

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting
September 28, 2021

-Minutes-

CALL MEETING TO ORDER

Chairman Fross called the meeting to order at 7:00 pm.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

Chairman Fross read the OPMA Statement.

SALUTE TO THE FLAG

ROLL CALL

| | |
|---------------------|---------------------------|
| Mr. Pappas- Absent | Councilman Kirsh- present |
| Mr. Wang- Absent | Mr. Guirlando- absent |
| Mayor Moench-Absent | Ms. Zarro- absent |
| Mr. Fross- Present | Mr. Vescio- present |
| Mr. Magura- Present | Ms. Forino- absent |
| Mr. Genova- Present | |

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

APPROVAL OF MINUTES

May 25, 2021 Regular Meeting

On motion by Mr. Magura, seconded by Mr. Kirsh, the meeting minutes were adopted as amended based on the following roll call vote:

Affirmative: Mr. Kirsh, Mr. Vescio, Mr. Genova, Mr. Magura, & Chairman Fross

Absent: Mr. Pappas, Mr. Wang, Mayor Moench, Mr. Guirlando, Ms. Forino

MEMORIALIZATION OF RESOLUTIONS

22 West Tap & Grill LLC-1601 Route 22

Block 800, Lot 2.01

#21-019-PB Request for Amendment of Prior Site Plan Approval

On motion by Mr. Kirsch, seconded by Mr. Magura, the Board voted to adopt the resolution as presented based on the following roll call vote:

Affirmative: Mr. Kirsh, Mr. Vescio, Mr. Genova, Mr. Magura, & Chairman Fross

Absent: Mr. Pappas, Mr. Wang, Mayor Moench, Mr. Guirlando, Ms. Forino

MEETING OPEN TO THE PUBLIC

Chairman Fross opened the meeting to the public. With there being on questions or comments from the public, the Board unanimously voted to close the public portion.

LAND DEVELOPMENT APPLICATIONS

**NJ American Water Company Inc.
100 Polhemus Ln/Southern End of Bafflehead Rd.
Block 342, Lot 1
#21-022-PB Preliminary and Final Major Site Plan with C Variances**

Mr. Niall O'Brien, Esq. was present to represent the applicant. Sworn testimony was provided by Mr. Richard Schommer, Professional Planner and Frank Marascia, Senior Plant Production Manager. Exhibits were entered as follows:

- A1 Application
- A2 Site Plan
- A3 Environmental Report
- A4 Aerial View of the Property
- A5 Aerial View of the Property with Improvements
- A6 Rendering of Proposed Improvement

Mr. Marascia was present to represent NJ American Water. His credentials were accepted and he was sworn.

Mr. Marascia explained the process to disinfect public water as well as the need to do so. He further explained the proposed addition is necessary to house the chemicals for the process. Mr. Marascia clarified the chemicals will be stored in a containment area that is designed to contain leaks and spillage to insure chemicals do not enter public waterways. He then explained how spills are cleaned in detail.

Mr. Marascia confirmed the addition will not require any additional employees. On questioning by the Board, he clarified the hours of operation for the plant at 24/7/365.

On questioning by the Board, Mr. Marascia testified the new chemicals that are to used are a safer water treatment than what is currently being used to disinfect public water.

On questioning by the Board, Mr. Marascia advised NJ American Water installed flood walls to prevent flooding on the site after Hurricane Floyd. He then stated that during Hurricane Ida, the walls were closed by an inflatable bladder and the site essentially became its own island for 48 hours. The Board expressed concerns with flood gates failing, using Bound Brook Borough as an example. Mr. Marascia stated he is confident their design/solutions will keep the building dry during major storms.

On questioning by the Boards Engineer. Mr. Marascia advised there are no other uses for this chemical that he is aware of. He reiterated that this chemical is replacing another chemical that has been deemed unsafe. He further advised that staff will not need additional training to use it.

Chairman Fross opened the meeting to the public for questions. With there being no questions, the Board unanimously voted to close the public portion.

Mr. O'Brien introduced Mr. Richard Schommer as the applicant's Professional Engineer and Planner. Mr. Schommer was sworn and accepted by the Board.

Mr. Schommer introduced and described exhibits A4 and A5. He then identified the site and existing features in detail.

Mr. Schommer advised the proposed addition has proposed setback of 65 feet from property line, is in line with the existing buildings opined this is the best, most logical, place for the addition.

On questioning by the Board, Mr. Schommer stated there are no environmental impacts or any other adverse impacts. He stated the building will be located adjacent to another building and will blend in.

Mr. Schommer introduced and described exhibit A5. He identified the property lines, proposed building addition and proposed setbacks.

Mr. Schommer stated there are no additional employees so there will be no traffic impacts. He then advised the deliveries will reduce based on the chemical's usage. On questioning by the Board, he described the current truck traffic patterns.

Mr. Schommer reviewed C2 variance relief positive criteria's citing the public health safety benefits of using a safer chemical including safer operations for employees and general public.

Ms. Doyle clarified that under the C2 positive criteria, the usage of this chemical is to the publics benefit, not necessarily the applicants. Water is an essential service and need for the Township, as well as for the public at large.

On questioning by the Board, Mr. Marascia testified there is little to no chemical emissions.

On questioning by the Board, Mr. Schommer advised waste is removed by a private hauler following proper protocols for handling the chemical.

On questioning by the Boards Professionals, Mr. Marascia described the alarms on the chemical equipment in detail stating that if an alarm was activated, users would see it on the screen and

an audible alarm would sound. He described the different alarms and clarified how they correlate to the chemical deliveries.

Board Planner Ms. Doyle stated the applicant has agreed to train first responders. After a brief discussion regarding who is allowed to enter the site, Mr. Marascia stated he would agree to provide a list of contacts for site permissions as a condition in the resolution.

Chairman Fross opened the meeting to the public for questions. With there being no questions from the public, the Board unanimously voted to close the public portion.

Chairman Fross opened the meeting to the public for comments. With there being no comments from the public, the Board unanimously voted to close the public portion.

Mr. O'Brien provided a brief summation of the application.

The Board deliberated and Mr. Peck reviewed proposed resolution conditions.

On motion by Mr. Magura, second by Mr. Genova, the Board voted to approve the application with conditions based on the following roll call vote:

Affirmative: Mr. Kirsh, Mr. Vescio, Mr. Magura, Mr. Genova, Mr. Vescio & Chairman Fross

Absent: Mr. Pappas, Mr. Wang, Mayor Moench, Mr. Guirlando & Ms. Forino

**Rackson Restaurants LLC
Block 317 Lots 1,2 &4
#21-04-PB Minor Site Plan**

Mr. Timothy Prime, Esq. was present to represent the applicant. Sworn testimony was provided by Paul Mutch, Professional Engineer and Emmanuel Obiora, Professional Planner. Exhibits were entered as follows:

- A1 Aerial Photo
- A2 Site Plan
- A3 Photos of Existing Site
- A4 Floor Plan
- A5 Exterior Renderings

Mr. Prime provided a brief overview of the application. He advised franchise owners are requiring franchisees to update their facades to modernize and rebrand.

Mr. Mutch discussed the architecture and the purpose of refreshing the exterior of the building. He advised the applicant is proposing to infill vegetation to comply with the originally approved landscaping plans.

Mr. Mutche discussed the proposed lighting plan and the applicant is willing to provide a night light study to the Boards professionals. Mr. Mutche further advised the lights turn off one half hour after the restaurant closes.

Mr. Mutche described the proposed sign in detail and opined that it complies with Township ordinances. He further advised the applicant will comply with Board Professionals comments to include the signage dimensions on the plans.

Ms. Doyle recommended adding the proposed landscaping details to the plan and the applicant agreed.

Chairman Fross opened the meeting to the public for questions. With there being no questions from the public, the Board unanimously voted to close the public portion.

Ms. Doyle advised the Board that the Township conducted a study, known as The Finderne Neighborhood Study, in 2006. The purpose of this study was to create a document capturing the desired theme of the area. Ms. Doyle further advised that all applicants in this area of town must comply with this study in addition to Township ordinances.

On questioning by the Board, Ms. Doyle opined the applicant intended to comply the Study with the proposed plans. She stated that the original plans were not compliant with the Study but the applicant responded well to the requirements of the study in subsequent plan revisions.

Mr. Prime introduced Mr. Obiora as the applicants Professional Planner. He was sworn and accepted by the Board.

Mr. Obiora advised Burger King updates their standards every 15 years and requires franchisees to upgrade buildings to their standards. He then introduced and described exhibit A4 Floor Plan and A5 Exterior Renderings to describe proposed changes. Mr. Obiora then described how the applicant tried to comply with the Finderne Neighborhood Study, specifically with the proposed lighting.

The Board expressed concerns with the light band not being compliant with the Study. The also expressed concerns with the lighting affecting nearby residences.

On questioning by the Board, Mr. Obiora described the parapets. He stated that some are proposed to be 2 feet higher than the existing parapets. The remainder of the building will remain the same height.

The Board engaged in a discussion regarding the proposed language on the sign.

On questioning by the Board, Mr. Obiore advised the interior footprint remains unchanged:

On questioning by the Board Professionals, Mr. Obiore confirmed the hours of operation as 6am-10pm.

Chairman Fross opened the meeting to public for questions. With there being no questions from the public, the Board unanimously voted to close the public portion.

Chairman Fross opened the meeting to the public for comments. With there being no comments, the Board unanimously voted to close the public portion.

Mr. Prime provided a summation of the application.

The Board deliberated.

On motion by Mr. Genova, seconded by Mr. Kirsch, the Board voted to approve the application with conditions based on the following roll call vote:

Affirmative: Mr. Kirsh, Mr. Vescio, Mr. Magura, Mr. Genova, Mr. Vescio & Chairman Fross

Absent: Mr. Pappas, Mr. Wang, Mayor Moench, Mr. Guirlando, Ms. Forino

OTHER BUSINESS

Ms. Doyle advised the Board of the upcoming applications and presentation.

ADJOURN

On motion by Mr. Genova, seconded by Mr. Kirsh, the Board unanimously voted to adjourn the meeting at 9:09 PM.

Respectfully Submitted



Jo-Ann M. Ricks

Certified Board Secretary