

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, August 2, 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 – present (arrived 7:37 pm)
Filipe Pedroso – present	Jim Scott – present
Paul Riga – absent	William Vornehm, Chairman – present
Lee Schapiro – present (arrived at 7:32 pm)	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

Board Member Lee Schapiro arrived at approximately 7:32 pm.

MINUTES FOR APPROVAL:

July 5, 2011 Regular Meeting – Motion by Mr. Schulz, second by Mrs. Amin, the foregoing minutes were adopted as amended on the following roll call vote:

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

ABSENT: Mr. Riga, Mr. Rosen

NOT ELIGIBLE: Mr. Sweeney, Mr. Pedroso

July 12, 2011 Special Meeting – Motion by Mr. Sweeney, second by Mrs. Amin, the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Pedroso, Mr. Schapiro, Mrs. Amin,

Mr. Humenick, Chairman Vornehm
ABSENT: Mr. Riga, Mr. Rosen
NOT ELIGIBLE: Mr. Scott, Mr. Schulz

July 19, 2011 Regular Meeting – Motion by Mr. Sweeney, second Mrs. Amin, the foregoing minutes were adopted as amended on the following roll call vote:

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

The July 26, 2011 Regular Meeting minutes will be presented for Board consideration at the next meeting.

Board Member Jay Rosen arrived at approximately 7:37 pm and took a seat at the dais.

MEMORIALIZING RESOLUTIONS:

None pending

HEARING AND DELIBERATIONS:

SHAPIRO – 57 Totten Drive

Block 721 Lot 108

#11-11-ZB, Bulk Variance (In ground pool and patio)

TIME: 95=8/15/11

The Applicants were present to represent themselves. Sworn testimony was provided by David A. Stires, PE.

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

A-1 8/2/11 Colored Rendering of Variance Plan, revised 6/22/11

Engineer Stires stated that the property was created in 1991 as part of a cluster development, Stony Hill at Middlebrook. The Applicant is proposing improved lot coverage of 31.6%, where 18% maximum is permitted. He stated that a 36-acre open space area was created as a result of the cluster development. If the lots were created with 50,000 square feet instead of creating the open space portion, then the proposed improved lot coverage would be at 17.5%. He stated that the proposal is consistent with the surrounding properties in the neighborhood. The drainage runs south to north. In addition, the Applicant spoke with the neighbor who had drainage concerns and Engineer Stires revised the plans by adding a french drain, approximately two to three feet deep, along the northeast property line which drains to the open space portion in the rear of the property, which drains northerly toward Washington Valley Road.

Engineer Stires referenced exhibit A-1 and stated that the Applicant is willing to reduce the patio area shown as a hatched area in the exhibit to reduce the proposed improved lot coverage to 28%. The pool equipment will be located between the patio and drain in the northeast portion of

the pool, on a cement slab. He stated that the Applicant did not know that a zoning permit was required for the existing patio when it was installed and requested a variance from the existing improved lot coverage 23.5%. He agreed to top soil and seed the area of disturbance when all of the construction is complete.

The Board deliberated.

Motion by Mr. Rosen, second by Mr. Scott, the foregoing application was approved on the following roll call vote:

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

JEWISH COMMUNITY CENTER – 755 Talamini Rd

Block 477 Lot 53

#08-11-ZB, Minor Site Plan w/d-variance (dome over swimming pool)

Time: 120=9/9/11

Attorney Lawrence Powers was present to represent the Applicant. Sworn testimony was provided by the Applicant/President of the Jewish Community Center Dave Boonovich; Mitch Ardman, PE of The Reynolds Group; Darrel Abbott, Yeadon Fabric Structures, Ltd.; Craig Peregoy, Traffic Engineer; and Christine Cafone, PP.

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

- A-1 8/2/11 Colored Rendering of the Dimension Plan, revised 4/14/11
- A-2 8/2/11 Photo of a bubble
- A-3 8/2/11 Fabric sample that the bubble will be made of, 28-ounce outer fabric
- A-4 8/2/11 Measured Sound Levels
- A-5 8/2/11 Aerial photograph of the proposed site and surrounding area

Attorney Powers summarized the application stating that a c-variance is being requested for the height of the accessory structure, bubble, at 32-feet where 16-foot maximum is permitted. A d-variance is being requested as the property does not front on a state or county road, or other exempt roadways.

Applicant Dave Boonovich provided a brief history of the Jewish Community Center and stated that it was built in 1999, which is similar to the YMCA on Garretson Road in Bridgewater. There are two swimming pools, one is indoors and the other is outdoors. The JCC provides services to residents from infants to seniors with a strong swim program. There are currently 210-members for competitive swimming and they provide swimming lessons for all ages. The facilities are diverse and everyone can use it. He stated the summer hours and fall hours of operation and listed other programs offered including scholarship programs, summer camps, certified pre-school, senior programs, and the JCC meets the needs of the community. Lastly, he

stated that the bubble will be removed for the summer months from June through September depending upon the weather and there will be a heater in the outdoor pool. In addition, there is parking in the summer months on the grass area at the JCC, but proximity to Interstate 287 produces no negative impacts.

Engineer Mitch Ardman referenced exhibit A-1 and pointed to the long driveway off Talamini Road to the JCC. The outdoor pool is located behind the JCC building and 19.5-feet to Route 287. Landscape screening buffers the parking lot from the outdoor pool complex. The residential properties are a great distance from the outdoor pool. There will be no visual or noise impacts from installation of the bubble.

Darrel Abbott, Yeadon Fabric Structures, Ltd described the proposed temporary bubble and stated that it will be 105-feet by 98-feet, which will be slightly larger than the size of the pool and the area around the pool for a safety edge. The proposed height is 32-ft, which must be 30% of the width in order for the bubble to be able to shed the snow during the winter months and it is needed for structural purposes. He referenced exhibit A-2 and stated that the bubble is made of vinyl coated polyester as shown in exhibit A-3, which is inflated with air, anchored and when the fan is turned on the bubble will inflate within 45-minutes to create an instant building. The air will be heated to 85-degrees, the fan will be on 24-hours per day, a natural gas powered auxiliary unit will be provided for electric backup, air will be prevented from escaping out the doors by using a revolving door with emergency egress doors to get out of the bubble, which will be locked from the outside. Mr. Abbott stated that there is no glow of the bubble at night as it is an opaque material. He stated that over a period of four to five years the dome starts to discolor and grey; however, when a Teflon coating is added to the outside of the bubble it prevents it from discoloring. There will be noise from the fan and auxiliary unit; however, it does comply with the noise ordinance. He referenced exhibit A-4 and discussed the noise. The bubble material does come in a variety of colors; however, he stated that white would blend in with the clouds and snow. Concrete will be added beyond the existing patio in order to anchor the bubble. He named several New Jersey locations of other bubbles in use. The bubble can withstand 180-mph winds and if it gets a hole or a leak it can be patched with an iron on patch just like that of an inner tube.

Traffic Engineer Craig Peregoy stated that he prepared a traffic analysis and that there is no negative impact on traffic as the outdoor pool will be used for lap swimming by the swim team. He stated that during the summer time the site is at capacity. In a worst case scenario, there are 30-trips to the site with no impact that will offset the neighborhood. No additional memberships are expected, as the reason for the enhancement is for additional off-season pool time for existing members.

Planner Cafone stated that a d-variance is being requested as the R-40 zone does not allow outdoor recreation which is not located on a state or county road. She stated that the site is particularly well suited as it exists today. The roadway network already handles the site traffic. C-variances are being requested for the height of the proposed bubble, which is an accessory structure and the setback from Route 287 is another c-variance. She stated that special reasons include: g, h and i. There is no negative impact of this bubble installation.

Planner Cafone referenced exhibit A-5 and stated that the distances to closest residential neighbors are 680-feet, 435-feet and 650-feet. For comparison, she stated that a football field is 300-feet. The existing vegetation and building are mitigating the visual appearance of the bubble. There is no substantial detriment to the public good and no detriment to the zone plan or master plan. Planner Cafone stated that abundant recreation opportunities are consistent with the master plan goals. The existing JCC building is 34-feet high and the proposed bubble will be 32-feet high.

Attorney Vastola requested Attorney Powers to provide copies of the prior approvals for the JCC. Planner Doyle noted that the Applicant had requested that a developer's agreement not be required.

The Board deliberated.

Motion by Mr. Scott, second by Mr. Pedroso, the foregoing application was approved with conditions on the following roll call vote:

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

Chairman Vornehm stated that the Board will address the request from a resident to produce testimony from a real estate appraiser for T-Mobile at the 8/16/11 Board meeting and will decide if they are willing to hear it or not.

Board Planner Doyle stated that the Board may want to hire a Traffic Expert as several applications have recently been submitted which are located at a critical intersection in Bridgewater including: Eastern Star Home, CVS and Somerset County ARC Group Home in the Finderne area. This will be placed on the agenda at the next meeting for Board consideration.

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

ADOPTED: 8/16/11