

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting

Monday, June 24, 2019

—MINUTES—

1. CALL MEETING TO ORDER:

Vice Chair Tricia Casamento 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 14, 2019 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 Ronald Charles – resigned

Councilman Howard Norgalis – present

Tricia Casamento – present

Mayor Dan Hayes – present

Evan Lerner – absent

Urvin Pandya, Alt. #1 – present

Debra Albanese, Alt.2 – resigned

Beth Powers-present

Others present: Board Attorney Thomas Collins, Township Engineer David Battaglia, Board Planner Scarlett Doyle, Municipal Services Secretary Jacqueline Pino

5. OTHER BOARD BUSINESS:

Mayor Hayes asked Vice Chair Ms. Casamento to address the public for the record and read the attached letter dated June 24, 2019 regarding the resignations of Chairman Ronald Charles & Alternate #2 Debra Albanese, members of the Planning Board

Mr. Collins, Township Attorney, stated that nominations for the Chairman position will be taken for the remainder of the year.

The Nomination is Tricia Casamento for Chairperson was introduced by Councilman Norgalis and seconded by Mr. Franco. There were no other nominations.

Motion by Councilman Norgalis; second by Mr. Franco for appointment of Tricia Casamento as Chairperson of the Planning Board of the remainder of the 2019 on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Franco, Councilman Norgalis, Mayor Hayes
Mr. Pandya, Ms. Powers
ABSENT: Mr. Lerner
NO VOTE: Ms. Casamento

Mr. Collins, Township Attorney stated that nominations for the Vice Chairman position will be taken for the remainder of the year and handed this to Chairwoman Ms. Casamento.

The Nomination for Beth Powers as Vice Chairperson was introduced by Mayor Hayes and seconded by Mr. Rodzinak. There were no other nominations.

Motion by Mayor Hayes; second by Mr. Rodzinak for approval of Beth Powers as Vice-Chairperson of the Planning Board for the remainder of the 2019 on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Franco, Councilman Norgalis, Mrs. Casamento,
Mayor Hayes, Mr. Pandya
ABSENT: Mr. Lerner
NO VOTE: Ms. Powers

Chairwoman Tricia Casamento stated that Mr. Charles & Ms. Albanese will be missed and thanked them for their service

6. APPROVAL OF BOARD MINUTES:

None

7. MEMORIALIZATION OF RESOLUTIONS:

None

8. LAND DEVELOPMENT APPLICATIONS:

UNCLE JULIO'S-400 Commons Way
Block 553 Lot 1
#19-004-PB-Minor Site Plan-Patio

Attorney Nicole Dory was present on behalf of the applicant. Ms. Dory described the application as a minor site plan to replace a restaurant tenant at the Bridgewater Commons Mall. This space was formally occupied by the restaurant McCormick & Schmick's and will be a nice compliment to the Bridgewater Mall. Ms. Dory stated that the modifications proposed will be the facade, windows, enclose an entry vestibule, the outdoor patio and signage for the new restaurant.

Robert Witken, management with Uncle Julio's, Jeffrey Reynolds, Landscape architect AIA and Travis Cook, project architect for Uncle Julio's were sworn in for testimony.

Mr. Witken testified he is a Director of Construction with Uncle Julio's corporation for 3 ½ years. He stated that Uncle Julio's is a 33 year old restaurant chain and have been building 7 to 10 stores a year. The Bridgewater location will be the first store in New Jersey and will be store number 51. The major markets are Dallas, Fort Worth, Washington DC and Chicago. Other locations for the restaurants are Orlando, Nashville, Houston, Raleigh, Durham, Oklahoma City, etc. The restaurant is an upscale casual authentic Mexican restaurant. Mr Witken stated the food is made with fresh vegetables using high quality beef and fresh chicken. The sauces are made daily and the prep area is rolled into the dining room to do table side guacamole and chocolate pinata desert.

Mr. Witken reviewed the reports of the Township professionals. Ms. Dory stated there was a comment on Scarlett Doyle's report regarding the trash receptacle in the outdoor patio. Mr. Witken stated we are a full service restaurant with waiters, servers and bussers, which take care of all the service and trash, so there is no trash receptacle needed. Ms. Doyle had another comment in the report regarding the outdoor patio being closed for inclement weather. Mr Witken agreed that it will be closed. The outdoor patio has sliding glass windows, in which they slide up to open up the one side of the bar to the patio. Customers can sit outside and be up against the bar. There is an air curtain to keep the air temperature inside. There also is a pass through window where cocktails are passed to the patio servers. The hours of operation are from 11:00am- 9pm or 10pm during the week and the weekends we close at 10pm or 11pm, similar to the Cheesecake Factory. There will be no live music. The music is tape recorded throughout the restaurant including the outdoor patio through speakers.

Chairwoman Casamento opened the public portion of the meeting for questions. There were no questions or comments.

Jeffrey Reynolds, AIA was accepted by the Board as an expert witness. Mr. Reynolds described the property and provided testimony as follows: The location of the property is on the East side of the mall at the main entrance just South of the parking deck, where the McCormick & Schmick's was occupied. The outdoor patio will be expanded and have a heated vestibule at the entrance. There will be brick columns with lighting, a new gas fireplace, new awning and new signage. The signage will be in the same area and also be the same size as the prior tentant.

Mr. Reynolds reviewed the reports of the Township professionals. Ms. Dory stated there was a comment on the report regarding parking. Mr. Reynolds stated there is no expansion of the mall since it is fully developed and has been there for 30 years. The parking requirement for the mall is 4 spaces per 1,000 floor area, which we meet 4.38% since we are not changing anything. Another comment on the report was landscaping. Mr. Reynolds stated there is no landscaping for this site. The Board stated how tall will the brick columns be and is the lighting directed into the dining area. Mr. Reynolds stated that would be for a question for the architect

Chairwoman Casamento opened the public portion of the meeting for questions.

—MINUTES—

proposing to build the Goddard School. There will be cross access between the Goddard School, hotel and Houlihan's.

Michael Tobia, PP, Robert Moschello, PE, Gary Dean, applicant's traffic consultant, Eric Mund, principal of the applicant, Ben Horten, AIA, Nehal Jhaveri, RA were sworn in for testimony.

Mr. Mund testified he is the General Manager of the properties of the Houlihan's and the post development sites. Until May of last year Mr. Mund operated the Houlihan's restaurant and his family has owned this property since 1981. The Houlihan's was completed in 2002, but since that time they have been trying to find a hotel for that property. The economy had a lull in 2001 and another in 2008 and there is now a demand for hotels in Bridgewater. Mr. Mund operates a center in Hillsborough and thought the lot that he acquired would be a great fit for a Goddard School.

The Houlihan's opens at 11:00am and closes at 12:00am or 1:00am and is busy at dinner time and late night. The Goddard School opens at 7am and closes 6pm and the Cambria hotel is 24 hours with the traffic being check in and check out. Mr. Mund stated that he will be responsible for the maintenance, care taking and custody of the site. The only portion that is getting sold is the portion in the back, but will have maintenance responsibilities for the whole site. The Goddard school will have approximately 35 employees, 156 children ages 6 months to 6 years old with a fenced outdoor play area. Mr. Mund stated that there was a driveway so parents can make a direct left in the center from Morgan Lane.

The original approval for the hotel was for 133 rooms and now it will be 117 rooms. Mr. Mund stated that when he marketed the hotel he used the footprint that was previously approved. The parking that was approved was the same alignment, but there were some changes in the front of the hotel and the traffic engineer will testify to. The hotel will have a small restaurant inside for guests for breakfast and upscale bar food for the evening. The Board questioned the original approval for the hotel was parking located on the right. Mr. Mund stated that there will be parking on the left, but there was a car port loop to loop with entrance to the right.

Chairwoman Casamento opened the public portion of the meeting for questions.

Robert Smith of 3 Stanford Drive was sworn and stated how many parking spaces will be at the hotel and the school. Also will there be parking along the streets. Mr. Kent-Smith stated that the Engineer can answer the first question when he testifies, but Mr. Mund can answer the parking on the street. Mr. Mund stated that it is not the attention to park on the street.

Mr. Smith also stated that there is a lot of traffic on Morgan Lane since Adamsville Road has been closed. Where will the drop off be with the cars and the busses for the school. Mr. Kent-Smith stated that the question would be better testified to by Mrs. Hoy the operator of Hillsborough Goddard School. Mr. Mund stated that they would need to check with the school system to see if aftercare will be provided. Mr. Smith asked what safety procedures are set-up for the children. Mr. Mund stated that each child will be checked in and checked out by an adult. The outdoor playground is fully fenced & secured.

John Kulak of 13 Ramsey Street was sworn and stated that access from Morgan Lane to the property will allow access to the school and exit from the school. There is no way to prohibit traffic using the same entrance and exit for both Houlihan's and the hotel. Mr. Mund stated that is correct. Mr. Kulak also questioned if they take into consideration the impact residents on Morgan Lane and the adjacent streets in which the neighborhood is concerned for safety, based on access to all your properties including the Goddard School. Mr. Mund stated to have the experts testify, but the school wanted to have access. Mr. Kulak also stated that there are small signs posted to not have them turn onto Morgan Lane. Now you stated that there will be access to Morgan Lane and what we can do to mitigate this. Mr. Mund stated to see how the testimony develops and we can address the issue further. Mr. Kulak questioned when exiting on Route 22 East which is a high traffic area that backs up all times of the day. What impact do you see as the owner of this hotel, Houlihan's and the additional property will generate. Mr. Mund stated it will generate more traffic, which the traffic expert will testify in detail too.

The Board reminded the applicant that there is an Ordinance in place prohibiting a right hand turn into Morgan Lane and a left hand turn going into this property. The variance the applicant is seeking is to overturn this ordinance the Board questioned when the applicant came to the Board for their approval in 1998 they did agree not to have access to Morgan Lane. Mr. Mund stated yes he did.

Bill Freeland of 7 Stanford Drive was sworn and stated are you aware that Morgan Lane is only one half mile. Mr. Mund stated yes, it's very short. Mr. Freeland stated are you aware of the speed limit. Mr. Mund stated no Mr. Freeland stated it's 25 and is always exceeded. I also see people frequently turn into Houlihan's making a left hand turn even though there is a sign.

Michele Smith of Washington Valley Road was sworn and stated do you know how long it's going to take to drop off the kids and people going to be waiting in their cars to get in & out. Mr. Mund stated that he can check with experts. Ms. Smith stated have you checked with the surrounding towns regarding the building going on and how that would impact the community, the people that live here and the businesses. Mr. Mund stated the developer of the hotel did research and most of the business will be corporate, but not all. Some will be casual travelers, tourists, which would get their rooms online. Ms. Smith asked what the occupancy rate is in Bridgewater on average. Mr. Mund stated he didn't know.

Constance Smith of 3 Stanford Drive was sworn and stated she has a concern about the children that live in Finderne Heights. I see the kids running around on school days waiting for the school bus and now you are going to have at least 156 more people running down the road. This is a small road, is the traffic expert going to address that. Mr. Mund stated yes he will address all traffic issues. Ms. Smith asked how close are the buildings going to be to Finderne Heights and will there be a buffer. Mr. Mund stated that we have detailed plans that show the buildings along with planting and fencing with a swale around the property. When the project was approved there was suppose to be a tree buffer and the trees they planted do not buffer anything and I can see through the parking lot. What kind of buffer will we have through that noise. Mr. Mund stated that they followed the plan that was approved and the trees that were planted are larger

now. If you need me to change something to make my neighbors happy I can do that. Mr. Kent-Smith stated that there will be testimony in detail to address the buffer. Ms. Smith also stated that there are boards missing from the fence. Mr. Mund stated that he will address that if they want the boards replaced. Ms. Smith stated that there were issues with contamination in the area. Mr. Mund stated that there was a detailed environmental investigation and there was no action needed or concerns. Ms. Smith stated that she would like to have a copy of the report. The Board member had given Ms. Smith their copy.

Ere Saar of 57 Morgan Lane sworn and stated have you ever inspected the Houlihan's property. Mr. Mund stated yes. Ms. Saar stated that the property maintenance is not up to par, there is trash behind the fence, weeds growing etc. Mr. Mund stated that he will look into it by the end of the week and I will address myself.

Bill Keegan of 12 Loft Drive stated if I am looking at Houlihan's where is the hotel going to be. Mr. Mund stated the vacant lot will be the Goddard School which is on the corner. If you draw a line through the Houlihan's at 3 o'clock that is where the hotel will be. The parking lot that is Houlihan's will still be a parking lot and no buildings in there. Mr. Mund stated that is correct. Mr. Keegan stated how long will the project take. Mr. Mund stated it will take about a year.

Chairwoman Casamento asked if there were any other questions at this time. There were no questions or comments. The next witness was called.

Mr. Robert Moschello, PE, was accepted by the Board as an expert witness. Mr. Moschello submitted exhibits that were marked into evidence as follows:

A-1	6/24/19	Neighborhood Aerial Photo
A-2	6/24/19	Aerial Photo Exhibit
A-3	6/24/19	Site Plan Rendering
A-4	6/24/19	Grading and Utility Rendering
A-5	6/24/19	Lighting Plan

Mr. Moschello described the property and provided testimony as follows: The site is in the HIC zone which is fronting on Route 22. R40 zone, which is residential is behind the site and the property to the West shows a hotel on it, which has since been demolished. This site was approved for two hotels and a restaurant. Mr. Moschello stated the total site is 6.788 acres comprised of 4 particular lots. The lot #6 is where the hotel will be that will accompany the Houlihan's. There are 104 parking spaces front and back. Mr. Kent-Smith asked are there some that are 9ft and 9 1/2ft spaces. Mr. Moschello stated the existing parking spaces on the site are 9ft wide when it was previously approved, it was granted a waiver for 9ft.

The Goddard School will be located on lot 7.01 and be 10, 000 square feet which will be on the corner of Route 22 and Morgan Lane. There are 35 parking spaces for the school with two way driveways that are 24 feet wide. The proposed parking stalls at 9 1/2 by 18 within the ordinance. There is a concrete walkway around the entire building. Other than the front door, the entire area is fenced for security purposes to control children so they do not go into the parking area. There

—MINUTES—

are also bollards that protect the building and the parking lot if the vehicle jumps the curb, which are on three sides of the building. There is rubber matting for the play area and trash enclosures. The trash enclosures are 6 feet high and also have gates as requested by the Board Planner. There is an island in front of the building and if a student were to be dropped off there, the student would be then be escorted into the building by an employee. The other option is the parent parking and walking the student into the building.

Mr. Moschello stated the building for the hotel is 4 stories 17,400 square feet hotel and has 117 rooms. The main entrance of the hotel is covered by the canopy with a small drop off area. If you are coming off of Route 22 you can go left or right depending on which way your room is since there are multiple doors around the hotel. There is a pedestrian sidewalk around the building itself and having a crosswalk and a sidewalk to connect to the existing Houlihan's parking lot.

Mr. Moschello wanted to touch base on the parking again for the Goddard School since the requirement is 52 spaces, which there is 1 space for every three children. On the site itself there are 35 spaces, but additional spaces throughout the lot itself. In terms of the hotel for 117 rooms the requirement is 140 parking spaces. The way the site is laid out there are 160 spaces that would support the hotel. For the existing restaurant 285 seats within the restaurant, which the parking required would be 80 spaces and there are 101 spaces. For the total site, the required spaces are 272 and there are 294 spaces on the site. The Board questioned the Goddard parking stating the required parking is 52 and you are only providing 35. The Board also questioned the number of spaces for the restaurant and hotel. Mr. Moschello stated that was correct for the Goddard and there are 220 for the hotel & the restaurant that is required and 259 is provided. The Board questioned will there be signage to designate certain parking areas. Mr. Kent-Smith stated if the Board wants us too, but I am sure the hotel will.

Mr. Moschello stated that there is a 10 foot grade change throughout the property, but it's pretty flat. We are proposing a retaining wall from 6 ft-8ft to create the building pad for the hotel and the parking lots. The site is serviced by all public utilities and bringing additional water services for the hotel and school for sprinklers. When the site was approved it had four stormwater basins one in front of the Houlihan's, one parallel to Morgan Lane, one small one on lot 12 on the left and on the right. Since then the regulations have changed we are required to do rate reductions. The basin in front of the Houlihan's needs to be larger along with the basin near Morgan Lane. The other smaller ones will be connected along with an underground detention basin in the parking lot area to take the roof runoff. For the Goddard School there will be a detention basin in the front. Mr. Moschello stated they put in a DOT permit for the storm water connection for Route 22 and to close off some existing curb cuts. There are also existing signs with space that was designated for the hotel from the prior approval. For the Goddard School there will be a sign in front of the property. The Board questioned the grading and the retaining wall, since the landscaping will not cover the headlights in the parking lot. Mr. Moschello stated the low point is 90 and goes to the left at the end of the hotel it's 95 and the grade of the parking lot is 97-98. On the top of the retaining wall we were proposing a 4 ft high solid fence for screening. Mr. Moschello stated that there will be a double row of 8-10 feet evergreens on our side of the fence. We will enhance the planning around the hotel and the restaurant also around Goddard School on Morgan Lane and Route 22. The Board question why the number of shrubs proposed are 31 and

—MINUTES—

required is 216. We are working with the Township Planner to find other areas to plant more and also the trees. The Board also was questioning the landscaping and the variances requested. Mr. Kent-Smith stated since we will be coming back we will address this for the next meeting.

Mr. Moschello stated that the lighting plan at Houlihan's will be updated to 20 ft LED lights in the parking lot and some may be 15ft. At the Goddard and Houlihan's site the lights will be turned off at the close of business. There will be two lights on the entrance way of Route 22 that will stay on dusk till dawn. The lighting for the hotel will be on from dusk till dawn due to the hotel being a 24 hour operation. Mr. Moschello stated he will put shielding under the lights that back to the residential lot so it shines in the parking lot and not the residences. The ordinance allows 1.5 ft candles for the Goddard School & the hotel we are proposing 1.7 ft candles throughout the parking lot. The entrance areas from Route 22, the ordinance stated 3ft and we are proposing 3.3ft candles and the Morgan Lane entrance the candles proposed are 2.9ft candles. Mr. Moschello stated all lights are LED's that are shining down and measured from the ground to the light stand.

At the applicant's request the application will be carried to July 22, 2019 with additional option reschedule on August 13, 2019 at 7:00pm with no new notice required.

9. 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.

10. OTHER BOARD BUSINESS:

11. ADJOURNMENT

It was the consensus of the Board to adjourn the meeting at approximately 10:03 pm.

Respectfully submitted,
Jacqueline Pino,
Secretary of Municipal Services

THE TOWNSHIP OF BRIDGEWATER

100 COMMONS WAY
BRIDGEWATER, NJ 08807-2447
908/725-6300 EXT 5001 / FAX 908/725-3192
email: mayor@bridgewaternj.gov



DAN HAYES
Mayor

Mayor Hayes Comments to the Planning Board

June 24, 2019

It is with reluctance that I accept the resignations of Mr. Charles and Ms. Albanese. There is nothing more essential to a community's health and future than the quality and quantity of volunteers - residents who are willing to put in countless hours on innumerable boards and committees ensuring compliance with laws, protection of rights and exercising their judgment sensibly for the betterment of the Township. Our Township has been blessed to have among its volunteers, citizens of the caliber of Mr. Charles and Ms. Albanese. Mr. Charles has been serving the township in various volunteer leadership roles spanning decades. But as you heard in their statements, there has been a serious shift in treatment of citizen volunteers. They are not referring to the civil disagreement that occasionally accompanies land-use adjudication. No, they are referencing the recent baseless attacks upon their character, the character of other board members and board member families by our Council President and other select sitting members of the Town council. The desire and willingness of these elected officials to make false accusations, relentlessly lie and malign even when advised to the contrary by Town and Planning Board Attorneys without regard for the reputation of our volunteers, solely for their political gain is clearly beneath their office, deplorable and far the beyond the pale of expected or justifiable behavior of an elected official.

Unfortunately as long as residents, specifically the electorate, accept this behavior as "just politics" or some sort of "new normal", our volunteer pool will be limited, the decisions of our boards will suffer and Bridgewater will no longer lay claim to the title of an exemplar community.

Mayor Dan Hayes