

TOWNSHIP OF BERNARDS **PLANNING BOARD**

REGULAR MEETING AGENDA v4 (revised)

Warren Craft Meeting Room
June 8, 2021
7:30 PM

This meeting will be held in person in the Warren Craft Meeting Room. In addition, the public will be able to view the meeting live on Optimum/Cablevision TV – Channel 15 and Verizon FIOS TV – Channel 35. For those interested in watching on their computers, the link will be available at 7:30 PM by clicking on the “Watch the Meeting Live” icon on the Bernards Township Planning Board web page. Please note that all questions/comments must be made in person.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. OPEN PUBLIC MEETING STATEMENT**
- 4. ROLL CALL**
- 5. NOMINATIONS FOR VICE CHAIRMAN PRO TEMP**
- 6. APPROVAL OF MINUTES**
A. May 4, 2021 – Regular Session
- 7. APPROVAL OF RESOLUTION**
A. Fellowship Senior Living Inc.; Block 9301, Lot 33; 8000 Fellowship Road; Preliminary/Final Site Plan; PB20-005; (approved)
- 8. APPOINTMENT OF LANDSCAPE COMMITTEE**
A. Maolucci, Vincent J.; Block 11501, Lot 3.03; 48 Kings Ridge Road; Preliminary/Final Subdivision; PB12-009
- 9. HEARING - MODIFICATION OF CONDITION OF APPROVAL**
A. United States Golf Association; Block 9601, Lot 5.01; 77 Liberty Corner Road; Extension of Time to either commence construction of the approved parking layout or apply to the Board for a modified parking lot layout; PB17-003B
- 10. PUBLIC HEARING**
A. [Fairmount Cemetery Association of Newark and Somerset Hills](#); Block 2301, Lot 12.01; 95 Mt. Airy Road; Preliminary/Final Site Plan; PB21-003
- 11. COMMENTS FROM MEMBERS** (5-minute limit per member)
- 12. COMMENTS FROM STAFF**
- 13. ADJOURN**

06/04/2021dsjdkp

**TOWNSHIP OF BERNARDS
2021 PLANNING BOARD APPLICATION**



☐ Minor Subdivision
☐ Major Subdivision - Preliminary
☐ Major Subdivision - Final
☐ Conditional Use

☒ Site Plan - Preliminary
☒ Site Plan - Final
☐ Informal Review
☐ Other (specify): _____

1. APPLICANT: FAIRMOUNT CEMETERY ASSOCIATION OF NEWARK AND SOMERSET HILLS

Address: P.O. Box 36, Basking Ridge, NJ 07920

Phone: (home) _____ (work) 908-766-0522 (mobile) _____

Email (will be used for official notifications): Fred@fairmountcemetery.com

2. OWNER (if different from applicant): same

Address: _____

Phone: _____ **Email (will be used for official notifications):** _____

3. ATTORNEY: Michael Osterman, Esq.

Address: Osterman Law LLC, 181 West High Street, Somerville, NJ 08876

Phone: 908-402-2600 **Email (will be used for official notifications):** michael@ostermanesq.com

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):

Name: James O. Madsen, P.E. C/O Apgar Associates **Profession:** Engineer

Address: 13 De Mun Place, P.O. Box 310, Far Hills, NJ 07931

Phone: 908-234-0416 **Email (will be used for official notifications):** jmadsen@apgarassocaites.com

5. PROPERTY INFORMATION: Block(s): 2301 Lot(s): 12.01 Zone: R-4

Street Address: 95 Mt. Airy Road **Total Area (square feet/acres):** 68.038 acres
Also Block 101, Lot 6.01 in Bernardsville Borough

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☐ No ☒ Yes (if yes, explain or attach Board resolution) Several approvals pertaining to the mausoleum building, and the maintenance building

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?

☐ No ☒ Yes (if yes, explain and attach copy) Numerous easements and agreements

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____

See annexed Rider.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.): _____

None

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: _____

Arguments and evidence in support of the application will be presented at the public hearing on this application.

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

Gina Walker, General Manager of Somerset Hills Memorial Park and Assistant Secretary of Applicant

I/we, _____ and _____ hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): Gina Walker and _____

Sworn and subscribed before me, this 12th day of April, 2024

Michael Osterman
Notary Michael Osterman
Attorney at Law, State of New Jersey

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application,

hereby authorize _____ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): _____

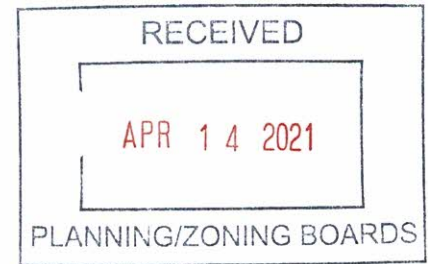
Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

**FAIRMOUNT CEMETERY ASSOCIATION OF NEWARK AND SOMERSET HILLS
RIDER TO BERNARDS TOWNSHIP DEVELOPMENT APPLICATION**

I. Project Architect:

David Wilson, A.I.A.
D. McCartney Wilson, A.I.A. Architects & Associates, P.A.
PMB 609, 3438 East Lake Rd.
Palm Harbor, FL 34685
727-785-7257
davidmwilson@frontier.com



II. Project Description:

Fairmount Cemetery Association of Newark and Somerset Hills ("Fairmount") is the owner of certain property located in the Township of Bernards and in the Borough of Bernardsville, Somerset County, New Jersey which property is identified as Block 2301, Lot 12.01 on the official tax maps of the Township of Bernards, and as Block 101, Lot 6.01, on the official tax maps of the Borough of Bernardsville (collectively, the "Property"). The Property is known as Somerset Hills Memorial Park.

Fairmount is proposing a 1,724 sq. ft. addition to the main building on the Property in order to allow an expansion of the existing crematory which is located in that building. Fairmount is seeking preliminary and final site plan approval to allow construction of that building addition and related site improvements. No variances are required for this project.

Presently, the crematory at Somerset Hills Memorial Park includes four crematory units, but the demand for cremation has been steadily increasing over time, and in order to meet that demand, Fairmount is proposing to expand the existing crematory at Somerset Hills Memorial Park so as to initially increase the number of crematory units to five, with space to add a sixth unit in the future.

III. Project Need:

The clear and unmistakable trend in New Jersey and throughout the United States significantly favors cremation over interment and entombment. A year ago, the Cremation Association of North America ("CANA") issued its annual report for 2020 of cremation statistics including final data for 2018, preliminary data for 2019, and projections for 2024 (all rates given are for cremations as a percentage of all final dispositions):

1. For the United States as a whole, the 2018 cremation rate was 53.1%, up from 51.7% in 2017 and 47.0% in 2014 (the rate first exceeded 50% in 2016). The 2019 preliminary rate is 54.6% and the projected 2024 rate is 60.7%.
2. For New Jersey, the 2018 cremation rate was 46.9%, up from 45.9% in 2017 and 41.2% in 2014. The 2019 preliminary rate is 48.6% and the projected 2024 rate is 54.4%.

Thus, for the third consecutive year, the cremation rate for the United States exceeded 50% and the growth is expected to continue into 2024 when it will exceed 60%. Likewise, the cremation rate in New Jersey is projected to exceed 50% in 2021 and continue rising into 2024 (to 54.4%), marking more than a decade of unbridled growth (from 36.6% in 2011 to 54.4% in 2024).

CANA is on record as saying that next annual statistical report (to be released prior to May 1) will show an accelerated trend favoring cremation due to the effects of the COVID-19 pandemic. As noted by CANA in the 2020 report: "As of the date of publication, COVID-19 deaths continue to increase There are anecdotal indications that the total number and rate of cremations will increase beyond projections in the year 2020. The projections for 2024 in this report do not account for COVID-19 deaths."

The pandemic is not the only cause of the upward trend favoring cremation. Another major factor is the demographic fact that the first of the "baby boom generation" (born 1946-1964) is just now reaching the age of 75, which will dramatically increase the number of deaths going forward. The United States Census Bureau has written extensively on this subject.

The crematory at Somerset Hills Memorial Park is essential to the public health and welfare of the residents of Somerset County and its environs. There are only 25 crematories in the entire State. The crematory at Somerset Hills Memorial Park is the only one in Somerset County. There is only one crematory in Morris County, located in Dover. There are no crematories in Hunterdon, Warren, or Sussex Counties.

Therefore, because of the undeniable trend favoring cremation, it is of prime importance that the crematory at Somerset Hills Memorial Park be kept as up-to-date as possible both as to technology, equipment, and overall facilities. It is for this reason that Fairmount makes this application.

IV. Submission Waivers:

A submission waiver is sought with respect to the requirement for a wetlands delineation verified by a letter of interpretation ("LOI") from the NJDEP. Fairmount obtained a wetland delineation and an LOI for the Property in connection with a prior Bernards Township development application, and as a condition of approval of that application, Fairmount conveyed a conservation easement to Bernards Township for the wetlands and wetlands transition areas, and monuments were installed to delineate the boundaries of the conservation easement area. In connection with this application, Fairmount's qualified wetlands consultant has inspected the Property and has issued a letter confirming no NJDEP-regulated wetlands or State Open Waters were observed within 150 feet of the proposed crematory expansion improvements.