

BRIDGEWATER TOWNSHIP  
**ZONING BOARD OF ADJUSTMENT**  
Reorganization & Regular Meeting  
Tuesday, January 14, 2014  
—MINUTES—

**CALL MEETING TO ORDER:**

Board Attorney Vastola called the meeting to order at 7:30 pm in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

**OPEN PUBLIC MEETING 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 9, 2013 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.

**SWEAR IN NEW MEMBERS:**

Board Attorney Vastola swore in the following Board Members: William Vornehm, Regular Member; Donald Sweeney, Regular Member; Michael Kirsh, Regular Member; Beth Powers, Alternate #1; Alan Fross, Alternate #2; Roger Pearly, Alternate #3; James Weideli, Alternate #4.

**ROLL CALL:**

Don Sweeney – present  
Paul Riga – **absent**  
Pushpavati Amin – present  
Bill Vornehm – present  
Alan Fross, Alt. #2 – present  
James Weideli, Alt. #4 - present

Lee Schapiro – present  
Evans Humenick – present  
Michael Kirsh, – present  
Beth Powers, Alt. #1 – present  
Roger Pearly, Alt. #3 – present

Others present: Attorney Lawrence A. Vastola, Land Use Administrator Marie L. Broughman, Board Planner Scarlett Doyle, Board Engineer Thomas J. Forsythe

**REORGANIZATION:**

**Election of Chairman**

Motion by Mr. Sweeney, second by Mr. Schapiro, **Bill Vornehm** was elected Chairman for 2014, which carried on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Mr. Fross

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Pearly, Mr. Weideli, Mr. Vornehm

### **Election of Vice-Chairman**

Motion by Chairman Vornehm, second by Mrs. Amin, **Don Sweeney** was elected Vice-Chairman for 2014 on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro, Mrs. Powers,  
Mr. Fross, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Sweeney, Mr. Pearly, Mr. Weideli

### **Appointment of Board Secretary**

Motion by Chairman Vornehm, second by Mr. Sweeney, **Lee Schapiro** was appointed Board Secretary for 2014 which carried on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick,  
Mrs. Powers, Mr. Fross, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Schapiro, Mr. Pearly, Mr. Weideli

### **Appointment of Assistant Board Secretary**

Motion by Mrs. Amin, second by Mr. Sweeney, **Board Planner Scarlett Doyle** was appointed Assistant Board Secretary for 2014 which carried on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

### **Appointment of Board Clerk**

Motion by Chairman Vornehm, second by Mrs. Amin, **Land Use Administrator Marie L. Broughman** was appointed Board Clerk for 2014 which carried on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

### **Appointment of Board Professionals:**

- Board Attorney – Lawrence A. Vastola
- Board Engineer – Thomas J. Forsythe
- Board Planner – Scarlett Doyle

Motion by Chairman Vornehm, second by Mr. Schapiro the foregoing professionals were appointed Board Professionals for 2014 which carried on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

### **Designation of Meeting Dates, Time and Place**

BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Bridgewater that the following schedule of dates and times for Regular Meetings be established for 2014 and

that all scheduled meetings shall convene at 7:30 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ:

January 14, 21, 28	February 4, 18, 25	March 4, 18, 25	April 1, 15, 29
May 6, 20, 27	June 3, 17, 24	July 1, 15, 29	August 5, 19, 26
September 2, 16, 30	October 7, 21, 28	November 18, 25	December 2, 16, 30

BE IT FURTHER RESOLVED that the 2015 Annual Reorganization Meeting followed by the Regular Meeting shall be held on January 20, 2015, at 7:30 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ.

Motion by Chairman Vornehm, second by Mrs. Amin the foregoing resolution was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

**Designation of Official Newspapers** – Board Attorney Vastola stated that the designation of Official Newspapers is not necessary as the Board follows the Township Council. No action was taken.

**MINUTES FOR APPROVAL:**

**November 19, 2013, Regular Meeting** – Motion by Mr. Kirsh, second by Mrs. Amin, the foregoing minutes were adopted as presented on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro, Mrs. Powers,  
Mr. Fross

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Sweeney, Mr. Pearly, Mr. Weideli

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**November 26, 2013, Regular Meeting** (*pending*) – The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
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**December 3, 2013, Regular Meeting** – Motion by Mr. Sweeney, second by Mrs. Amin, the foregoing minutes were approved as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

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**December 17, 2013, Regular Meeting** (*pending*) – The foregoing minutes will be presented for Board consideration when completed. No action was taken.

**MEMORIALIZING RESOLUTIONS:**

WITEK - 1387 Roger Ave.

Block 619 Lot 11

# 13-026-ZB - Simple Variance (front Step Overhang)

**DECISION:** Approved w/conds 12/17/13

Motion by Mr. Kirsh, second by Mrs. Amin the foregoing resolution memorializing the approval on 12/17/13 was approved as presented on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mrs. Powers, Mr. Pearly,  
Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Humenick, Mr. Schapiro Mr. Fross, Mr. Weideli

**HEARING AND DELIBERATIONS:**

CIFELLI – 459 Milltown Road

Block 168 Lots 28 & 29

#16-11-ZB, Prelim & Final Site Plan w/d-variance & c-variances (Storage building to enclose construction equipment)

TIME: 120=1/10/14

Attorney Paul Sant’Ambrogio was present to represent the Applicant. Sworn testimony was presented by Applicant Anthony Cifelli and Professional Engineer Anthony Marucci.

The Applicant submitted an exhibit which was marked into evidence as follows:

**A-7 1/14/14** Colored Rendering of Site Plan, last revised 12/22/13

Attorney Sant’Ambrogio stated that this application has been carried from 11/26/13. Since then, the Applicant has met with the Board Professionals resulting in a significantly revised plan with amendments in response to the Board’s concerns. The indoor vehicle storage garage has been moved to the south end of the property in a location less visible from the road and neighbors.

Applicant Cifelli confirmed he attended a conceptual meeting with the Township Engineer and Maser Engineering and as a result of the meeting the improved lot coverage has been reduced by proposing removal of the existing in-ground pool and shed in addition to moving the proposed vehicle and material storage garage toward the south of the property. The existing storage trailer behind the existing garage will be removed too. He stated that a garage is proposed in the new garage with electric heat to keep the pipes from freezing. He agreed to comply with the Sewer Utility report. Materials such as wood for forms, traffic signal supplies, copper wire, long poles, and hand tools will be stored inside of the new garage along with five (5) vehicles. There’s a total of fourteen (14) vehicles of which five (5) will be stored inside of the new garage and the remaining nine (9) vehicles will be store outside: three (3) dump trucks, one (1) earth saw, one (1) skid steer loader, one (1) backhoe loader on an open commercial trailer, one (1) excavator on an open commercial trailer, one (1) chain trencher with no trailer, and one (1) twenty foot box truck.

Applicant Cifelli stated that the nature of his business is to install traffic signals in addition to all the work required for the intersections including installation of curbs, sidewalks, and foundations for the electric. Foggia Trinity Electric is the name of his business and he does work for municipal, county and state agencies in addition to being a subcontractor for patching of roads. All of the space is for his business, with none available to others. The existing house on the property will remain and will continue to be a rental. There are no dumpsters proposed as there are dumpsters

located at each job site for disposal of scrap materials and other refuse. The traffic signals are assembled on-site.

Applicant Cifelli agreed to comply with the reports of Board Planner Doyle incorrectly dated 1/7/13 and Township Engineer Robert Bogart dated 1/7/14.

With hearing no comments from the public, Chairman Vornehm closed the public portion of the hearing.

Engineer Marucci stated that five (5) large pieces of construction equipment can fit in the proposed garage plus materials. Outdoor storage will be limited to vehicles and equipment with no materials being stored outside. Board Attorney Vastola stated that the number of vehicles must be specified in order for ease of enforcement by the Township Zoning Officer, so as to be clear in the case of an expansion of the non-conforming use. He stated that the number of vehicles shall be limited and must be shown on the site plan or the Applicant could provide a stripped area from the buffer line to the south of the site.

Engineer Marucci stated that the existing width of the driveway is required for maneuvering the dump truck with the backhoe on a trailer, which must be backed up into the site as onsite maneuvering is not possible. Engineer Marucci stated that the cement area to the rear of the garage along the railroad is required for maintenance and can't be removed. He referenced exhibit A-7 and stated that the green area will be lawn.

Engineer Marucci reviewed the report of the Township Engineer Robert Bogart dated 1/7/14 and he agreed to comply with the outstanding issues.

Board Engineer Forsythe stated that he wants to see the 81-ft width driveway width to be reduced to a 35-ft width. Engineer Marucci stated that the existing width of the driveway is required for maneuvering the dump truck with the backhoe on a trailer, which must be backed up into the site as onsite maneuvering is not possible. He agreed to work with the Board Engineer on possibly reducing the width of the driveway with regard to maneuvering the commercial vehicles to be parked onsite.

Engineer Marucci stated that the cement area to the rear of the garage along the railroad is required for maintenance and can't be removed. He agreed, as a condition of approval, to supply a phase I environmental analysis which is required by section 126-270 of the Municipal Code.

Engineer Marucci reviewed the report of Board Planner Doyle incorrectly dated 1/7/13. He agreed to work with the Board Planner regarding landscaping.

Chairman Vornehm opened the meeting to the public for comments and questions. With hearing none, he closed the public portion of the hearing.

The Board deliberated and discussed several conditions including:

- This is a pre-existing non-conforming use
- The number of outdoor storage of vehicles is limited to nine (9); therefore, any additional vehicles shall be considered an expansion of a non-conforming use

- Preliminary & Final Site Plan approval
- For ease of Zoning Officer enforcement, the number of vehicles shall be specified on the site plan or specific demarcation on the site plan from the corner of the new garage with a perpendicular line
- Applicant to work with the Board Engineer regarding the width of the driveway, if the driveway width can be reduced then the buffer area will be enlarged
- Applicant to supply a Phase I environmental analysis which is required by section 126-270 of the Municipal Code
- Applicant to provide sidewalk contribution in lieu of constructing sidewalks
- Developer's Agreement shall be required
- No outside storage other than the vehicles and equipment as testified
- Applicant to work with Board Planner Doyle regarding required landscaping

Motion by Mr. Sweeney, second by Mrs. Powers, the CIFELLI application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

**MEETING OPEN TO THE PUBLIC:**

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

**OTHER BOARD BUSINESS:**

Board Attorney Vastola offered Board Member's the opportunity to attend a refresher course at his office for Board Members on Saturday, January 25, 2014 at 10:00 am, 11:00 am, and 12:00 pm. He confirmed that only three Board Members could be in attendance at any one time in order to avoid a quorum and the need for notice requirements.

**ADOPT 2012 ANNUAL REPORT:**

Motion by Chairman Vornehm, second by Mr. Schapiro, the Board adopted their Annual Report for 2012 which carried on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Schapiro,  
Mrs. Powers, Chairman Vornehm

ABSENT: Mr. Riga

NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

Board Planner Doyle stated that she would forward the adopted report to the Township Council and the Planning Board.

**ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 10:00 pm.

Respectfully submitted,  
Marie L. Broughman  
Land Use Administrator/Board Clerk