

CA - Old Bridge

9/30/81

Old Bridge Twp Zoning Board  
preliminary site plan w/ waivers +  
variances

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OLD BRIDGE TOWNSHIP ZONING BOARD  
 SEPTEMBER 30, 1987

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Preliminary Site Plan  
 w/waivers & variances

ED RONDINELLI  
 Block 2150, Lot 4.13  
App. No. 40-85Z

Mark Breitman, Esq. appearing on behalf of the applicant.  
 Mr. Ed Rondinelli present.  
 Mr. Tony Carrera

Witnesses:

Mr. Kevin McDunne, traffic expert  
 Mr. D. Guarriello, Engineer  
 Mr. G. Calenda, Architect & Planner  
 Ms. H. Connolly & Mr. John Aubin, Environmental specialists

Memo from the Middlesex County Planning Board dated September 14, 1987:

The Subdivision & Site Plan Committee of the Middlesex County Planning Board has reviewed and approved the site plan application entitled, "Bridge Pointe at Metro Park South, Township of Old Bridge, Middlesex County, NJ" revisions dated through August 7, 1987:

Site Plan approval is subject to compliance by the applicant with the procedures and requirements of the Site Plan Review Resolution and the following:

1. Submission to this office 4 copies of a revised plan showing conformance to the following sections of the Site Plan Review Resolution.

Section 11-6

1. Show the proposed curb radii at the intersection of Laurence Harbor Road and Metro Park South Blvd. intersect the County road as near to a 90 degree angle as possible.

2. The proposed right of way of 36 feet from the center line of Laurence Harbor Road must include part of lot 4.11 (area between Metro Park South Blvd. and existing apartments).

Section 11-7

.5 A minimum pavement of 26 feet from centerline shall also be shown to be installed along part of lot 4.11 north of the existing garden apartments. Also 50-ft. pavement tapers are to be shown to be installed at each curb end along Laurence Harbor Road.

.6 A 13-ft. wide and 300 ft. long acceleration lane shall be provided and a deceleration lane shall be substituted by a right turn ramp at least 18 feet wide with an inside turning radius of 75 feet. These installations are to be constructed in accordance with County Engineering specifications and approvals.

.8 Curbing is also to be installed, 26 ft. from centerline of Laurence Harbor Road, along part of lot 4.11 (area north of apartments). Two ft. knock-out curbs are to be shown to be installed at both curb ends (specifications are enclosed). Also, the curbing is to be 4500 p.s.i. air entrained.

.9 Two sight triangle easements must be clearly shown at the intersection of Metro Park South Blvd. and Laurence Harbor Rd. measuring 250 feet on Laurence Harbor Rd. from intersecting centerlines and 90 ft. on Metro Park South Blvd.

.10 All above ground utilities along Laurence Harbor Rd. must be shown as being relocated behind the new curb line.

2. Submission of a performance guarantee in an amount yet to be determined, at such time the above revised plans are submitted and in a form acceptable to the County Counsel to guarantee those improvements proposed along the right of way of Laurence Harbor Rd. (County road #3-R-4).

3. Submission to this office of proof that the Twp. Engineer has reviewed and approved the proposed interior storm drainage system for this development and submitted to this office his report and recommendations dealing with the effect caused by water runoff from

this development on downstream properties and facilities within the drainage basin of the proposed site plan.

4. Submission to the office of a sight triangle easement agreement and 3 survey maps for the purpose of insuring a clear sight distance at the intersection of Laurence Harbor Road and Metro Park South Boulevard.

An example of the easement agreement to be used is enclosed. In addition, please insure that an individual or corporate acknowledgement, as appropriate, is executed and attached to the agreement.

5. The dedication of land along Laurence Harbor Road. The dedication consists of approximately 11.25 ft. of additional right of way which will provide a minimum 36 ft. half-width, from the existing centerline of Laurence Harbor Rd. This area includes a 10 ft. area for the installation of new sidewalks and the relocation of the existing utility poles or any other above ground utility structures.

The above dedication should now be accomplished by forwarding to this office a bargain and sale deed and 3 survey maps showing the metes and bounds description of the land to be conveyed for approval and acceptance by the Board of Chosen Freeholders. In addition, please insure that an appropriate acknowledgment is executed and attached to the deed.

6. Proof of approval of this application from the N.J. Dept. of Environmental Protection, Division of Coastal Resources, (CAFRA permit) is needed.

7. The Committee accepts the applicant's offer to dedicate by easement to the County the additional right of way along the frontage of this application along Laurence Harbor Rd., County road #3-R-4 (as shown on the above mentioned plan). This easement consists of approximately 33 ft. of additional right of way above and beyond the proposed right of way mentioned above in order to accommodate projected traffic volumes along this road.

The above easement should now be accomplished by forwarding to this office an easement agreement and 3 survey maps showing the metes and bounds description of the land for approval and acceptance by the Board of Chosen Freeholders. In addition, please insure that an appropriate acknowledgment is executed and attached to the agreement.

8. The entering into of an agreement between Middlesex County and the owners of lots 4.13 and 4.11 in Block 2150. Said agreement will set forth the right for Middlesex County to review all developments requiring building permits occurring within said lots in accordance with the Site Plan Review Resolution.

The agreement is to also obligate the owners to install accommodating improvements to Laurence Harbor Road in front of lot 4.11 at the time of future development occurring in the remainder of Metro Park South. This agreement is subject to Planning Board Counsel approval.

9. Submission to this office of a road opening permit which must be approved by the County Road Supervisor prior to any construction of reconstruction as herein approved within the right of way of Laurence Harbor Road. Conditions 1 - 8 must be completed before a road opening permit will be issued. The applicant may apply for the permit at the Middlesex County Dept. of Highways and Bridges on Apple Orchard Lane in North Brunswick.

We respectfully request that the issuance of a building permit be withheld until written notification has been received from this office acknowledging the fulfillment of the above conditions.

This application has been approved subject to conditions 1 through 9 as detailed in this letter. In the event that any of the conditions is unsatisfied: (1) this approval shall be deemed null and void, and (2) the County may seek any rights and remedies under the performance bond.

The approval herein given does not in any way relieve the applicant from constructing all improvements in accordance with good and acceptable engineering standards.

In addition, the Committee notes the following:

1. That pursuant to N.J.S.A. 40:27-1 et seq (40:27-6.2 and 40:27-6.6), the Middlesex County Planning Board does not have the right to review and approve drainage that affects a non County road or a drainageway, structure, pipe, culvert or facility for which the County is not responsible. Any responsibility for inadequate drainage conditions that affect non-County facilities should be reviewed and approved by the appropriate jurisdictional agency.

2. Mr. M. Brietman, Esq. for the applicant requested that the installation of sidewalks, along Laurence Harbor Road, not be required at this time, but rather be included in the agreement (condition #8). Mr. Breitman felt it tobe unreasonable that sidewalks be installed presently since Laurence Harbor Road is expected to be widened in the future to accommodate the remainder of Metro park South. The Committee accepted.

3. Enclosed is a transmittal from the N.J. DEP that your Board may find informational.

4. That due consideration should be given to the development of metro park south in the likelihood that Alexander Count and direct Parkway access are denied.

If any additional revised plans (other than the plans which are required above ) are resubmitted, it is required that those plans shall be accompanied by a new application form, fee and 4 copies of the site plan.

Sincerely,  
Edward E. Donnelly, Assistant  
Planning Director for George  
M. Ververides, Director of  
County Planning

Letter from N.J. DEP to Ms. Sarah Alday-Salerno, Land Review Section, Middlesex County Planning Board dated August 20, 1987, Re: CAFRA Permit , Bridge Pointe, Old Bridge Township:

Mr. L. Schragger of your office asked that I write to you regarding the current status of the above permit application. The application is deficient.

Extensive freshwater wetlands exist on this site. The applicant was asked to delineate these wetlands (in a letter dated April 9, 1987 from myself to Mr.Rondinelli). The applicant has since submitted a site plan showing a wetlands boundary, but failed to include sufficient documentation to support this delineation. When we receive this information, we will visit the site to verify the wetlands boundary. The applicant may be required to make significant changes to the wetlands boundary shown on his site plans.

The Division will not approve any significant disturbance of the wetlands or its protective buffer area. Because the real extent of the wetlands has not been confirmed, none of the site plans showing the placement of structure and infrastructure has been accepted as final. Indeed, it is not possible for the applicant to prepare such a plan until we have confirmed the wetland and wetland buffer areas he will be required to avoid. Specifically, we will not allow the applicant to build an access roadway through the wetlands.

If you would like to discuss further the status of this application, please phone me at 609-984-0854.

Sincerely,  
David Izenko  
Project Review Officer

Letter dated September 19, 1987 from the Historical Comm.:

This is to inform you that the Old Bridge Township Historical Preservation Committee had to cancel their August meeting at the last minute due to the illness of several members and others being on vacation.

Mr. Rondinelli had been invited to this meeting and sent his attorneys, not knowing of the last minute cancellation.

Mrs. Fineberg thought that he would be at the September meeting. Mr. Rondinelli evidently did not know he should appear and did not send his attorney.

The Historic Commission, at that meeting, discussed the above and felt that we should notify you of what the Committee had concluded. They would like to invite Mr. Rondinelli to their October meeting to be held on Oct. 7, 1987 at 7:30 p.m. in the Conference Room in the Municipal Building.

At that time they would like to propose to Mr. Rondinelli that he take pictures of the structure, mainly the structure under discussion, the chimney located on his property, that the bricks be preserved to be placed in some way in one of his permanent buildings along with a plaque and the pictures so that people may see the historical significance.

If you need any further information, please call Mrs. Fineberg, Chairperson.

Sincerely,  
Esther Messenger, Secretary

Memo from Henry D. Bignell, Township Planner, dated September 30, 1987:

This letter is in response to the letter written by the applicant's attorney dated 9-22-87. The following comments are made with regard to the items associated with planning.

1. Item No. 6 of the applicant's letter seeks a variance for buffering. Item No. 6 of our report to the Board dated 9-9-87 indicates that the applicant will need to provide reasons why a reduced buffer should be allowed. Any reduced buffer approved by the Board should have additional landscaping. It is recommended that the landscaping be double-stacked with an evergreen planting with 6 - 8 ft. on-center spacing. Trees could also be included as part of the buffer area. The trees should have a 3" caliper at time of planting.
2. Item No. 10 of the applicant's letter indicates that two (2) means of access will be provided to the proposed project with one access being constructed through the existing on-site wetlands. Since no timing has been provided for the construction of this roadway, the Board should consider whether or not a variance is required allowing one point of access to the project.
3. Item NO. 12 of the applicant's letter is addressed in Item NO. 7 of our 9-9-87 report to the Board. The Board should, however, when determining these variances take into consideration the differences in architectural style being proposed by the applicant. The Board can allow variances if they believe the project will be enhanced by the proposed architecture.
4. Item No. 13 of the applicant's letter is addressed in Item No. 8 of our 9-9-87 report to the Board.
5. Item No. 15 of the applicant's letter is seeking a waiver of the Mt. Laurel requirements. Since this project is governed by the Township's Affordable Housing Ordinance, any waiver of requirements should be granted by the Township Council.
6. This Department has no objection to the proposed lighting plan which includes 18 ft. lightpoles. Allowing a 3 ft. higher lightpole reduces the number of fixtures and will increase the lighting around the recreation area. The applicant's architect, however, will still need to provide a certified lighting plan.
7. The applicant submitted a revised landscape plan to this department on 9-30-87. After reviewing this plan, it was determined that it did not provide substantial plantings along the buffer, roadways, and building foundations. The applicant did agree, however, to meet all the requirements of this department. For this reason, this department has no objection to granting a conditional approval subject to a revised landscape plan and planting schedule.
8. This Department reserves the right to make additional comments on the proposed changes being sought by the applicant for the proposed General Development Plan as indicated in their letter dated 9-22-87.

Henry D. Bignell  
Township Planner

Letter addressed to the Board Secretary dated Sept. 29, 1987 from Joseph I. Windman, Esq.:

Please be advised that this office represents the record title owners to lots 1A and 1B, which are adjoining the property presently owned on Matawan Road by Mr. Rondinelli, which presently has an application before your Board regarding multiple housing.

This office wishes to advise that there is a property line dispute between the adjoining property owners of Block 2150 and the aforesaid lots on Matawan Road and that any decision by the Board should take into effect the property line dispute between the immediate parties.

The area in question is the hedgerow and the stone and block wall to a certain ditch which also meets and adjoins certain property owned by the Board of Education.

This office on behalf of its clients has no position regarding the application other than the issue as to the property line dispute between the immediate parties and that the Board is to be made aware of same any any decisions are to reflect the boundary line dispute.

A copy of this correspondence is being forwarded to all interested parties.

Very truly yours,  
Joseph I. Windman, Esq.

Mr. Shihar stated the Board has no jurisdiction to hear or decide boundary disputes.

Mr. Goldie states the Board should continue with the discussion on the waivers and variances from the prior meeting.

Mr. Shihar states the Board had been concerned with the 500 ft. radius required on Alexandria Parkway.

Mr. K.McDonough traffic expert for the applicant, submitted a report for the Board to follow along with, with regard to his testimony for this evening.

Mr.McDonough addressed the design of Alexandria Parkway and the standards for a collector road as per the Township Ordinance. The design of a curve determines how the roadway will function from a speed standpoint. A 200 ft. radius relates to a design speed of 27 or 28 miles an hour. From a traffic standpoint in this type of development, Mr.McDonough stated a 25 mile roadway would be safer and, therefore, the request by the applicant for 200 ft. radius on the curve on Alexandria Parkway.

If the Board felt a 200 ft. tangent was necessary on Alexandria Parkway, the applicant certainly could do that; the way it is designed, the curve is so soft, it does not affect the flow of traffic the way it has been designed.

9 x 18' parking stall dimensions were requested and Mr.McDonough stated it is appropriate. The stall also has a 2 ft overhang.

Mr. Brietman stated they propose no super elevation on the curve.

Mr. Goldie indicated the radius was not indicated on the plans; there is no way of knowing what the proposed radius' were.

Exhibit entered into evidence showing the 200 ft. radius was marked A-2. All the dimensions are marked and revised map will be the same.

Mr. Breitman stated there would be a guardhouse on this road. There will be a posted speed limit of 25 miles per hour. The road is limited to the townhouse development. It will not be the major thoroughfare for the office park or open to the public in any other way.

Mr. McDonough discussed the updated traffic counts which were taken two weeks ago. They will be submitted to Mr. Goldie.

Exhibits marked into evidence as A-3, A-4 & A-5 respectively:

Letter from Thomas Gerrity, Fire District #1.  
Resolution of Planning Board dated Nov. 8, 1984 on Atrium I.  
Letter from James Tizzano dated Sept. 22, 1987.

Mr. Brietman stated they will be providing an additional 250 parking stalls throughout the site.

Mr. D. Guarriello, engineer for the applicant, addressed storm drainage and related items:

Slope in retention area - the requirement of the Township is 1:10 and they seek to design the slope 1:5. Mr. Guarriello stated he and Mr. Goldie agreed the area was not for any recreational purposes and they would provide fencing around the retention area. The post and rail type fence would be on the residential side of the retention basin. On the other side would be a timber guardrail.

A small portion of the detention basin is in the wetlands. The basin is more than adequate in its present size to accommodate phases 1, 2 and 3. The basin would be permanent in phase 1, 2 and 3 and would be modified and extended in phase 4.

Mr. Goldie stated he had no problem with the design of the slope; the location is a problem.

Item #5 of applicant's letter dated 9/22/87: They will comply with 2% minimum grades throughout the site.

Item #7 & 8 - Curbing & sidewalk along Alexandria Parkway. Applicant seeks waivers from sidewalks along Alexandria Parkway along the retention area and Curbs. This is the only area they are looking for that relief.

Item #9 Aquifer Recharge: Asking for waiver. Sufficient data sent with the application for the GDP. Mr. Goldie did not have a problem.

Item #10 - two points of access. Mr. Brietman stated there will be a second point of access; they cannot commit to the exact location this evening until the wetlands issue is resolved. Mrs. Settleowski stated they would get back to this item.

Item #12 Building space between residential structures.

Mr. Brietman: There are several units which will require a variance (going back to item #6 buffering and the fact that Alexandria Parkway was classified a collector road). Those are units 1, 7, 15, 63, 91, 107, 121, 256, 264, 272 and the clubhouse. 20' is required whereas they are asking for 10'. Mrs. Settleowski stated they must give a 60' right of way. After discussing Sec. 9:7-2(b) no variances were needed for the building setbacks. Setbacks shall be measured from the building to the actual curb and not the right of way.

The variance request for several buffers at the end of Capica Ct., Bridgepointe Drive and Rondell Lane; also, several buffer requests at a number of units were addressed by Mr. G. Calenda, Architect and Planner for the applicant.

Mr. Calenda stated they were asking for a 15 ft. setback for paving at three locations - Capica Ct., Bridgepoint Drive and Rondell Lane. Variance is from 25 ft. to 15 ft. They will comply with Mr. Bignell's requirements with regard to landscaping. They seek a waiver from those 3 locations and in doing so will put additional plantings to comply with Mr. Bignell's requirements and Section 14 of the Ordinance. This is necessary to provide vehicular backup area.

Mr. Breitman stated they were dedicating the ballfield area; subdivision has been obtained.

Mr. Calenda addressed the variance for a 35 ft. front buffer for buildings 32,33 and 34, in which units 235, 236, 237, 238, 239, & 240 were involved. Stated the area is heavily wooded; since the ballfield was given to the Town, they will provide additional plantings for buffering to give a sound barrier and a visual barrier.

Variance is requested for building space between structures. One building will have 25 ft., several are 30 feet, most are 60 feet.

Floor plan of the models were submitted. Units will be 1700 sq. ft., exclusive models will have 2500 sq.ft. They will be scattered throughout the site. There will be additional parking. Foundations will be the same for the 2 bedroom, 3 bedroom, E unit, D unit. The C unit will be 1500 sq. ft. By granting the variance, the architectural details will be enhanced. All variances requested will be without substantial detriment to the public good. It will lend to the zone plan and ordinance.

Request for lighting is for 18 ft. high light poles. Lighting plan will be submitted. Waiver is requested from the lighting requirements. The 18 ft. lights are requested for Alexandria Parkway. All the lighting fixtures within the courts will comply with the Ordinance.

Mrs. H. Connolly-Aubin & John Aubin gave testimony with regard to the wetlands issue. The firm specializes in environmental consulting to agencies of the State of N. J. and the public and private sector. Their specific task was to identify the extent of wetland habitat on the property; they were called in as a result of letters from CAFRA and DEP stating that the wetland research that had been done on the property were incomplete. Their reports will be given to CAFRA who will make the final decision & the State.

Mr. Breitman stated phases 1, 2 and 3, were not in the wetlands.

Mr. Goldie: The map that we have indicates the detention area to be almost entirely in the wetlands area. Whether it is or not, I don't know.

Mr. Rondinelli: The detention basin can easily be relocated to avoid the wetlands.

Mrs. Aubin: There is a small area of wetland - a strip 18" wide around the basin.

Mr. Breitman stated the road (Alexandria Parkway?) has been realigned out of the wetlands to provide a second means of access.

Extent of area of the retention basin that might be in the wetlands is determined by CAFRA and the Army Corp. of Engineers.

Report from the MUA regarding preliminary approval on water was submitted and also the Resolution from the MUA on sewer.

Regarding the letter from the Historical Comm. Mr. Breitman stated they will utilize some of the brick from the chimney and they will provide a plaque to the commission. They will attend the meeting of the Commission on Nov. 7th.

Public portion:

Mr. Robert Lewicki: There was no testimony with regard to the waiver for Mt. Laurel obligations. Mr. Shihar stated the Board does not have jurisdiction. It will be addressed with the Town Council.

Mr. George Landreth asked where the applicant anticipated the children from the development would be going to school. The Board of Education was now in the process of redistricting the whole Town. Would there be a roadway from the development close enough to Cooper school.



Mr. Breitman stated the issue was addressed at the time of the hearing for the General Development Plan. There will be a path to Memorial School.

Mr. John Gesell, resident of Old Bridge, stated this part of Town needs this development.

Mr. James Cavallero, representative of the Laurence Harbor Little League, stated the people were behind Mr. Rondinelli's project.

Public portion closed.

Mr. Goldie stated the issue of the wetlands has to be confirmed.

Mr. Shihar commented the applicant will have to satisfy the State where the wetlands are or where the wetlands are not. If the State tells him he will have to move the roadway, the detention pond, the houses, he will have to come back here with the site plan amended. This Board should not concern itself to any tremendous extent with the wetlands question.

Mr. Breitman: We ask the Board to condition its approval on CAFRA on the wetlands.

Mrs. Settlecowski referred back to item #10 of Mr. Breitman's letter and Mr. Bignell's memo with regard to the second means of access. Mrs. Settlecowski and the Board agreed that the road would have to be built before the first C.O. is issued, giving two means of access.

Mr. Breitman so stipulated that the road would be installed prior to the issuance of the first Certificate of Occupancy.

Mr. Goldie mentioned that Final Construction Plans cannot be signed until the wetlands issue has been resolved.

Wetlands issue has to be confirmed by the State.

Mt. Laurel obligations to be taken up with Township Council.  
Applicant agreed that super  
Elevations of the road will be as per the Township Engineer.

Mrs. Gaugan discussed sidewalks and asked if the sidewalk could be put continuously around one side of the road. She was advised that they are continuous all the way around Alexandria Parkway. The waiver is only for the sidewalk requirement at the detention area as nobody will be walking there. There will be a post and rail fence as testified to to keep the children out.

The gazebo will be relocated out of the sight area to another portion of the retention basin.

Mr. Breitman: There is some housekeeping on the General Development Plan and due to the hour I would suggest we have another meeting to clean up those items.

Mr. Rondinelli explained the architectural rendering.

It was stipulated that all items missing from the plans will be added to the satisfaction of the Township Engineer.

Motion on Preliminary Approval with waivers and variances as discussed was moved by Mrs. Miller. It was seconded by Mrs. Holden and so ordered by the following roll call vote:

Mr. Reed: Does everybody know what the variances are.

Mrs. Settlecowski: I have the list in front of me. The buffering requirement, lighting, curb radius, tangents, sideyards, parking stalls, waiver of Aquifer Recharge, buffer at the end of the 3 roads, waiver of sidewalk at retention basin.

Mr. Reed: I'll vote yes.

OLD BRIDGE TOWNSHIP ZONING BOARD  
SEPTEMBER 30, 1987

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AYES: Mr. Reed, Mrs. Holden, Mr. Hasanoeddin, Mrs. Miller,  
Mrs. Fuchs, Mrs. Gaughan, Chairwoman Settlecowski.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

Final Site Plan continued to October 21, 1987. No further notice  
required. MOved by Mrs. Gaughan, seconded by Mrs. Fuchs, and  
supported ALL IN FAVOR to continue to October 21, 1987.

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Meeting adjourned: 12:30 a.m.

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Respectfully submitted,

Dina Miller,  
Secretary

M. Landau