

BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Tuesday, March 6, 2012  
—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, 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 – present (arrived 7:33 pm)

Jim Scott – present

Paul Riga – present

William Vornehm, Chairman – present

Lee Schapiro – **absent**

Pushpavati Amin, Alt. #1 - present

Evans Humenick, Alt. #2 – present

Carl Schulz, Alt. #3 – **absent**

Michael Kirsh, Alt. #4 - present

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

MINUTES FOR APPROVAL:

The December 20, 2011 Regular Meeting, January 17, 2012 Reorganization & Regular Meeting, February 21, 2012- Regular Meeting, and February 28, 2012 Regular Meeting minutes will be presented for Board consideration when they are completed.

MEMORIALIZING RESOLUTIONS:

**HIGGINS - 157 Candlewick Lane**

**Block 444, Lot 25**

**#26-11-ZB; Use & Bulk Variances** (ground mounted solar arrays)

DECISION: Approved w/conditions 2/28/12

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

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

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**DILEEP – 17 JENNA DRIVE**

**Block 179, Lot 15**

**#32-11-ZB; Simple Variance** (sunroom deck addition)

DECISION: Approved w/conditions 2/28/12

Eligible to vote: Sweeney, Vornehm, Amin, Humenick, Schulz, Kirsh

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

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HEARING AND DELIBERATIONS:

**SOMERSET ARC APARTMENTS - 436 UNION AVE**

**Block 252, Lot 1.01**

**#20-11-ZB; Use Variance, Amendment of Prelim & Final Site Plan Approval**

(construct community room to existing; additional parking and other related site improvements)

TIME: 120= 6/15/2012

Chairman Vornehm stated that the foregoing application will not be heard due to defective notice. A new hearing date will be scheduled and new notice provided.

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**BRIDGEWATER PROFESSIONAL GROUP - 2003 WASHINGTON VALLEY ROAD**

**Block 907, Lot 40.01**

**# 67-06-ZB; Amendment to conditions of prior site plan approval** (medical/dental use)

TIME: 120=6/5/2012

Attorney Robert Foley was present to represent the Applicant. Sworn testimony was presented by Co-Owner/Applicant Mazin Gilbert.

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

**A-1 3/6/12** Letter from Engineer David A. Stires, dated 3/5/12

Applicant Gilbert requested the Board to remove the condition listed in the prior approval regarding medical/dental uses. He stated that it has been a 5-year project and it is now finished. Ordinance changes occurred after the prior approval and now fewer parking spaces are required for medical/dental uses, which are an allowed use in the zone. There will be a dental practice on the first floor and a doctor's office on the second floor.

Applicant Gilbert, in response to Planner Doyle, discussed exhibit A-1, which states that additional ADA parking spaces are not required for the medical/dental uses; however, if the

site were to require compliance, the site can accommodate meeting the higher standards outlined in the ADA Accessibility Guidelines.

Board Engineer Forsythe stated that the basement can be used for office space in the future because there is sufficient onsite approved parking. Applicant Gilbert stated that it will only be used for storage at this time.

There were no members of the public who spoke regarding this application.

Board Attorney Schwartz stated that all of the other conditions of approval are still valid.

Motion by Mr. Sweeney, second by Mrs. Amin, the BRIDGEWATER PROFESSIONAL GROUP – 2003 WASHINGTON VALLEY ROAD application was approved with conditions on the following roll call vote:

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

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**OGIBA - 88 ADAMSVILLE ROAD**

**Block 238, Lot 1**

**# 31-11-ZB; Simple Variance** (demo detached garage, construct attached 4-car garage w/storage)

TIME: 120= 6/5/2012

Attorney Robert Foley was present to represent the Applicant. Sworn testimony was presented by Applicant Raymond Ogiba.

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

- A-1 3/6/12 Photo: Property in question, looking at string line of proposed garage
- A-2 3/6/12 Photo: String line, view with car parked in front
- A-3 3/6/12 Photo: 29.5-ft driveway from proposed garage to street
- A-4 3/6/12 Photo: Thomas Street/Main Street, corner house
- A-5 3/6/12 Photo: Same as A-4, view turning from Main to Thomas
- A-6 3/6/12 Photo: Thomas Street house
- A-7 3/6/12 Photo: House around the corner with several additions, no garage
- A-8 3/6/12 Photo: Corner lot house with garage
- A-9 3/6/12 Photo: House across the street from property in question, corner lot
- A-10 3/6/12 Photo: Park in center off Belair
- A-11 3/6/12 Photo: Corner house in neighborhood
- A-12 3/6/12 Photo: Original house, property in question
- A-13 3/6/12 Photo: House with short setback on corner lot
- A-14 3/6/12 Photo: Another picture of house with short setback on corner lot

Neighbor, Mr. Nevarex, presented an exhibit which was marked into evidence as follows:

**O-1 3/6/12** Copy of his survey, 49 Fairmont Avenue

Applicant Ogiba stated that he is proposing to demo the existing detached garage and construct a 4-car attached garage with storage. The house was built in 1951 with no basement and only a small crawlspace attic. He described exhibits A-1 through A-14 stating that he is in desperate need for storage. In addition, he owns several classic cars that need to have a roof over them. He stated that there will probably be a window on the side of the garage to allow light into the garage. Applicant Ogiba confirmed that he is not in business, rather he is just likes classic cars. He will not do any heavy repair, restoration, or painting on site.

Board Member Sweeney stated that he has an issue with the proposed 5.5-ft front yard setback and requested the Applicant to slide the proposed garage back further.

Board Member Kirsh stated that the current detached garage is very close to the property line.

Applicant Ogiba agreed to move the garage back 2-feet as the Board requested.

Members of the public were present as follows:

Alberto Nevarez, 49 Fairmont Avenue, stated that he is concerned with the location of one of the wooden stakes placed by the Applicant as it is located on his property. The property line, as shown on his survey, is exactly where the pipeline is located. Engineer Forsythe stated that a signed and sealed survey with topography for drainage will be required for building permit application review. Mr. Nevarez stated that he is in favor of the application, but just wants to be sure the garage is located on the Applicant's property.

Rich Ogiba, Hillsborough resident & brother of Applicant, stated that his brother has two classic corvettes and he wants to put them under one roof. Currently, they are being stored in different locations. He stated that this property is the family homestead and he has given all of his rights to his brother, the Applicant. He spoke in favor of the application.

The Board deliberated and discussed several conditions including:

- Revising the plans to provide a 2-foot offset from the house to proposed garage and pushing the garage back 2-feet
- No developer's agreement required
- The Applicant shall submit a Bridgewater Township Compliance Report prior to the plans and any deeds being signed, and prior to scheduling the pre-construction meeting and issuance of construction permits

Motion by Mr. Sweeney, second by Mr. Scott, the OGIBA – 88 ADAMSVILLE ROAD application was approved with conditions on the following roll call vote:

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

NOT ELIGIBLE: Mr. Kirsh

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.

ADJOURNMENT:

It was the consensus of the Board to adjourn at approximately 9:30 pm.

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

Adopted as Amended: 3/20/12