential Complex

Request for Extension of Approvals

****Application was approved on September 13, 2016. Per letter dated August 27, 2018 from attorney Francis Linnus, Esq. , the applicant request for an extension of all approvals was granted for variances and design waivers together with an extension of the site plan approval for a period of 1 year, or until October 11, 2019.**

Attorney Frank Linnus was present and represented the applicant. He explained that an extension is needed due to the delay with the DEP issuance of the TWA permit. The application for the TWA permit was endorsed by the Township and submitted to the SRVSA for endorsement and then submitted to the NJ DEP where the permit is pending.

Mr. Linnus also stated that the applicant has been working with Mrs. Doyle, Township Planner and the Engineer Bill Burr to complete resolution compliance.

Mr. Linnus emphasized that the extension is not an approval, since an approval was granted and the zone did not change. The extension is needed to protect the variances.

Chairman Charles opened the public portion of the meeting for questions for this extension.

John Kulak of 13 Ramsey Street was sworn and stated that he is concerned about the environmental issues, since the water is being collected in the open pit where the soil was removed due the rain from the wet summer. The water continues to drain down its natural slope, which is ongoing, and asked if the water is being tested. Mr. Linnus explained that he is not environmental consultant, but will suggest that he contacts the project manager and he would be able to answer the questions that he might have. Since his property abuts, Mr. Kulak expressed concern due to the environmental issue which is ongoing. He would like to resolve the issue before construction starts. The chairman stated it is not a board matter and would have to contact the project manager and if he you not satisfied then he would contact the Township Administrator, Mr. Naples.

Mr. Kulak questions Ms. Doyle's report regarding a school bus stop. Ms. Doyle explained the process of the application stating it's in the phase of compliance and any approvals would be in the resolution. Mr. Kulak still is concerned about the number of buses which will be forced on the local roads. The chairman stated that the testimony was already heard. If negative impacts are seen, then the matter would be addressed, but this is not a board matter. Mr. Linnus did state the applicant did go to the Board of Education and did receive Board approval. As per the Chairman, the Board of Education letter is available at the Township.

Mr. Kulak also had concern of noise and dust control. Mr. Kulak stated he understands about the noise control during demolition, but there is no dust control for the adjacent home owners. Mr. Kulak also stated that when the buildings come down there is a lot of dust in the air, and asked if it is safe dust. The Chairman stated that is a State requirement on the developer. The Chairman also stated that this would be something to discuss with the Project manager and even the LSRP that is onsite, since that would be there responsibility to monitor the state regulations. Mr. Linnus stated that he can set up a meeting with the Project manager and the LSRP, which also has license per the DEP. The Chairman stated that he should take him up on that offer.

Motion by Mr. Franco, second by Councilman Norgalis, the foregoing an extension for 1 year was adopted on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilman Norgalis, Mrs. Casamento
Mayor Hayes, Mr. Pandya

ABSENT: Mr. Lerner

NOT ELIGIBLE: Mrs. Albanese

BRIDGEWATER HILLS LLC-Frontier Road & Route 22

Block 711 Lot 7

#18-003-PB Preliminary & Final Major Site Plan with Variance-2 Hotels, Restaurant, Banquet Hall & Adult Day Care

Attorney Jeff Lehrer was present on behalf of the applicant. Jay Patel, Managing Partner, Gary Kliesch, AIA, Christine Nazzaro-Cofone,PP, Michael Drobny, Traffic, Nepal Amin Operator of Daycare & Wellness Center, Shirnath Kotdawala, PE, Nayan Shah, AIA, principals of the applicant were sworn in for testimony.

Mr. Patel described the property stating there will be 2 Hotels, one being a Marriot property and restaurant, a banquet hall and an adult day care facility.

The Board questioned the signage noted that there were and no floor plans for the hotels. The restaurant, banquet hall, & the wellness center were also lacking information. Mr. Lehrer stated that Mr. Kliesch will show a color rendering.

The Board also questioned the height of the buildings, which may be a Zoning Board issue if it is over 49.4ft. Mr. Lehrer stated they will confirm it's in the pop-up of the Marriot courtyard. Board confirmed both building elevations show over 49.4 ft. Mr. Shah was asked to confirm which one is correct.

Mr. Collins & Chairman Charles agreed to have a 10 minute break to confirm the jurisdiction of the application.

The Board took a 10 minute break and returned at 7:46pm with all members present.

Mr. Franco confirmed with the applicant that they will be removing the stair tower and put a scuttle with a ladder, which will bring down the height.

Mr. Lehrer's next witness is Shirnath Kotdawala, Mr. Kotdawala was accepted by the board as an expert witness as a civil engineer. Mr. Collins wanted to confirm with Mr. Lehrer that the maximum heights 49.4ft. The roof can be 45 ft max with a variance to reach 49.4 ft and no higher than a 3 ft parapet.

Mr. Lehrer submitted an exhibit that was marked into evidence as follows:

A-1 9/24/18 Color rendering of site plan

Mr. Kotdawala described the property and provided testimony as follows: He restated that the maximum height of the building will be 49.4 ft and the average will be less than that. The site is 17 acres which is roughly 1000 ft by 750 ft, which is near the Bridgewater Sports Complex and now there is a Whole Foods nearby. The site is a moderately wooded area; contacted DEP which confirmed that there was no wetlands on the site, so the land can be developed. Due to the land having a steep slope we cannot use the whole land, so we can only have a 25.8 % floor area ratio. A total of five buildings being proposed use 192,000 square feet, which is allowed.

The first hotel is a 4 story at 20, 942 square feet with a total of 134 rooms. The second hotel is also a 4 stories and will have 123 rooms with 49.4ft total exposed height. The banquet hall is a two story building with first floor being 30,000 square feet and the second will be 7,500 square feet, which the total will be 37,500 square feet. The wellness/daycare building and the restaurant will be single story buildings.

Mr. Kotdawala referred to sheet 3 of 15 that was submitted to the Board showing the cut when they made the road which was done by the County and now a Township road. The small portion of the property pertains to the steep slope when Frontier road was created. A retaining wall will be on the property and re-grading will be done along with working with the Township Planner for reforestation. The parking for the first hotel will be 161 spaces the second hotel will be 148 spaces. The restaurant has 357 seats, which is 2 ½ seats require 1 parking space and the banquet hall will have 1,050 seats, which each 2 ½ seats requires 1 parking space. The wellness center has 24 parking spaces, but will have 102 for overflow since the center will have the people bussed in. He confirmed that each use will have the required parking spaces expect for the wellness center. There will be approximately 5 vans that will shuttle the seniors back and forth in the morning and the evening.

The sidewalks will be 6 1/2 feet around all the buildings and one loading zoning for the banquet hall. There will be three entrances to the property. We will provide a signing package at a later time, for the lighting and the foot candles which are above the average depth. This was an oversight and will comply with the maximum allowed along with the apex angle requirement. Due to the contour of this site it is hard to meet the requirements, but we are will to work with the Township Planner Scarlett Doyle for the landscaping. Fencing in the height of 6 ft will be applied on top of the retaining wall.

All five buildings will have trash enclosures, which includes one section for trash and one for recycling. All trash enclosures will match the building cladding. Mr. Kotdawala reviewed the reports of the Township professionals. Per Dave Hoder's report should be a LC zone not a C3 zone and the number of seats for the restaurant should be 350 and the banquet hall 1,050.

Also they will be adding 5 additional handicap parking spaces, and sidewalks which were talked about in prior testimony. The Board suggested looking at the LCS project regarding the bike and pedestrian path to add the sidewalk near the right a way of Frontier Road, which is a township road.

The storm water regulations regarding the infiltration basin for high pollutant areas will have a combine system which is, a sand filter that will remove 80% of the TSS. If it is not adequate we will work with the engineer to use a mechanical filter.

The Board questioned the wetlands and steep slopes which may contribute to a lot of seepage regarding the parking lot. There is an offsite area to bypass the storm water system to pick up the offsite water and the retaining wall which leaches the water. The Board questioned that takes care of the offsite water, but what about the water seeping under the parking lots. They will consider providing under drains in some spots.

The Board questioned the retaining walls regarding the height and where the walls are located. Mr. Kotdawala showed the location using the exhibit and explaining that the soil is clay mixed with shell and rock. He confirmed the location of the higher walls will be in the back and on the sides. The wall height is 30 feet and will be lower as you come down. The Board questioned if they encounter rock would it be a rock wall or the retaining wall. Due to the cost they will have to see.

A traffic report was given to Dave Battaglia, Township Engineer and also to the County which was updated by Jeff Lehrer. The traffic on Frontier Road may increase by 25%.

The lighting in most of the parking areas are too bright, they are willing to work with the engineer to address his concerns. There is one area that is very steep and would be difficult to mow, so they are going to have large rocks. There is a 33% steep slope which includes 5 islands and will have stone look, no vegetation. The applicant will work with the Township Planner to see if there is a possibility of putting in any shrubs.

Chairman Charles confirmed the areas that are not be impacted by buildings, driveways, sidewalks, will remain undisturbed. Instead of stone for the terraces, there may be a possibility to make up some plantings. The Board was advised that there will be a landscape architect testifying.

Attorney Jeff Lehrer reviewed Scarlett Doyle's report and stated that all the variances will not be needed. The Board asked which ones so they have an idea of the changes. Mr. Lehrer stated that the banquet hall and the hotel one will go away. He also stated changing the impervious coverage percentage and the disturbance of the slopes along with the loading spaces per prior testimony. There is no sign package and will be addressed later. The parapet will not exceed 3 feet and will be addressed in testimony and the sidewalks will be complied with due to prior testimony. The landscaping & lighting will be reviewed and changes will be made by working with the Planner & Engineer. The fence will not be more than 6 ft and the enclosures will match the building and the utilities will be underground. The Board suggested to have a few material boards for the buildings to address the architecture of the buildings. The Board also suggested revising the dumpster area for parking spaces for the adult daycare, since there will be a lot of drop off.

In regard to phasing, the hotels will be put in first one and the banquet hall will go in last. The restaurant and the adult daycare will be determined at a later date. Regarding the report from Human services we will look into the charging stations. The Board reconfirmed reviewing the LCS Project regarding the bike path that was mentioned in prior testimony and Kristen's Schiro's report. Per Karl McAleer report the applicant will work to address all his concerns.

The Board questioned the loading areas of the restaurant and the banquet hall. The applicant will make revisions on the plan to show the loading areas will not be blocked. The Board quested is there an outdoor seating area for the daycare. Mr. Kotdawala confirmed and pointed out where there is an outdoor area. The Board commented on the square feet and to have all the variances on the revised plans for the next meeting.

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

At the applicant's request the application was carried to November 26, 2018 at 7:00pm with no new 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:

10. ADJOURNMENT

It was the consensus of the Board to adjourn the meeting at approximately 9:15 pm.

Respectfully submitted,
Jacqueline Pino,
Secretary to Municipal Services