

BRIDGEWATER TOWNSHIP PLANNING BOARD

Virtual Online Meeting
Tuesday, March 23, 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.

For the duration of the Corona virus Health Emergency, meetings will be held digitally, connected by conferencing software provided by RingCentral.com. Members of the public are invited to view meetings live using RingCentral webinar, which also allows them to "raise a hand" and contribute when they are invited to do so during public portions of the meeting. Instructions for Virtual online meeting:

1. Download RingCentral meetings on preferred device: <https://www.ringcentral.com/apps/rc-meetings>
2. At the advertised start time of the meeting, enter: <https://webinar.ringcentral.com/j/1468211115> into your browser. **This method allows listening & participation.*

Please Note: You may also join via telephone: Dial: +1(312)-263-0281, Webinar ID: 1468211115
telephone access allows only listening and not participation.* If you would like to ask a question, you can do so via audio and video through [RingCentral.com](https://www.ringcentral.com), just audio via [RingCentral.com](https://www.ringcentral.com), or via text 1(908) 912-4247 with name, contact information and the questions for the applicant's witness or the board and the questions will be read into the record. However, if you wish to make public comment/testimony, you **must do so through both audio and video through [RingCentral.com](https://www.ringcentral.com) pursuant to NJAC 5:39-1.7(c).

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, NJSA 10:4-6, and recently enacted Emergency Remote Meeting Protocols for Local Public Bodies, NJAC 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. Hearing Assistance is available upon request. Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (A.D.A.), 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. 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 – present
Mr. Henry Wang – present	Mr. Robert Giurlando – present
Mayor Moench – present	Ms. Lauren Zarro – present
Mr. Alan Fross – present	Mr. Maurizio Vescio – present
Mr. James Magura – present	Ms. Kimberly Forino – present
Mr. Thomas Genova- absent	

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

5. APPROVAL OF BOARD MINUTE(S):

February 9, 2021, Virtual Online Regular Meeting

The chairman asked the board if there were any comments on the February 9, 2021 meeting minutes. No comments were made.

Motion for approval was made by Mr. Pappas with a second by Mr. Kirsh

AFFIRMATIVE: Mr. Pappas, Mr. Wang, Mr. Kirsh, Ms. Forino, Mr. Vescio, Ms. Zarro and Mr. Magura

ABSENT: Mr. Giurlando

ABSTAIN: Mr. Fross

NOT ELIGIBLE: Mayor Moench

December 8, 2020, Virtual Online Regular Meeting (pending)

January 26, 2021, Virtual Online Regular Meeting (pending)

February 23, 2021, Virtual Online Regular Meeting (pending)

March 9, 2021, Virtual Online Regular Meeting (pending)

6. MEMORIALIZATION OF RESOLUTION(S):

7. MEETING OPEN TO THE PUBLIC:

Members of the public wishing to address the board on any matter not listed on the agenda were able to do so at this time. It was announced that if any questions or comments were made pertaining to 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.

8. LAND DEVELOPMENT APPLICATION:**976 ROUTE 22 PARTNERS LLC - 976 ROUTE 22**

Block 554 Lot 3.01

#21-004-PB PRELIMINARY & FINAL MAJOR SITE PLAN WITH C-VARIANCES

Attorney, Mr. Jeffrey B. Lehrer, Esq., representing the applicant, called in to request the application be carried to the April 27th meeting, which would not require further notice. He also asked the application be listed as the 1st item on the April 27th agenda.

Chairman Mr. Fross asked for a motion to carry the application:

A motion of approval was made by Mr. Kirsh, with a second by Mr. Magura.

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

ABSENT: Mr. Giurlando

NOT ELIGIBLE: None

9. OTHER BOARD BUSINESS:**CONSIDERATION OF AN ORDINANCE AMENDING SECTION 126-324 (GENERAL USE RESTRICTIONS) SO AS TO SPECIFICALLY PROHIBIT THE OPERATION OF ANY CLASS OF MARIJUANA ESTABLISHMENT IN ALL ZONES**

Chairman Mr. Fross explained the following ordinance amendment, before the board, for consideration in restricting operations of any class of marijuana establishments in all zones. The amendment would protect the town from any operations related to dispensers' facilities related to marijuana distribution.

Mayor Moench addressed the board to communicate that legislation passed new marijuana laws early this year. He educated the board that townships still have their power in regulating land use ordinances to either permit zones for such dispensaries or not. Mayor Moench continued to explain that the township, through this avenue, would prefer to protect the quality of life by holding off until all the details of this law are more precise. This proposed ordinance could be altered once more legal input is provided to ensure the town's community continues as is.

Councilman Mr. Kirsh added that the council approved this ordinance on its first reading, explaining fellow board council members' prefer the safe route rather than the unknown at this time. The committee felt that the waiting approach would make the most sense and is prudent.

Board planner Ms. Doyle also added that she finds such ordinance not to be inconsistent with the master plan. Ms. Doyle recommended the ordinance be adopted by the board as written.

Chairman Mr. Fross asked the board for a motion to approve the recommendation of the ordinance amendment, which is not inconsistent with the master plan.

A motion was made by Mayor Moench with a second by Mr. Pappas.

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

ABSENT: Mr. Giurlando

NOT ELIGIBLE: None

The chairman asked the board planner to provide a memorandum to the township clerk and council on the planning board's vote.

The upcoming meetings/applications were discussed for an overview to members and professionals.

10. EXECUTIVE SESSION:

No Executive Session was needed.

11. ADJOURNMENT:

A motion was made by Mr. Kirsh with a second by Mayor Moench to adjourn the meeting at 7:20 pm, followed by the board's consensus.

Respectfully submitted,
Ms. Zuzana Karas
Land Use Coordinator