

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
December 7, 2021
—MINUTES—

1. CALL MEETING TO ORDER:

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

2. OPEN PUBLIC MEETING ANNOUNCEMENT:

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 19, 2022 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 in the Municipal Building. Please be aware of the Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 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:

5. ROLL CALL

Donald Sweeney-	Present	Jeff Foose-	Present
Bruce Bongiorno-	Present	John Gayeski-	Absent
James Weideli-	Present	John Fallone-	Absent
Dawn Guttschall-	Present	Andrew Fresco-	Present
Pushpavati Amin-	Present	Gary LaSpisa-	Present
Kevin Wrobel-	Absent		

Others present: Board Attorney Amanda Wolfe, Esq., Board Planner Scarlett Doyle, PP, Board Engineer William Burr, IV, PE, and Natalie Trosi, Secretary.

7: APPROVAL OF MINUTES:

July 20, 2021 Regular Meeting
August 3, 2021 Regular Meeting
September 21, 2021 Regular Meeting
October 19, 2021 Regular Meeting

On motion by Mr. Weideli, seconded by Mr. Fresco, the above listed minutes were adopted based on the following roll call vote:

Aye: Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Ms. Amin, Mr. Fresco,
Mr. LaSpisa, Mr. Bongiorno & Chairman Foose

Nays:

Ineligible:

Abstain:

Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

July 6, 2021 Regular Meeting

On motion by Mr. Weideli, seconded by Mr. Fresco, the above listed minutes were adopted based on the following roll call vote:

Aye: Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Mr. Fresco, Mr. LaSpisa,
Mr. Bongiorno & Chairman Foose

Nays:

Ineligible: Ms. Amin

Abstain:

Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

October 5, 2021 Regular Meeting

On motion by Mr. Weideli, seconded by Ms. Amin, the above listed minutes were adopted based on the following roll call vote:

Aye: Mr. Weideli, Ms. Amin, Mr. Sweeney, Mr. La Spisa, Mr. Fresco, Mr. Bongiorno
& Chairman Foose

Nays:

Ineligible: Ms. Guttschall

Abstain:

Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

8. MEMORIALIZING RESOLUTION(S):

BEATA SZERSZUNOWICZ - 582 E. MAIN STREET

Block 314 Lot 1

#20-025-ZB – SIMPLE VARIANCE

On motion by Mr. Weideli, seconded by Ms. Amin, the resolution was adopted based on the following roll call vote:

Aye: Mr. Weideli, Ms. Amin, Mr. Sweeney, Mr. La Spisa, Mr. Bongiorno
& Chairman Foose

Nays:

Ineligible: Ms. Guttschall & Mr. Fresco

Abstain:
Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

GATEWAY 70-B LLC - 229 ADAMSVILLE RD
Block 221 Lot 1.01
21-020-ZB- USE VARIANCE

On motion by Ms. Guttschall, seconded by Mr. Weideli, the resolution was adopted as amended based on the following roll call vote:

Aye: Mr. Weideli, Ms. Amin, Ms. Gutschall, Mr. Sweeney, Mr. Fresco
& Chairman Foose
Nays:
Ineligible: Mr. La Spisa & Mr. Bongiorno
Abstain:
Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

ANGEL ARCE, LLC - LOUMARC SIGNS - 49 OLD YORK ROAD
Block 134 Lot 6
#21-023-PB APPEAL ZONING OFFICER'S DECISION - WITHDRAWAL

On motion by Mr. La Spisa, seconded by Mr. Weideli, the resolution was adopted based on the following roll call vote:

Aye: Mr. Weideli, Ms. Guttschall, Ms. Amin, Mr. Sweeney, Mr. La Spisa,
& Chairman Foose
Nays:
Ineligible: Mr. Bongiorno
Abstain:
Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

CAR RENTALS, INC. - 400 NORTH BRIDGE STREET
Block 200 Lot 1
21-030-ZB- C-VARIANCE AND D-VARIANCE - WITHDRAWAL

On motion by Mr. Weideli, seconded by Ms. Guttschall, the resolution was adopted based on the following roll call vote:

Aye: Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Ms. Amin, Mr. Fresco
& Chairman Foose
Nays:
Ineligible: Mr. La Spisa & Mr. Bongiorno
Abstain:
Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayesk

**CLAUDIA I. ELLIOTT - 516 FOOTHILL RD
Block 718 Lot 144
21-015-ZB- MINOR SUBDIVISION - EXCEEDS F.A.R.- WITHDRAWAL**

On motion by Mr. Weideli, seconded by Mr. Fresco, the resolution was adopted based on the following roll call vote:

Aye: Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Ms. Amin, Mr. Fresco, Mr. La Spisa,
& Chairman Foose
Nays:
Ineligible: Mr. Bongiorno
Abstain:
Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

**M&M AT ROUTE 206, LLC - 721 ROUTE 202-206
Block 476 Lot 22 – 21-033-ZB – USE VARIANCE - Appointing Traffic Engineer - Joseph
Fishinger**

On motion by Mr. Weideli, seconded by Mr. La Spisa, the Board vote to appoint the Traffic Engineer based on the following roll call vote:

Aye: Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Ms. Amin, Mr. Fresco,
Mr. LaSpisa, Mr. Bongiorno & Chairman Foose
Nays:
Ineligible:
Abstain:
Absent: Mr. Fallone, Mr. Wrobel & Mr. Gayeski

9. OPEN MEETING TO THE PUBLIC:

A member from the public was present asking whether or not the Board contacts surrounding Municipalities regarding proposed applications. Mr. Warner advised, generally speaking, applicants are required to properly notice 200' surrounding their property. He further advised no discussion on the merits of an application can be discussed unless applicants are present.

With there being no further question from the public, the Board closed the public portion of the meeting.

10. HEARINGS & DELIBERATIONS

**OUTFRONT MEDIA LLC – ROUTE 22 (Carried from October 5, 2021 ZB Meeting)
Block 206 Lot 3
21-012-ZB- PRELIMINARY AND FINAL SITE PLAN WITH VARIANCE RELIEF**

Mr. Ed Purcell, Esq. was present to represent the applicant. Exhibits were entered as follows:

- A7 Video Sign Exhibit**
- A8 NJDOT Permit for Existing Sign**
- A9 Billboard Comparison Chart**
- A10 Compendium of 2 Photographs of LED Lighting Modules**
- A11 Billboard Lighting Exhibit**
- A12 Sight Visibility Study**
- A13 Traffic Engineering & Safety Assessment**
- A14 The Abstract of a study from FHA**
- A15 Billboard Visibility**
- A16 Photographs (2) Proposed Sign Area on Route 22**
- A17 Compendium of Drone Photographs**

Mr. Antal displayed **A7 Video Sign Exhibit** for the Board members to view. He then introduced exhibit **A8 NJDOT Permit for Existing Sign** and explained the setback distance of the sign will be increased from 6.9 ft. from the right-of-way to 10 ft. He opined that it was likely that a motorist traveling 55 mph would only see one sign.

Chairman Foose opened the meeting to the public for questions. With there being no questions, the Board closed the public portion.

Mr. Purcell reintroduced Mr. Duarte. He was previously sworn and remains under oath. Referencing **Exhibit A-3**, Mr. Duarte described the existing sign, property and the proposed sign.

Mr. Duarte introduced exhibit **A9 Billboard Comparison Chart** and explained this exhibit compares the existing and proposed conditions. He stated that overall the proposed sign is smaller than the existing sign. Mr. Duarte then introduced exhibit **A10 Compendium of 2 Photographs of LED Lighting Modules** and described how the LED lighting modules function and how the sign image can be changed remotely.

Mr. Duarte introduced and described exhibit **A11 Billboard Lighting Exhibit**. He advised the maximum output of 0.3 footcandles above the ambient light level. He further explained that an output of 0.3 footcandles is the worst-case scenario, and that signs that do not have the brightest backgrounds (white) would not be as bright.

On questioning by the Board, Mr. Duarte confirmed the sign would not flash or change for a period of less than 8 seconds.

Mr. Duarte reviewed the Board Professional review comments. He addressed the concern of vandalism and stated that it would be difficult for someone to vandalize the sign since it is located more than 7 ft high and there is no ladder attached. He advised the sign is monitored remotely and could be deactivated if someone were to attempt to vandalize it.

Chairman Foose opened the meeting to the public for questions. With there being no questions, the Board closed the public portion of the meeting.

Mr. Purcell introduced Mr. John McDonough as the applicant's Professional Planner. He was sworn and accepted by the Board.

Mr. McDonough advised the applicant is seeking use variance relief since the sign is not permitted in the zone. He then advised the applicant is seeking variances for the type of sign, the movement on the sign, the type of sign and the setback of the sign.

Chairman Foose opened the meeting to the public. With there being no questions from the public, the Board closed the public portion of the meeting.

Mr. Purcell introduced Mr. Justin Taylor as the applicant's Professional Traffic Engineer. He was sworn and accepted by the Board.

Mr. Taylor introduced exhibit **A12 Sight Visibility Study** and explained the proposed sign will be visible at approximately 1,000 ft and will remain within the cone of vision for 845 ft. He explained the sign will be visible for 10 seconds whereas the average time to look at a sign is a fraction of a second. He then introduced and reviewed exhibit **A13 Traffic Engineering & Safety Assessment**.

Mr. Taylor introduced exhibit **A14 The Abstract of a study from FHA** and stated the change intervals is permitted in various other jurisdictions, noting the Federal standard is a change interval of 8 seconds. He further advised the intervals could be extended if the Board desired.

On questioning by the Board, Mr. Taylor engaged in a discussion with the Board regarding the 8 second change intervals and opined that it was unnecessary to extend the change interval beyond the 8 seconds since drivers do not fixate on billboards for longer than 4/10 of a second.

Chairman Foose opened the meeting to the public for questions. With there being no questions from the public, the Board closed the public portion of the meeting.

This application was carried to the Tuesday December 21, 2021 Regular Meeting without further notice.

M&M AT ROUTE 206, LLC - 721 ROUTE 202-206
Block 476 Lot 22
21-033-ZB – USE VARIANCE

This application was carried to the Tuesday February 15, 2022 Regular Meeting without further notice.

11. OTHER BOARD BUSINESS

October 19, 2021 Executive Session Minutes
July 20, 2021 Executive Session Minutes
August 3, 2021 Executive Session Minutes

On motion by Mr. LaSpisa, seconded by Mr. Weideli, the Board voted to adopt the foregoing minutes as presented based on the following roll call vote:

Aye: Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Ms. Amin, Mr. Fresco,
Mr. LaSpisa, Mr. Bongiorno & Chairman Foose

Nays:

Ineligible:

Abstain:

Absent: Mr. Fallon, Mr. LaSpisa & Mr. Gayeski

12. EXECUTIVE SESSION

The Board entered into Executive Session.

13. ADJOURNMENT

The Board unanimously voted to adjourn at approximately at approximately 10:19 pm.

Respectfully Submitted,



Jo-Ann M. Ricks

Deputy Land Use Administrator/Deputy Zoning Officer