

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, November 27, 2012
—MINUTES—

CALL MEETING TO ORDER:

Chairman Vornehm called the regular meeting of the Bridgewater Township Zoning Board of Adjustment to order at 7:35 pm 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, 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 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
Jim Scott – absent	Paul Riga – absent
William Vornehm, Chairman – present	Lee Schapiro – present
Pushpavati Amin- present	Evans Humenick, Alt. #1 – present
Carl Schulz, Alt. #2 – present	Michael Kirsh, Alt. #3 – present
Beth Powers, Alt. #4 - present	

Others present: Attorney Lawrence A. Vastola, Board Engineer Thomas J. Forsythe, Land Use Administrator Marie L. Broughman, Board Planner Scarlett Doyle

MINUTES FOR APPROVAL:

May 22, 2012 Special Meeting (pending) – No action was taken.

November 20, 2012 Regular Meeting – The minutes are completed; however, they will be distributed for Board consideration at the next meeting. No action was taken.

MEMORIALIZING RESOLUTIONS:

MATTHEWS – 19 Berwick Drive

Block 114, Lot 42

#12-023-ZB, Bulk Variance (add new deck with covered roof; renovations)

DECISION: APPROVED 11/20/12

Motion by Mr. Sweeney, second by Mrs. Amin, the MATTHEWS resolution memorializing the approval with conditions on 11/20/12 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mrs. Amin, Mr. Kirsh, Mrs. Powers,
Chairman Vornehm

ABSENT: Mr. Rosen, Mr. Scott, Mr. Riga

NOT ELIGIBLE: Mr. Humenick, Mr. Schulz

TOPSPIN – Building 25E Kearney Street

Block 348, Lot 30

#12-022-ZB, Minor Site Plan with Use Variance (private tennis table lessons – change of use)

DECISION: APPROVED 11/20/12

Motion by Mrs. Amin, second by Mr. Kirsh, the TOPSPIN resolution memorializing the approval with conditions on 11/20/12 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Schapiro, Mrs. Amin, Mr. Kirsh, Mrs. Powers,
Chairman Vornehm

ABSENT: Mr. Rosen, Mr. Scott, Mr. Riga

NOT ELIGIBLE: Mr. Humenick, Mr. Schulz

RESOLUTION: APPOINTMENT FOR SPECAIL COUNCIL TO REPRESENT THE ZONING BOARD WITH REGARD TO THE T-MOBILE LAWSUIT

Motion by Mr. Sweeney, second by Mrs. Amin the foregoing resolution was adopted as presented on the following roll call vote:

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

ABSENT: Mr. Rosen, Mr. Scott, Mr. Riga

NOT ELIGIBLE: Mrs. Powers

RESOLUTION: 2011 ZONING BOARD ANNUAL REPORT

Motion by Mr. Schulz, second by Mr. Schapiro, the foregoing resolution was adopted as presented on the following roll call vote:

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

ABSTENTIONS: Mr. Kirsh

ABSENT: Mr. Rosen, Mr. Scott, Mr. Riga
NOT ELIGIBLE: Mrs. Powers

HEARING AND DELIBERATIONS:

FIRST HARTFORD REALTY/ CVS - FINDERNE & UNION AVENUE

Block 252, Lot 1

#18-11-ZB, Prelim & Final Site Plan w/ Variances (construct on vacant lot 14,600 sq. ft. commercial site)

TIME: Extension to 11/30/12

This hearing is continued from 11/20/12.

Attorney Tom Malman was present to represent the Applicant. Sworn testimony was presented by Traffic Expert Gary Dean, Assistant Township Engineer Thomas J. Forsythe, and Professional Planner Michael Tobia.

No new exhibits were presented.

Engineer Forsythe stated that the Applicant proposing to correct the intersection at Finderne Ave and Route 28 is an improvement to the Township as it is one of the most dangerous intersections in Bridgewater. Discussion pursue regarding this intersection. There is stacking on Route 28 which is why there is no left hand turn out of the proposed CVS site due to an obstructed sight distance. It is reasonable to allow a left hand out onto Finderne as there is a clear sight distance even across two lanes of traffic.

Traffic Engineer Dean discussed the stacking on Finderne and stated that CVS is not a destination; however, it is a pass-by stop from drivers going to and from work. CVS will pay for construction of the road improvements with NJDOT and Somerset County oversight. If there is any future traffic issues the police have a right to control the situation.

Engineer Forsythe stated that he received a letter from the NJDOT approving the right-in, right-out on Route 28 and he agrees with their findings and approval.

The Board deliberated and discussed several conditions as discussed throughout all of the hearings. Planner Doyle requested that the Board not approve the wal-pak lighting on the rear of the building by the loading dock.

Planner Tobia stated that the monument signs have been reduced in size to comply with the ordinance.

Motion by Mr. Schulz, second by Mrs. Amin, the CVS use variance was approved on the following roll call vote:

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

ABSENT: Mr. Rosen, Mr. Scott, Mr. Riga

NOT ELIGIBLE: Mrs. Powers

Motion by Mr. Schulz, second by Mrs. Amin, the CVS Site Plan with variances was approved on the following roll call vote:

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

ABSENT: Mr. Rosen, Mr. Scott, Mr. Riga

NOT ELIGIBLE: Mrs. Powers

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 9:00 pm.

Respectfully submitted,
Marie L. Broughman,
Land Use Administrator