

BRIDGEWATER TOWNSHIP
PLANNING BOARD
Regular Meeting,
Tuesday, August 14, 2012
-MINUTES-

CALL MEETING TO ORDER:

Chairperson Joanne Kane called the meeting of the Bridgewater Township Planning Board to order at 7:00 p.m. in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

OPEN PUBLIC MEETING ANNOUCEMENT:

Adequate notice of the meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 20, 2012 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 Planning Board policy for public hearings: No new applications will be heard after 10:00 p.m. and no new testimony will be taken after 10:15 p.m. Hearing Assistance is available upon request.

SALUTE TO FLAG:

There was a salute to the flag.

ROLL CALL:

Steve Rodzinak – present	Barbara Kane, Vice Chairperson – present
Filipe Pedroso, Councilperson – present(7:05pm)	Mayor Hayes – present
Joanne Kane, Chairperson – present	Ron Charles – present
N. Janine Dickey – present	James Franco, Alt#2 – absent
Former Councilperson Robert Albano, Alt#1 – present(7:02pm)	

Others present: Attorney Thomas Molica, Recording Secretary Danielle A. Britton, and Board Engineer Robert C. Bogart, PE.

MINUTES FOR APPROVAL:

July 10, 2012 - Regular Meeting Minutes - Approved.

Minutes moved by Ron Charles, second by Janine Dickey, and adopted by the following roll call vote:

AFFIRMATIVE: Steve Rodzinak, Ron Charles, Vice-Chair Barbara Kane, Chairperson Joanne Kane, N. Janine Dickey, Mayor Dan Hayes

OPPOSITION: None

NOT ELIGIBLE: None

ABSENT: James Franco

ABSTAIN: Robert Albano

MEMORIALIZING RESOLUTIONS:

None Pending

TOWNSHIP COUNCIL REFERRAL FOR REVIEW AND RECOMMENDATION OF THE PLANNING BOARD:

Ordinance Amending Chapter 126 (Land Use), Part 12 (Zoning), Section 126-320 (SED Special Economic Development Zone), so as to Clarify Permitted Office Facilities in the SED Zone.

Township Engineer Robert C. Bogart explained that in the introduced ordinance *Section 126-320 (Special Economic Development Zone Ordinance)* the “*Light Manufacturing*” provision was previously omitted, but has since been reinserted. The amended allows for multi- tenants to operate on premise and retain prior uses. The governing body has reintroduced the ordinance for Planning Board review for recommendation.

Clarifying the nature of the permitted uses in the SED Zone affords prospective corporate tenants the certainty that their use will be permitted and welcomed in Bridgewater.

Motion by Mayor Hayes, second by Robert Albano, Amendment to Chapter 126 (Land Use), Part 12 (Zoning), Section 126-320 (SED Special Economic Development Zone), so as to Clarify Permitted Office Facilities in the SED Zone was recommended for adoption on the following roll call vote:

AFFIRMATIVE: Steve Rodzinak, Ron Charles, Vice-Chair Barbara Kane, Chairperson Joanne Kane, N. Janine Dickey, Mayor Dan Hayes, Robert Albano
OPPOSITION: None
NOT ELIGIBLE: None
ABSENT: James Franco
ABSTAIN: Councilperson Filipe Pedroso

HEARING AND DELIBERATIONS:

LANG – Twin Oaks Road/ Foothill Road

Block 712, Lots 4&7; Block 718, Lot 63

#29-11-PB, Preliminary Major Subdivision with Variances

(create 19 -lots and construct two roads)

TIME: 120=8/3/2012. Request for Time Extension until September 28, 2012.

The application was carried from June 25, 2012.

Attorney Michael V. Cresitello, Jr., Esq. was present to represent the applicant, Steven and Sandy Lang. The applicant requested a hearing adjournment due to changes being finalized to the plans.

Chairperson Kane carried the hearing to September 11, 2012 with no further notice required.

**OAK STREET BUILDERS LLC– 185 Oak Street
Block 152, Lot 35
#12-011-PB, Minor Subdivision with Variances
(divide two lots; construct (2) two single family dwellings)
TIME: 120 =10/2/2012**

Attorney John P. Belardo, Esq. was present to represent the applicant, 185 Oak Street Builders, LLC.

The following persons were sworn in for testimony:

Mr. Robert Gazzale, Professional Engineer;
Mr. Roger C. Winkle, Architect, RA.; and
Mr. David Zimmerman, Professional Planner.

Attorney Belardo briefly discussed the nature of the application and related variances being sought. The application proposed to subdivide the property in order to construct two (2) single-family dwellings, each to have a one-car garage on each of the (2) lots. The lot width required for a corner lot is 100 ft., the existing lot width on property (known as Lot 35.01) is 50 ft. The existing lot width on property (known as Lot 35.02) is 50 ft. The minimum side-yard setback requirement is 15 ft., the existing side-yard setback on property (known as Lot 35.01) is 10.29 ft. to the left and right of the lot. The existing side-yard setback on property (known as Lot 35.02) is 10.08 ft. to the left and right of the lot. Both lots have an existing combined side-yard setback of 20 ft.; the required combined side-yard setback in the R-10 Zone is 40 ft. Both properties depart from the Ordinance and require “c” variances.

Engineer Gazzale was called as the first witness for testimony. Mr. Gazzale described the nature of the application and referred to the Minor Subdivision drawing plans, dated May 21, 2012. The minimum lot area for property known as Lot 35.01 is 10,000 sq. ft. and Lot 35.02 is 10,000 sq. ft (50ft.wide x 200 ft. deep). The subject property is located on the easterly side of Oak Street in the Single Family Residential Zone, within the Bradley Gardens section. The site previously contained a single family dwelling which included a driveway, but these have been demolished.

Mr. Gazzale testified that both lots have an existing connection to the sanitary line. The drainage pattern is to drain away from Oak Street across the lot to the rear yard. Stormwater runoff is directed to the existing lawn inlet within an existing 20ft. wide drain easement. Runoff water would be reduced by 500sq. ft. resulting in less impervious coverage than the prior use. Mr. Gazzale testified that he would remove four (4) trees, and replace them with four new trees.

Mr. Gazzale agreed to comply with the reports of the Township Engineer, Robert C. Bogart, dated July 3, 2012, and the Township Planner Scarlett Doyle, dated June 2, 2012. Attorney Belardo stated that the applicant would make a contribution to the sidewalk fund. Township Engineer Mr. Bogart noted that the cost of the contribution is \$2,000.

Chairperson Kane opened the hearing to the public for questioning and comments related to the Gazzale testimony:

Chris Shan of 43 Sycamore Ave (Lot 37) was sworn in. Mr. Shan inquired how the drainage trenching or underground piping would get to the other lots. He questioned whether there would be excavation

or a need to run through to Lot 37. Mr. Gazzale stated there is an existing municipal easement for Lot 38 & Lot 2. There would be no work conducted on Lot 37.

Being no further questioning or comments, Chairperson Kane closed this portion of the meeting.

Architect Mr. Winkle was called as second witness for testimony. Mr. Winkle used **Exhibit A-1 (Shape and Size Similarities), dated 8/14/2012** and discussed the property and building characteristics.

Mr. Winkle used **Exhibit A-2 (1st & 2nd Floor Plans & Elevations), dated 8/14/2012** for discussion. The proposed homes have identical floor plans, but differ in scale. Proposed size for Lot 35.01 is 29ft. 5in. wide x 51ft. 8in deep; Lot 35.02 is 29ft 10in wide x 51ft. 8in. deep. Proposed square feet of dwelling for Lot 35.01 is 2,447sq.ft, plus a 237sq.ft. (proposed) garage. Proposed dwelling for Lot 35.02 is 2,481sq.ft, plus a 240sq.ft. (proposed) garage. Both dwellings are two-story structures with a front porch (3ft. x 8ft.), a first-floor deck (12 ft. deep) from the rear extension of the kitchen, and a basement.

Vice-Chairperson B. Kane inquired about the proposed lot coverage of the two lots. Mr. Winkle stated that the proposed coverage on Lot 35.01 is 21.2%; proposed on Lot 35.02 is 21.4%.

Board member Charles questioned the basement height. Mr Winkle stated the height of the unfinished basement is 8ft.

Board member Dickey inquired about the façade design that would be utilized.

Attorney Belardo introduced Builder, Mr. Louis LaRosa, an LLC Member and a Licensed Realtor. He was sworn in for testimony.

Mr. LaRosa testified that due to the housing market trend, homebuyers are in the market to purchase homes that are smaller in scale. The proposed subdivision development would replace an existing dilapidated structure. The new homes are priced affordably and fit within the character of the neighborhood.

Mr. LaRosa discussed the façade style for both structures. Lot 35.01 structure would utilize the (A-2 sample photograph) type colors; Lot 35.02 structure would utilize (A-1 sample photograph) earth tone/brown colors. The Board agreed that the selected façade portrays a diverse style. Board members reviewed sheets 2 & 3 of Mr. Winkle's architectural drawings and further discussed the scale of the proposed structure from the side view of the property, and space distance between the two homes. Board member Albano expressed concern with regard to the scale of the homes compared to the surrounding homes in the neighborhood. Mr. LaRosa mentioned that side windows "mirror" the adjoining new home.

Chairperson Kane opened the hearing to the public for questioning and comments:

Chris Shan of 43 Sycamore Ave (Lot 37) Mr. Shan questioned if the proposed homes could be reduced in scale to fit in with neighboring homes. He stated that the 2 ½ story structures would block his

sunlight on the southern elevation to his property and his ranch style house. Mr. Winkle showed Mr. Shan on the architectural drawings where the proposed structures would lineup in location to Lot 37.

Being no further questioning or comments, Chairperson Kane closed this portion of the meeting.

Planner Zimmerman was called as third witness for testimony. Mr. Zimmerman testified that he had read both the Township Land Use Ordinance and the 1990 Master Plan.

Mr. Zimmerman used **Exhibit A-3 (Aerial Photographs taken 2007, consisting of eight pages), dated 8/14/2012** to discuss the characteristics and layout of the neighborhood.

Mr. Zimmerman testified that the Board could grant a (c)1 variance if it found that unusual and unique features exist as is the case in this application. He went on to explain that the Board could also grant a (c)2 variance if the Board found that benefits outweigh any detriment as is the case here.

Chairperson Kane opened the hearing to the public for questioning and comments:

Chris Shan of 43 Sycamore Ave (Lot 37). Inquired about available data that illustrates the number of single and/or two- story homes in the Bradley Gardens section. Post World War II era, there were 1,500sq.ft. Cape Cod homes built with sufficient side yard setbacks. He commented that the construction of a one- single-family dwelling would better represent the character of the neighborhood. Mr. Shan was concerned that the proposed development would change the character of the neighborhood because of size and proximity to other properties. Mr. Zimmerman testified that over the course of ten years, twenty-three (23) new homes were built on lot sizes 50ft x 200ft.

Angela Bodino of 21 Deer Run Dr was sworn in. Commented that Bradley Gardens has a unique 'spirit' of character; the homes are diverse in design and are affordable. The neighborhood has historic significance.

Being no further questioning or comments, Chairperson Kane closed this portion of the meeting.

Attorney Belardo summarized then concluded the application presented. He stated that the Planning testimony justifies the relief requested.

After considering all the testimony, the Board deliberated:

Board member Albano stated that the presented application is not a (c)1 hardship variance. 14 of the 22 homes within the 200ft radius have lot widths of 100 ft.

Board member Mayor Hayes affirmed that the two dwelling units are too large in scale and do not provide enough distances between them. The proposed is inconsistent with the neighborhood.

Board member Dickey stated that the proposed size in square footage may be needed in today's real-estate market trend. Mrs. Dickey concurred that the integrity of the neighborhood is equally important.

Councilperson Pedroso affirmed the (c)1 burden of proof is not a hardship variance, under the (c)2 criteria, the negative *does* outweigh the positive in this application. The proposed scale of the structures are inconsistent with the character of the neighborhood; therefore presenting a detriment

than a benefit to the neighborhood. The Bradley Gardens section has a unique character; frontage and side-yard setback requirements are important to protect the quality of the neighborhood. Mr. Pedroso noted that the Master Plan is worth protecting.

Board Attorney Thomas Molica when asked confirmed that a required ‘majority vote’ is needed on a motion to deny the application.

Motion by Mr. Pedroso, second by Vice-Chair Barbara Kane, the application was **DENIED** on the following roll call vote:

AFFIRMATIVE: Vice-Chair Barbara Kane, Chairperson Joanne Kane, Mayor Dan Hayes,
Councilperson Filipe Pedroso

OPPOSED: Steve Rodzinak, Ron Charles, N. Janine Dickey

ABSTAIN: None

ABSENT: James Franco

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.

BOARD BUSINESS:

There was no other business discussed.

ADJOURNMENT:

The Board adjourned the meeting at 9:00p.m.

Respectfully submitted,
Danielle A. Britton
Recording Secretary