

BRIDGEWATER TOWNSHIP  
**ZONING BOARD OF ADJUSTMENT**

Regular Meeting  
Tuesday, February 4<sup>th</sup>, 2014  
—MINTUES—

**CALL MEETING TO ORDER:**

Chairman Vornehm called the meeting 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 15, 2014 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

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

**MINUTES FOR APPROVAL:**

**November 26, 2013 Regular Meeting** (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
-----

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

**January 14, 2014 Reorganization & Regular Meeting** (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
-----

**January 28, 2014 Regular Meeting** (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.

**MEMORIALIZING RESOLUTIONS:**

CIFELLI – 459 Milltown Road (*pending*)

Block 168 Lots 28 & 29

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

DECISION: Approved w/conds 1/14/14

Eligible to vote: Mr. Sweeney, Mr. Schapiro, Mrs. Amin, Mr. Humenick, Mr. Kirsh, Mrs. Powers, Chairman Vornehm

The foregoing resolution will be presented for Board consideration when completed. No action was taken.

-----  
HARSHAL LIMAYE – 101 Rosemary Dr.

Block 614 Lot 9

#13-031-ZB, Minor Site Plan w/variances (addition)

DECISION: Approved w/conds 1/28/14

Motion by Mr. Sweeney, second by Mrs. Amin, the foregoing resolution memorializing the approval with conditions on 1/28/14 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

-----  
DHIREN SENJALIA – 4 Catena Ct.

Block 184 Lot 8

#13-035-ZB, Simple Variance (new deck)

DECISION: Approved w/conds 1/28/14

Motion by Mr. Kirsh, second by Mrs. Amin, the foregoing resolution memorializing the approval with conditions on 1/28/14 was adopted as presented 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

**HEARING AND DELIBERATIONS:**

LO PRESTI HOME, LLC – Chestnut Street

Block 149 Lot 2

#13-027-ZB, Preliminary & Final Major Subdivision w/variances

TIME: 120=3/7/14

Attorney Robert J. Foley was present to represent the Applicant. Sworn testimony was presented by Applicant Anthony LoPresti and Professional Engineer David A. Stires.

The Applicant submitted several exhibits which were marked into evidence as follows:

- A-1 2/4/14 Photo at the corner of Perry & Chestnut, north of the property in question
- A-2 2/4/14 Photo of vacant lot
- A-3 2/4/14 Architectural Plans with new dwelling, prepared by Wellisch Architects LLC, dated 11/01/11

Applicant LoPresti provided an overview of the application stating that the property is located in the Bradley Gardens section of Bridgewater, with the rear property line also the municipal boundary with Raritan Borough. He is proposing to subdivide the property into two undersized non-conforming lots which requires a d-variance for deviation from the maximum required density. The existing dwelling on Lot 2.02 will remain and a new dwelling is proposed on Lot 2.01. He stated that he will build the new dwelling that is a custom design with variances needed for the side yard setbacks. The proposed dwelling is similar to newer houses being built in the neighborhood. There are mostly older homes across the street with other newer homes in the area. Board Planner stated that the proposed house is substantially larger than the maximum f.a.r. allowed and she requested specific numbers of comparable houses existing in the neighborhood.

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

Engineer Dave Stires summarized the application stating the property is located at the southeast corner of Perry Drive and Chestnut Street and it is located in the R-10 Single-Family Residential zone. The lot dimensions include 150-ft width and 132-ft depth. The density variance is for 1.98 dwelling units per acre where 2.0 units are required.

Engineer Stires reviewed the report of Township Engineer Robert Bogart dated 12/10/13, Board Planner Doyle dated 11/16/13, and Sewer Utility Engineer Robert Reich dated 12/10/13 and he agreed to comply with the outstanding issues. For the record, he stated that Board Planner Doyle's report dated 11/16/13 incorrectly states that the existing density is 1.98, where it should be updated to show the proposed density for proposed lots 2.01 and 2.02.

Engineer Stires switched hats and from a planning perspective discussed the existing neighborhood and sizes of existing dwellings and he referenced exhibits A-1 and A-2. He discussed the existing distances between residences in the neighborhood which range as close as 15-ft up to 35.8-ft. On average the distance between residences is 25-ft. Engineer further discussed the house styles in the neighborhood stating that they are mostly 2½-story homes.

The Board expressed concern with the mass of the proposed dwelling needing side yard variances in addition to variances for lot area, lot width, total both side yards and density. The zoning was for 50-ft lots, which the Master Plan increased to 100-ft lot widths.

At the Applicant's request, Chairman Vornehm called for a short recess at 8:35 pm.

The Board reconvened at 8:40 pm on the following roll call:

Don Sweeney – present	Lee Schapiro – present
Paul Riga – <b>absent</b>	Evans Humenick – present
Pushpavati Amin – present	Michael Kirsh, – present
Bill Vornehm – present	Beth Powers, Alt. #1 – present
Alan Fross, Alt. #2 – present	Roger Pearly, Alt. #3 – present
James Weideli, Alt. #4 - present	

Engineer Stires confirmed that the dwelling presented in exhibit A-3 is the dwelling to be built and it will be placed on the new vacant lot. For the proposed lot with the existing dwelling total side yards of 32.6 feet are proposed with one side yard of 15.00 feet. For the newly created lot total side yards of 33.50 feet are proposed with one side yard of 15.2 feet. The ordinance requires total side yards of 40 feet. The requested side yard variances are in large part necessitated by the size of the dwelling proposed for the newly created lot.

The Board deliberated and discussed several conditions including:

- The dwelling to be constructed on the newly created lot shall be the dwelling shown on the plan introduced into evidence at the hearing and marked Exhibit A-3. The width of the dwelling shall not be greater than 35 feet and the F.A.R. shall not be greater than .25.
- The northerly sideline for the newly created lot shall not be less than 18.5 feet. The remaining distances after allowance for the aforesaid dwelling shall be allocated between the two lots. The plan so modified shall be approved by the township Planner.
- Applicant shall comply with the Engineer's report dated 12/10/13: Under the Policy section 1 and 2; Under Plat details of the Technical section 1, 2, 4 and 5; Under Grading and Stormwater Management of the Technical section 2 & 3; Under Utilities of the Technical section, 1 and 2
- The driveway for the newly created lot shall be paved and not graveled.
- Applicant shall address to the satisfaction of the Township Engineer any impact which the pipes from the storm inlet referenced in comment 4 under Grading and Stormwater Management of the Technical section of the report.
- Applicant shall make a contribution to the Township sidewalk fund in an amount determined by the Township Engineer.
- Applicant shall comply with outstanding comments in the Planner's report dated 11/16/13: Comment 6, with the understanding that 6 trees and not 5 trees are to be removed; Comment 7, and Comment 9.
- No Developer's Agreement shall be required.
- The applicant shall submit a Bridgewater Township Compliance Report prior to the plans being signed, and prior to scheduling the preconstruction meeting and issuance of construction permits.

Motion by Mr. Sweeney, second by Mr. Kirsh, the foregoing resolution memorializing the approval with conditions on 1/28/14 was adopted with the revised house plan and conditions on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Kirsh, Mr. Humenick,  
Mr. Schapiro, Mrs. Powers  
ABSENT: Mr. Riga  
NOT ELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Weideli

**MEETING OPEN TO THE PUBLIC:**

Members of the public wishing to address the Board on any matter not listed on the agenda may do so at this time.

**OTHER BOARD BUSINESS:**

There was no other Board business discussed. No action was taken.

**ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 9:15 pm.

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