

BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Tuesday, August 7, 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 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 – <b>absent</b>	Jay Rosen – <b>absent</b>
Jim Scott – <b>absent</b>	Paul Riga – <b>absent</b>
William Vornehm, Chairman – present	Lee Schapiro – present
Pushpavati Amin – <b>absent</b>	Evans Humenick, Alt. #1 – present
Carl Schulz, Alt. #2 – present	Michael Kirsh, Alt. #3 – present
Beth Powers, Alt. #4 - <b>absent</b>	

Others present: Attorney Lawrence A. Vastola, Board Planner Scarlett Doyle, Planning Department Secretary Danielle A. Britton.

MINUTES FOR APPROVAL:

**July 17, 2012 Regular Meeting** –Motion by Mr. Kirsh, seconded by Mr. Schulz, the foregoing minutes were adopted as is on the following roll call vote:

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

MEMORIALIZING RESOLUTIONS:

**T-Mobile Northeast LLC - 606 North Bridge Street (pending)**  
**Block 500, Lot 1**  
**#03-10-ZB, Minor Ste Plan w/ Variances (installation of flagpole tower)**

**DECISION: DENIED 5/22/12**

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

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

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**SENA – 610 Pennlyn Place**

**Block 470 Lot 15**

**#12-013-ZB, C-Variance: Rear yard setback (additions & 2-car detached garage)**

**DECISION: APPROVED 6/26/12**

Eligible to vote: Mr. Sweeney, Mr. Schapiro, Mr. Scott, Mrs. Amin, Mr. Humenick, Mr. Kirsh, Mrs. Powers

Motion by Mr. Schapiro, second by Mr. Humenick, the foregoing resolution memorializing the approval on 6/26/12 was adopted as is on the following roll call vote:

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

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**WALNUT BUILDERS LLC – 86 & 88 Walnut Avenue (pending)**

**Block 142, Lots 7 & 8**

**#12-014-ZB, Minor Subdivision with Use Variance**

**(divide two lots; construct (2) two single-family dwellings)**

**DECISION: APPROVED 7/17/12**

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

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

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**NOLFO – 1394 Mount Vernon Road**

**Block 652, Lot 37**

**#12-010-ZB, Simple Variance (addition of deck over existing patio)**

**DECISION: APPROVED 7/17/12**

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

Motion by Mr. Kirsh, second by Chairman Vornehm, the foregoing resolution memorializing the approval on 7/17/12 was adopted as amended on the following roll call vote:

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

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HEARING AND DELIBERATIONS:

**ENGELSTEIN – 63 Totten Drive**

**Block 721, Lot 111**

**#12-012-ZB, Simple Variance (construct an addition)**

**TIME 120= 10/30/12**

There was no attorney present to represent the applicant. Sworn-in for testimony was the Applicant, Mr. Jeffrey Engelstein and Professional Engineer Mr. Stephen Parker, P.E. with Parker Engineering & Surveying, P.C.

Mr. Engelstein discussed the application presented and explained the need for a larger room within the existing dwelling to accommodate move-in arrangements for parents that are elderly. The applicant proposed removing the existing deck to construct a new room that would extend to the edge of the house located on the rear side of the existing structure. A new deck would be constructed.

Mr. Parker testified to his qualifications as a License Engineer, which was accepted by the Board as being an expert in the industry.

The property is located in the R-50, Single-Family Residential Zone. The applicant has several existing non-conforming conditions which are proposed to remain, and will not change the nature of the application. Mr. Parker explained the property is within a cluster development that contains a number of undersized lots. The existing lot area is 28,250 sq. ft., the minimum cluster condition in the R-50 Zone is 20,000 sq. ft., but the required lot area in the zone is 50,000 sq. ft. the area is a pre-existing condition. The proposed requires the following variances: (a) Improved Lot Coverage before slope comps – existing 17.7%; proposed 21.6% (b) Improved Lot Coverage after slope comps – existing is 28.4%; proposed is 34.6% (c) Floor Area Ratio – existing is 0.199; proposed is 0.223.

Mr. Parker addressed the items in the Township Engineering Report from Mr. Robert C. Bogart, P.E., dated July 3, 2012, and testified he would comply. There was some discussion with regard to the Soil Erosion Control Permit and the amount of area being disturbed. Mr. Parker noted that the disturbance is less than 5,000 sq. ft. Mr. Parker further agreed to comply with the report of Scarlett Doyle, Township Planner, dated July 21, 2012. There was testimony that the site shows no wetlands or transition areas within 150 feet of the subject property. Pavers would be added to bring the degree of impervious coverage closer to conformance. Runoff water from the property would continue to run out to the rear of the property and be graded to have a sheet flow directed to the same area as currently directed. There was discussion on whether or not the lot should allow for a street tree. Mr. Parker testified that two (2) street trees would be erected for landscaping aesthetics along the rear of the lot. The report of the Sewer Engineer dated July 30, 2012 confirmed that no sewer utility extension was required.

Board member Kirsh inquired about the square footage of the building lot and location of the basement. Mr. Parker stated the footprint of the house of 400 sq. ft. The existing coverage is 2,144 sq. ft. including the garage. Proposed coverage is 2,552 sq. ft.

There is an existing basement that is located under the proposed first floor addition. There is a walk-out from the basement in the rear yard where the steep slope is located.

Chairman Vornehm opened the meeting to the public for comments. There were no members of the public who spoke regarding the application. Therefore, the public comment portion was closed.

The Board deliberated on the variances being sought and discussed the following conditions:

- Bridgewater Township Soil Erosion Control Permit required *unless* disturbed area is held to less than 5,000 square feet.
- Performance Bond Requirement.
- Street Trees to be erected along rear of the property (similar to neighboring lots)
- Calculate slopes between ten foot contour lines as per Ord. 126-264 A (1).
- Plat Details items 1 through 3 located in the Township Engineer's report.

Motion by Mr. Schulz, second by Mr. Schapiro, the foregoing application was approved on the following roll call vote.

AFFIRMATIVE: Mr. Schapiro, Mr. Humenick, Mr. Schulz, Mr. Kirsh,  
Chairman Vornehm

ABSENT: Mr. Sweeney, Mr. Rosen, Mr. Scott, Mr. Riga, Mrs. Amin,  
Mrs. Powers

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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:

The Board discussed the next upcoming board meetings in August. The Board was in favor to canceled the next meeting scheduled for August 21, 2012 due to lack of business.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 8:00 pm.

Respectfully submitted,  
Danielle A. Britton  
Recording Secretary