

BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Tuesday, November 1, 2011  
—MINUTES—

CALL MEETING TO ORDER:

Chairman Vornehm called the regular meeting of the Bridgewater Township Zoning Board of Adjustment to order at 7:30 p.m. 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 20, 2011 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.

ROLL CALL:

Don Sweeney – present	Jay Rosen – <b>absent</b>
Filipe Pedroso – present	Jim Scott – <b>absent</b>
Paul Riga – <b>absent</b>	William Vornehm, Chairman – present
Lee Schapiro – present	Pushpavati Amin, Alt. #1 - present
Evans Humenick, Alt. #2 – present	Carl Schulz, Alt. #3 – present
Others present: Attorney Lawrence A. Vastola, Land Use Administrator Marie L. Broughman, Board Planner Scarlett Doyle	

MINUTES FOR APPROVAL:

**October 25, 2011 Regular Meeting** – The minutes are finished; however, they will be placed on the next agenda for Board consideration.

MEMORIALIZING RESOLUTIONS:

There were no resolutions to be memorialized.

HEARING AND DELIBERATIONS:

**MARTINSVILLE REALTY ASSOCIATES LLC**  
**Block 472 Lot 74 - 23 Mountain Boulevard Suite 3**  
**#28-11-ZB, Request for Amended Condition of Approval**

Attorney Joe Murray was present to represent the Applicant. Sworn testimony was presented by Applicant Robert Berlant and Traffic Engineer Gary Dean.

There were no exhibits neither presented nor marked into evidence.

Attorney Murray stated that on June 29, 1999 the Board memorialized a resolution granting a variance allowing the construction of an office building exceeding the floor area permitted by the ordinance. The ordinance limited floor to 10% of land area and the applicant proposed 12% for a total building area of 20,494 S.F. A condition of the resolution limited the use of the building to general office area, with any medical, dental or childcare use requiring Board approval. This condition was also included in the August, 1999 resolution granting preliminary and final site plan approval. The applicant now returns to the Board seeking relief from this condition.

Applicant Berlant stated that over 10-years ago this Board's approval limited the site to general office use due to the number of required parking spaces; however, medical and dental uses are permitted in the zone. Applicant Berlant stated that he has received numerous calls for available space in the building for medical and dental offices and is now requesting that the Board amend the prior approval due to recent changes to the required number of parking spaces for such use. The parking lot is not over 50% occupied with the building being fully rented or leased. Applicant Berlant agreed to not have a 24/7 urgent medical care facility at the site.

Members of the public were present as follows:

Dona Delanoy, 108 Loft Dr., questioned the prior approval and if there was a variance for floor area ratio. Mr. Berlant stated that 3.912 acres was deeded to the County and the Board granted a variance for 12% floor area ratio.

Attorney Peter Cipparulo stated that he is present to represent some of the residents of Loft Farm. He questioned if any of the medical uses would be like Medi-Merge Urgent Care. Applicant Berlant stated that he has received requests from a podiatrist, dentist and general physician. There are currently 89-parking spaces available along the building; however, more spaces can be added by restriping the over-sized spaces along the building.

Traffic Engineer Gary Dean stated that medical offices required additional parking in 1999. Since then the ordinance has been changed to reduce those parking standards. He stated that the Board can't grant relief from handicap parking requirements. At the time of approval the parking standard for medical or dental uses was 4 spaces for each doctor or dentist and 1 space for each 100 S.F. of floor area. For general office uses the standard was 1 space per 250 S.F. of office area. The ordinance was subsequently amended and the current standard for medical and dental uses in one space per 222.22 S.F. The standard for general office use was changed to 1 space per 300 S.F. Currently there are 89 spaces at the site. The applicant is proposing up to 83% or 17,010 S.F. of the building for medical use, which will require 77 spaces, and 17% or 3,484 S.F. for office use which will require 12 spaces applying the current standard.

The Board reviewed the report of applicant's traffic engineer which states that the company has been a tenant at the property for 3 years and never observed the parking lot at more than 60% occupied. Notwithstanding this fact, the proposal meets the parking requirement of the ordinance, and for this reason parking is not an issue for the Board.

Members of the public were present as follows:

Attorney Peter Cipparulo addressed concerns about the medical offices being open for business during the late night hours.

Donna Delanoy, stated that she heard a very busy medical practice will be occupying space in the building and she does not want an all night urgent care facility at this location.

The Board deliberated and subject to the condition that there shall be no emergency medical facility open to the public 24/7 located at the property.

Motion by Mr. Riga, second by Mr. Sweeney, the Martinsville Realty Associates application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Pedroso, Mr. Schapiro, Mr. Rosen,  
Mr. Scott, Mr. Riga, Chairman Vornehm

ABSENT: Mr. Humenick

NOT ELIGIBLE: Mrs. Amin, Mr. Schulz

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:

There was no other Board business discussed.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 8:30 pm.

Respectfully submitted,  
Marie L. Broughman,  
Land Use Administrator