

BRIDGEWATER TOWNSHIP PLANNING BOARD

Virtual Online Meeting
Tuesday, January 26th, 2021

—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Fross called the Virtual Online Planning Board Meeting to order at 7:00 pm via the Virtual Ring Central platform.

2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

Both adequate and electronic notice of this meeting specifying the time, place and manner in which such notice was provided in accordance with the Open Public Meetings Act, N.J.S.A.10:4-6, and recently enacted Emergency Remote Meeting Protocols for Local Public Bodies, N.J.A.C. 5:39-1, et seq.

Specifically, on **January 13, 2021** 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 at the Municipal Building. Public meetings are held with participants at remote locations, connected by conferencing software provided by RingCentral.com. Members of the public are invited to attend and participate in live meetings either by using the RingCentral client, which allows audio and video participation, or by phoning into a meeting for audio only participation. The required access information is provided in the notice, as well as set forth on the agenda.

The procedures and requirements for making public comment are as follows: Attendees are admitted to meetings via the waiting room and microphones are muted until enabled by the host. Members of the public may participate in meetings at certain designated times as announced by the Board Chair. Members of the public will be allowed to address applicants and their experts, ask questions and/or make comments as appropriate once recognized to do so. Attendees may request to be heard by 'raising a hand', either physically or virtually.

Regulation of conduct by members of the public on the remote public meeting shall be consistent with law and practices followed if a member of the public disrupts an in-person meeting. Specifically, if a member of the public becomes disruptive during any period for public comment, the member of the public shall be muted and warned that continued disruption may result in him or her being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors, such as, but not necessarily limited to, shouting, interruption, and use of profanity. A member of the public who continues to act in a disruptive manner after receiving a warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make their comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.

Please be aware of the 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.

3. SALUTE TO FLAG:

4. ROLL CALL:

Mr. Michael Pappas – present	Councilman Mr. Kirsh – late 7:25
Mr. Henry Wang – present	Mr. Robert Giurlando – present
Mayor Moench – late 7:20	Ms. Lauren Zarro – present
Mr. Alan Fross – present	Mr. Maurizio Vescio – present
Mr. James Magura – present	Ms. Kimberly Forino – present

Mr. Thomas Genova- present

Others present: Board Attorney Mr. Mark Peck, Esq., Board Planner Ms. Scarlett Doyle, PP, Board Engineer Mr. William Burr, IV, PE, Planner Mr. John Sullivan and Land Use Coordinator Ms. Zuzana Karas.

5. APPROVAL OF BOARD MINUTE(S):

None.

6. MEMORIALIZATION OF RESOLUTION(S):

None.

7. OTHER BOARD BUSINESS:

Chairman Fross informed the Board that the township is due for a Master Plan Reexamination. Board Attorney Mr. Peck explained the various elements which could be included in the reexamination. The different elements would ultimately be chosen dependent on the township's needs. Mr. Peck also summarized the process involved with a Master Plan Reexamination. The township planner, Ms. Doyle, added to the discussion by explaining that subcommittees were created in the past, providing valuable input to the Master Plan Reexamination. Ms. Doyle also explained that this process should take about six months to allow proper dialogue and public input. The Board ended the discussion by acknowledging the importance of this process while also understanding the time needed to get the best outcome.

The Board agreed to appoint subcommittee(s) that would ultimately direct the board planner, Ms. Doyle, on what essential elements need to be included in the Master Plan Reexamination.

A resolution to commence this process was approved by the following roll call:

Roll Call Vote:

Motion of approval was made by Mayor Moench with a second by Mr. Pappas.

AFFIRMATIVE: Mayor Moench, Mr. Pappas, Mr. Fross, Mr. Wang, Mr. Giurlando, Ms. Forino, Mr. Vescio, and Mr. Magura.

ABSENT: None.

ABSTAIN: Mr. Kirsh.

NOT ELIGIBLE: Ms. Zarro.

8. LAND DEVELOPMENT APPLICATION(S):

TD BANK BALL PARK/ THE REYNOLDS GROUP INC- MAIN ST (AKA EASTERN TPK)

Block 347 Lot 1

SD#566- COURTESY REVIEW OF MINOR EXPANSION OF TD BANK BALLPARK

Mr. Matt Loper, P.E., the county's engineer, addressed the Board and briefly explained the submitted courtesy review application. Since the property is county-owned and a country project, this courtesy review did not require board approval but rather served as an informative purpose, with the opportunity for the Board to provide suggestions if desired.

The Board was supplied with the following as part of the application submittal: Engineering plans entitled "Site Plan for Somerset Patriots Batting Cages and Maintenance Building," prepared by F. Mitchel Ardman, P.E. of the Reynolds Group, Inc., dated January 13, 2021, and Architectural Plans entitled "TD Bank Ballpark, Ballpark Modifications-Phase 2" prepared by KD2 Architects Inc.

On behalf of the application, Mr. Matthew Loper, Mr. Mitch Ardman, and Mr. Steve Kalafer were duly sworn in before providing the Board with testimony.

Mr. Kalafer appeared before the Board to express his gratitude towards Bridgewater Township and an overview of the project, including batting cages and a maintenance building. Mr. Kalafer thanked the Board for their time and explained the excitement behind this project. He relayed to the Board that its partnership with Bridgewater is much appreciated and highly valued.

Mr. Ardman explained the subject property, Block 347, Lot 1, is situated in the PRPC, Planned Retail Commercial and Public Development. He continued to provide specific details on the project.

As collectively explained, the applicant's plan to improve the site would include constructing two new buildings on the west side of the stadium, including a 4,290 sq. ft. batting cages building and a 4,000 sq ft. maintenance building.

Both memorandums from the township planner, Ms. Doyle, and township engineer, Mr. Burr, were discussed in detail during the courtesy review.

The Board actively asked questions and provided comments on the project's various proposed features and specifics.

The applicant emphasized the need for this alteration which would accommodate the New York Yankees, baseball team. The project's primary purpose would satisfy the team's requirements concerning the training they require. The applicant explained how this was a sought location due to the prestigious reputation of Bridgewater Township. The applicant again thanked the Board for their time and expressed their gratitude.

No approval was needed since the application was solely a courtesy review for informational purposes only. The Board thanked the applicant for coming to explain the project.

COE BRIDGEWATER, LLC (Thor Equities) – ROUTE 202/206 (Carried from 12/8/20)
Block 483 Lot 17 (C002 and C003)
#20-021-PB PRELIMINARY MAJOR SITE PLAN - FINAL MAJOR SITE PLAN - C-VARIANCES

The application continued to be heard since being carried from the Planning Board's December 8th, 2020 meeting.

Mr. Tripp advised the Board that the tenants and their lease contents raised several concerns, specifically with the planned public pathway through the research and development complex. There were concerns about open public access to the site. As a consequence, the applicant's professionals met with the Board's professionals to review possible alternatives. Mr. Tripp also introduced some additional witnesses, who were sworn in, and available to testify on behalf of the applicant. The witnesses were: Mr. Ken Haduch, an environmental consultant, Mr. Chris Galvin, Thor General Manager, Mr. Peter McEaney, Thor VP, and Ms. Danielle D'Ambrosio, Thor VP.

Mr. Moschello resumed his testimony with Exhibit A-17, a revised site plan rendering previously exhibited in Exhibit A-9. Mr. Moschello showed how the zoning district line between the OR/D and the R-SEED zones did not follow the internal condominium zoning lines. He demonstrated that the zoning line is actually inside the applicant's curb line along 12th Ave. This resulted in an artificial situation with the internal lines concerning the essential feature were more technical than any functional defect. The

deviations from the condominium lines met with the zoning ordinance. It is just that the zone district line did not align precisely with the condominium line.

Mr. Moschello then testified using Exhibit A-18, a banked parking plan that up-dated Exhibit A-7 and showed a viable location for banked parking. Employee parking was depicted using Exhibit A-4, which Mr. Moschello testified showed good accessibility to the proposed building using the sidewalk from the parking garage.

Mr. Moschello and the Board Engineer discussed the township's sanitary sewer system. The applicant was advised that the existing pipes are a current concern on the property, as in-fill and infiltration issues are present. In 2013, when the property was sold, a study was performed by a third-party consultant. The applicant was advised to review this report.

The Board and the public were offered an opportunity to question Mr. Moschello.

Mr. John Kulak had concerns about sewer repairs and requested that the applicant look at the entirety of the sewer system and not just their building. He was asked how the building would work with the adjacent Center of Excellence development. Mr. Moschello advised that the applicant had allocated sewer flow and that they were working within such parameters.

Mr. Ken Haduch, a licensed site remediation specialist with ERM, was accepted as an expert licensed site remediation specialist and testified on behalf of the applicant. He stated that he had reviewed information from the current LSRP on-site regarding benzene and its impacts on the proposed development. He also reviewed historical documents regarding environmental activity on-site. He concluded that the current benzene in the groundwater had been remediated except for a small area near building J-1. He testified that there is no benzene contamination near the building. He further testified that the construction of the proposed building would not affect the ongoing remediation and can be built safely. He also informed the Board that the current groundwater contamination would not affect the building.

The Board and the public were offered an opportunity to question Mr. Haduch.

Mr. Brooks Slocum, AIA, with SGA Architects, was accepted as an expert in the field of architecture and testified on behalf of the applicant. Utilizing Exhibits A-9 through A-16, Mr. Slocum testified to the proposed building's external appearance and interior floor plan. He stated that it would be a 3-story laboratory building looking similar to the other buildings on campus. He classified it as a "side-loaded corridor building." The building would use the loading dock of the existing building and would have an open floor plan with a compressed core along the back wall. Mr. Slocum further noted that the campus was built in the early modernist 1980's style, which the applicant would match. Its visibility from exterior roadways would not be different from the other buildings on campus.

The Board and the public were offered an opportunity to question Mr. Slocum.

Mr. Gary Dean, PE, was accepted as an expert in traffic engineering and testified on behalf of the applicant. He testified that he conducted periodic traffic counts at the two intersections (Muirfield Drive and 4th Street), serving the subject property in 2013 and continuing up to the Covid-19 pandemic. He testified there was an average of 609,000 SF of occupied space, 93% occupancy, during his studies. He noted that the OR/D portion of the subject 109.5-acre property is not traffic-intensive. He recorded approximately 160 peak hour trips in OR/D, then generalized that to the new proposed building. He further testified that this would not affect the neighbors as it would be one car every 4 minutes. He testified that the development would not result in any changes to the adjacent roadways' level of service. The applicant

already obtained an NJ DOT Access Permit for a 1.2 million SF building space on this property. Even with this development, this would remain well within that parameter so that the access permit would remain valid.

Mr. Dean affirmed that the banked parking was correctly depicted on Exhibit A-18, to which the applicant stipulated. Mr. Dean again testified that the ordinance level of parking is not needed for this project as one-half of the spaces are already vacant. He noted that over 500 spaces are always vacant and already abundant.

Mr. Dean testified that he had relied on a 2019 report he prepared for the adjacent Center for Excellence project for his report, which he testified was more accurate than the provided pre-Covid counts. He noted the difficulty in getting accurate counts during the pandemic. He referred to his July 1st, 2020 report, which applied the subject project to the 2019 data. The Board and Mr. Dean discussed access during construction, and Mr. Dean acknowledged that a phasing plan would be required for the Center of Excellence project and noted that there would be a new traffic light on 4th Street, which would give the OR/D Zone its traffic light. The applicant does not control this process, but Mr. Dean again noted that there might be a need for phasing or a new temporary access road to accommodate existing OR/D traffic access during construction.

The Board and the public were offered an opportunity to question Mr. Dean.

The application was carried to the Planning Board's February 23rd, 2021 meeting date without the need for further public notice required.

9. MEETING OPEN TO THE PUBLIC:

Members of the public wishing to address the Board on any matter not listed on the agenda could do so at this time. It was announced that if any questions or comments were made about a pending application, they would need to be seized until the hearing of such application. (This being in accordance with the Municipal Land Use Law and Case Law.)

No members from the public wished to address the Board.

10. OTHER BOARD BUSINESS:

Board planner Ms. Doyle discussed the next upcoming meetings and applications scheduled.

It was announced by Mr. Peck that he would hold an informative, educational session on general planning regulations to inform new and existing board members on the role of a Planning Board member and the Board's position. Ideally, this would cover a global overview of what the Planning Board deals with. It was also explained that this would not be in place of the mandatory course required for board members. The Board decided this would be revisited once board members attend the course required and if they still feel the need for more clarification on any aspect of the Board, as recommended by Mayor Moench.

11. EXECUTIVE SESSION:

No Executive Session was needed.

12. ADJOURNMENT:

A motion was made by Mayor Moench with a second by Mr. Kirsh to adjourn the meeting at 10:30 pm, followed by the Board's consensus.