

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, April 26, 2011
—MINUTES—

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 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 – absent
Filipe Pedroso – present	Jim Scott – present
Paul Riga – absent	William Vornehm, Chairman – present
Lee Schapiro – absent	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

MINUTES FOR APPROVAL:

March 29, 2011 Regular Meeting Minutes – Motion by Mr. Sweeney, second by Mr. Scott the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE:	Mr. Sweeney, Mr. Scott, Mrs. Amin, Mr. Schulz, Chairman Vornehm
ABSENT:	Mr. Schapiro, Mr. Rosen, Mr. Riga
NOT ELIGIBLE:	Mr. Pedroso, Mr. Humenick

April 5, 2011 Regular Meeting Minutes – Motion by Mr. Sweeney, second by Mr. Scott, the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE:	Mr. Sweeney, Mr. Pedroso, Mr. Scott, Mrs. Amin, Mr. Humenick, Chairman Vornehm
ABSENT:	Mr. Schapiro, Mr. Rosen, Mr. Riga
NOT ELIGIBLE:	Mr. Schulz

MEMORIALIZING RESOLUTIONS:

None pending

HEARING AND DELIBERATIONS:

BRAUNSCHWEIGER – 169 Adamsville Rd.
Block 221 Lot 13
#27-10-ZB, Simple Variance (rebuild detached garage)
Time: 7/1/11

Art Braunschweiger was present to represent himself. He provided sworn testimony. No exhibits were presented.

The property is known as Lot 13 in Block 221 of the Tax Map, located in the R-20 Single-Family Residential Zone, and commonly known as 169 Adamsville Road. It consists of a fully improved tract of land having an area of 31,900 S.F. Applicant proposes to replace the existing freestanding garage with a new garage with the same sideline set back. At its closest point the existing garage is 3.1 feet from the sideline and at its furthest point 4.1 feet. The garage proposed to be constructed will be 14 inches wider and 12 inches closer to Adamsville Road than the existing garage. In support of this application the Board heard the testimony of the applicant. He stated that the existing garage located along the northerly sideline of the property is in very poor condition and needs to be replaced. The garage is proposed to remain slightly wider and longer than the existing garage to accommodate a typical motor vehicle. The subject property has an area of 31,900 S.F. and is irregularly shaped having frontage on Adamsville Road of 50 feet. The rear line of the property has a width of 100 feet, with the dwelling and garage located within a narrow portion of the property. The narrowness of the lot creates a zoning hardship.

The new garage will be an improvement to the property and with conditions the Board finds that the granting of the variance will not substantially impair the zone plan or land use ordinance or be a substantial detriment to the public welfare of the residents of the Township of Bridgewater.

The Board deliberated and discussed several conditions including:

- The garage to be constructed will be as shown on the plans submitted with the application, and shall have the same siding as the existing dwelling.
- No Developer's Agreement shall be required.
- The Applicant shall submit a Bridgewater Township Compliance Report prior to any plans or any deeds being signed, and prior to scheduling the pre-construction meeting and issuance of construction permits.

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

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mr. Scott, Mrs. Amin, Mr. Humenick,
Mr. Schulz, Chairman Vornehm

ABSENT: Mr. Schapiro, Mr. Rosen, Mr. Riga

ROMEO – 375 Stony Brook Dr.
Block 419 Lot 34
#03-11-ZB, Bulk Variance (shed)
Time: 7/14/11

Rocco Romeo was present and represented himself. Sworn testimony was provided by Applicant Rocco Romeo.

The applicant submitted several exhibits which were marked in to evidence as follows:

- A-1 5/3/11 Photo of the shed taken from Garretson Road
A-2 5/3/11 Photo of the shed close up

- A-3 5/3/11 Photo of the shed from the applicant's yard looking toward Garretson Road
- A-4 5/3/11 Photo of the shed looking from driveway

He stated that the property is known as Lot 34 in Block 419 of the Tax Map, located on the easterly side of Stony Brook Drive in the R-40 Single-Family Residential Zone, and commonly known as 375 Stony Brook Drive. The subject property consists of a tract of land being an area of 35,719 S.F. It is fully improved with a split-level type single-family dwelling. There is presently a shed, 8 feet by 16 feet on the property located 4 feet from the northerly sideline. The shed, exceeding 100 S.F. in area must be located 20 feet from the sideline. Applicant seeks a variance to continue the shed in its present location.

Mr. Romeo reviewed the joint report of the Township Engineer and Planner dated 4/21/11, a report from the Fire Official dated April 21, 2011. He stated that he chose the location of the shed for easy access for equipment used in the maintenance of the property. The shed, however, could be located to comply with the requirements of the ordinance. After questioning by the Board and discussion with the applicant as to the location of the shed the applicant chose to withdraw the application.

Members of the public were present as follows:

Katherine Correa, 369 Stony Brook Drive, stated that the shed is very large and that is all she sees from her sunroom. She addressed concerns regarding the impact this shed has on her property value and her quality of life. She stated that she does not want the Board to grant the variance.

The Applicant gathered his materials, stated that he withdrew the application and left the meeting room.

No deliberation or vote was taken.

YALAMANCHI – 1 Ethel Ct.
Block 113 Lot 21
#06-11-ZB, Simple Variance (sunroom addition)
Time: 120=7/29/11

Krishan Yalamanchi was present to represent himself. Sworn testimony was presented by Applicant Krishan Yalamanchi and Builder Scott Whightman.

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

- A-1 4/26/11 Photo of a sample sunroom, which is larger than that proposed
- A-2 4/26/11 Photos of the rear yard looking toward the house
- A-3 4/26/11 Photo of the existing rear tree line

The property is known as Lot 21 in Block 113 of the Tax Map, located at the southeast corner of the intersection of Ethel Court and Moorhouse Court in the R-20 Single-Family Residential Zone, and commonly known as 1 Ethel Court. It consists of a tract of land having an area of 24,005 S.F. and is fully improved with two one-half story single-family dwelling. Applicant proposes to erect a sunroom to the rear of the dwelling. A variance is needed as the proposal does not meet the setback requirement of the zone. The zone requires a rear yard setback of 50 feet and the applicant is proposing a rear yard setback of 22 feet.

The applicant agreed to comply with the joint report of the Township Engineer and Township Planner dated 3/30/11. In support of this application the Board heard the testimony of the applicant. He stated that he desires the sunroom to provide additional living space. He stated further that the proposed sunroom would be 15 feet one and

one-quarter inches wide and 16 feet ten and one quarter inches deep. In response to an inquiry as to whether the sunroom could be turned, which will reduce the rear yard encroachment, the applicant stated that this will require substantial changes to the interior of the home, and will not match the roof line of the existing dwelling.

The subject property is on a cul-de-sac. The curve of the cul-de-sac effectively reduces the front yard so that to comply with the front yard setback the dwelling must set back further than it would if there were no cul-de-sac. Given the fact that the property is irregularly shaped the Board finds that an adequate zoning hardship exists. The applicant testified that there is a row of trees along the rear line of the property which would act as a buffer. Photos of this area were submitted into evidence. It appears to the Board, however, that the buffer plantings may not be adequate to achieve the intended purpose.

The Board, however, is satisfied that the zoning hardship exist and with conditions the granting of the variance will not substantial impair the zone plane or land use ordinance or be a substantial detriment to public welfare of the residents of the Township of Bridgewater.

The Board deliberated and discussed several conditions including:

- The applicant shall submit to the Township Planner a plan showing the existing planting along the rear line of the property and his proposal for supplementing thereof. Said plan to be approved by the Township Planner.
- The variance granted is for a rear yard setback of 22 feet.
- The signature block on the plan shall be improved to allow for the signature of the Chairman, Secretary of the Board and Township Engineer.
- No Developer's Agreement shall be required.
- The Applicant shall submit a Bridgewater Township Compliance Report prior to any plans or any deeds being signed, and prior to scheduling the pre-construction meeting and issuance of construction permits.

Motion by Mr. Humenick, second by Mrs. Amin, the Yalamanchi application was approved with the conditions discussed on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Scott, Mrs. Amin, Mr. Humenick, Mr. Schulz,
Chairman Vornehm

OPPOSED: Mr. Pedroso

ABSENT: Mr. Schapiro, Mr. Rosen, Mr. Riga

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/ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 10:15 pm.

Respectfully submitted,
Marie L. Broughman,
Land Use Administrator

ADOPTED: 5/24/11