

BRIDGEWATER TOWNSHIP  
**ZONING BOARD OF ADJUSTMENT**

Regular Meeting  
Tuesday, September 30<sup>th</sup>, 2014  
—MINUTES—

**CALL MEETING TO ORDER:**

Vice-Chairman Sweeney called the meeting 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 15, 2014 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:**

|                                  |                                  |
|----------------------------------|----------------------------------|
| Vice-Chairman Sweeney – present  | Beth Powers– present             |
| Paul Riga – present              | Alan Fross, Alt. #1 – present    |
| Pushpavati Amin – present        | Roger Pearly, Alt. #2 – present  |
| Chairman Vornehm – <b>absent</b> | James Weideli, Alt. #3 – present |
| Evans Humenick – present         | Dawn Guttschall, Alt. #4-present |
| Michael Kirsh, – <b>absent</b>   |                                  |

Others present: Board Engineer Thomas J. Forsythe, PE, Board Planner Scarlett Doyle, Attorney Lawrence A. Vastola & Jo-Ann Petruzzello, Secretary to Planning Division.

**MINUTES FOR APPROVAL:**

**February 25, 2014 Regular Meeting-**

Motion by Mrs. Amin, second by Mrs. Powers, the foregoing minutes was adopted as amended on the following roll call vote:

|               |   |
|---------------|---|
| AFFIRMATIVE:  | Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mrs. Powers, Mr. Fross, Mr. Pearly, Mr. Weideli |
| ABESENT:      | Chairman Vornehm, Mr. Kirsh.  |
| NOT ELIGIBLE: | Mr. Riga, Ms. Guttschall  |

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**March 25, 2014 Regular Meeting**

Motion by Mrs. Amin, second by Mr. Fross, the foregoing minutes was adopted as amended on the following roll call vote:

|               |   |
|---------------|---|
| AFFIRMATIVE:  | Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mrs. Powers, Mr. Fross, Mr. Pearly, Mr. Weideli |
| ABESENT:      | Chairman Vornehm, Mr. Kirsh.  |
| NOT ELIGIBLE: | Mr. Riga, Ms. Guttschall, Mrs. Powers   |

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**April 29, 2014 Regular Meeting** (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
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**May 20, 2014 Regular Meeting** (*pending*) - The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
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**August 5<sup>th</sup>, 2014 Regular Meeting-** (*pending*)-The foregoing minutes will be presented for Board consideration when completed. No action was taken.

**August 19<sup>th</sup>, 2014 Regular Meeting-** (*pending*)-The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
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**August 26<sup>th</sup>, 2014 Regular Meeting-** (*pending*)-The foregoing minutes will be presented for Board consideration when completed. No action was taken.  
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**September 16<sup>th</sup>, 2014 Regular Meeting-** (*pending*)-The foregoing minutes will be presented for Board consideration when completed. No action was taken.

**MEMORIALIZING RESOLUTIONS:**

**TERRENO MIDDLEBROOK, LLC  
14-021-ZB, Block 356 Lot 1 & 3  
Preliminary & Final Major Site Plan**

Motion by Mrs. Amin, second by Mrs. Powers, the foregoing resolution was adopted as amended on the following roll call vote:

- AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mrs. Powers  
ABSENT: Chairman Vornehm, Mr. Kirsh.  
INELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Wiedeli, Ms. Guttschall

**SHAH- Sunset Ridge  
14-017-ZB, Single Family Dwelling with Variances  
Block 633, Lot 36**

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

- AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mrs. Powers  
ABSENT: Chairman Vornehm, Mr. Kirsh.  
INELIGIBLE: Mr. Fross, Mr. Pearly, Mr. Wiedeli, Ms. Guttschall

**HEARING AND DELIBERATIONS:**

**Giraldi- 1691 Valley View Rd**

**#14-026-ZB, Minor Site Plan w/ C Variances**

**Block 700, Lot 22**

**TIME: 120=10/30/14**

Attorney Robert J. Foley was present to represent the applicant. Sworn testimony was provided by Anthony Giraldi, Sr. and David A. Stires, PE.

Attorney Foley described the zone and the project presented in the application as well as the purpose of the lot width variance.

Ms. Doyle corrected her report and clarified that the only variance to be addressed is the lot width variance. The ordinance requires 165 ft and the applicant is proposing 158.82 ft.

Mr. Giraldi provided sworn testimony and stated he was a professional builder in the area. His intention is to construct a single family home on this lot. Mr. Giraldi testified that he would like the resolution to state he is willing to build a house which will conform to all other setbacks for this lot.

Ms. Doyle asked the applicant if he is willing to conform to the requirements in her letter dated 9/15/14. Mr. Giraldi stated he is willing to comply.

Mr. Stires testified on behalf of the applicant as a Professional Engineer. Mr. Stires addressed the purpose for the lot width variance and stated the front yard is on a curved roadway. Mr. Stires described the location of the property, which is located in the R50 zone. He provided the history of the property and stated the lots were created by a subdivision in 1954. Mr. Stires stated this lot has the largest width in the confines of Valley View Road which is comprised of 23 lots. Mr. Stires stated the applicant intends to construct a single family residence of 4,145 sf. The property will comply with all bulk standards.

Mr. Stires addressed the Engineers Report dated 9/18/14 and the applicant will comply with all requirements except number 8 in which the applicant will request a waiver to utilize a 20' scale. Mr. Stires also reviewed the Planners Report dated 9/18/14 and stated the applicant will comply with all requirements except Number 2 and 4, in which they will seek a waiver. Mr. Stires requested leeway for item Number 2 in the event a prospective buyer requests to make changes.

Board Engineer Forsythe asked Mr. Stires if there were any concerns with the Sewer Utility Department's letter and Mr. Stires advised there are no concerns.

Ms. Doyle stated that moving the property back to the perceived distance with the property on lot 23 would be ideal however; the difficulty by moving the residence back is due to the presence of bedrock. Ms. Doyle also discussed privacy concerns in reference to the proposed

location of the residence. Ms. Doyle further discussed the possibility of a landscape buffer to help create rear yard privacy concerns.

Vice-Chairman Sweeney suggested moving the proposed residence back to help with privacy concerns if possible, however; if the presence of bedrock complicates construction, then leave the residence as indicated.

Vice-Chairman Sweeney opened the meeting to the public for questions.

Lisa Filmeyer of 1373 Tullo Road, Bridgewater, NJ, addressed the applicant's professionals. Ms. Filmeyer expressed concerns with seeing a large house in her backyard.

Colleen Casini of 1381 Tullo Road, Bridgewater, NJ, addressed the applicant's professionals. Ms. Casini asked for clarification on the variance and proximity of the proposed residence to her property. Ms. Casini also stated the square footage of the proposed residence makes it the biggest house in the neighborhood.

Mr. Foley provided closing comments and Vice-Chairman Sweeney opened the meeting for public comments.

Ms. Filmeyer and Ms. Casini spoke in unison opposing the application.

Vice-Chairman Sweeney closed the public portion and the Board deliberated.

Motion by Mr. Riga, second by Mrs. Powers, the foregoing application was approved with conditions based on the following roll call vote:

|               |   |
|---------------|---|
| AFFIRMATIVE:  | Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mrs. Powers, Mr. Fross, Mr. Pearly. |
| ABSENT:       | Mr. Kirsh, Chairman Vornehm   |
| NOT ELIGIBLE: | Mr. Weideli, Ms. Guttschall   |

**FALLONE GROUP LLC-Eisenhower Ave  
Block 438, Lot 7  
#14-022-ZB, Seeking relief from Twp Ordinance Section 126-132**

Attorney Walter Wilson was present to represent the applicant. Sworn testimony was provided by James J. Mantz, PE and Robert Fallon. The applicant introduced exhibits as follows:

**A-1 9/30/14**= Lot Development Plan for Block 437, Lot 4, 797 Country Club Road.

**A-2 9/30/14**=Memo prepared by Green Knoll Fire Department Gary Ewald dated 1999.

Attorney Wilson describe the nature of the application and stated the purpose of this application is not to install roadway improvements across the frontage, as required by Ordinance. Some right of way improvements and a vehicle turn-around on private property is proposed at the location where the driveway enters the property.

Mr. Mantz testified as the applicants Professional Engineer and further explained the nature of the application. He utilized the previously submitted plans dated 9/8/14, indicating this lot and confirmed the lot is confirming. He described the current road termination as a 28 ft. wide pavement with a wooden barricade at the end. Mr. Mantz described the current turn around for emergency equipment however; the proposed turn around will allow adequate turn-around for emergency vehicles by extending the paved portion of Eisenhower Avenue to 70 feet of the southerly property line. The extension is proposed at 12 ft in width, not the full 28 ft. Mr. Mantz further clarified that “in essence” this is a private drive; however it is intended for public turn-around.

On question of the Board, Mr. Mantz advised that the applicant is proposing warning indicators for vehicles utilizing Eisenhower Avenue. Mr. Mantz further indicated that the applicant intends to utilize the current wooden barricade, however; it will be moved back further.

Mr. Mantz utilized **Exhibit A-1 9/30/14** to orient the Board on the history of the property and roadway. Mr. Mantz also utilized **Exhibit A-2 9/30/14** which is a Memo written by Green Knoll Fire Department Eric Lorenc and submitted to Gary Ewald dated 7/9/99. Mr. Mantz advised the memo provided the inside turning radius for their ladder truck of 33 ft, and the outside turning radius of 39 ft. Mr. Mantz stated this information was utilized to create the roadway as depicted in **Exhibit A-1 9/30/14**, which he then used to for the current proposed turn-around.

The Board expressed concerns with the vehicles used in 1999 as opposed to the current vehicles utilized by the Green Knoll Fire Department. Mr. Mantz stated that he would follow up with the Fire Department and revise the application as needed. The Board further questioned the current turning radius and Mr. Mantz confirmed the property contains room in the event the roadway would need to be wider.

The Board discussed the possibilities of constructing a cul-de-sac in this location as an alternative turn-around with Mr. Mantz.

On question of the Board, Mr. Mantz discussed the existence of wetlands on the property. Mr. Mantz testified that a 50 ft wetland buffer doesn't impact the project and therefore he chose not to include this in his plan.

On question of the Board, Mr. Mantz testified the driveway width varies but is approximately 12 ft in the driveway. The width is as much as 50 ft if measured by the existing curb. The driveway will widen and then narrow as it enters the property. Mr. Mantz stated that the purpose is to create a turn-around for vehicles that does not currently exist.

The Board asked Mr. Mantz if extending the Eisenhower Avenue to the northerly property line with a 28 ft width was considered instead of just extending 70 ft. Mr. Wilson stated that possibility was considered, however the applicant would be obligated to maintain a public road standard. Mr. Wilson stated the applicant is willing cooperate with the Township if necessary however this application is only seeking relief from the ordinance, not to create a through street.

On question of the Board, Mr. Mantz stated in his opinion, that the Township is not interested in building roads as they were in the past, therefore this will most likely not become a through street.

Vice-Chairman Sweeney swore in Franz Bach of 550 Juniper Lane, Bridgewater, NJ. Mr. Bach testified on the current road conditions in the area of Eisenhower Avenue and Juniper Lane, stating the roadway is 14 ft wide although erosion has lessened the roadway to approximately 12 ft wide. Mr. Bach stated RTG was contracted by the Township to improve the road conditions in the area.

Mr. Wilson addressed each comment with the Board in reference to the Planners Report dated 9/20/14.

Vice-Chairman Sweeney opened the meeting to the public for questions.

Marilyn Madison of 540 Juniper Lane, Bridgewater, NJ, expressed concerns in reference to drainage and asked how the professionals will address drainage on the property. Mr. Mantz explained the drainage plan for the application.

Michael White of 2 Presidents Drive, Bridgewater, NJ, asked if there was any consideration of entry to the property from Juniper Lane. Mr. Mantz stated no.

Vice-Chairman Sweeney opened the meeting for public comments favoring the application.

Franz Bach of 550 Juniper Lane, Bridgewater, NJ, spoke in favor of the application.

Vice-Chairman Sweeney opened the meeting for public comments in opposition to the application.

Kathleen Serrillo of 793 Eisenhower Avenue, Bridgewater, NJ, expressed her opposition for the application. Ms. Serrillo stated, in her opinion; that the road would need to be 28 ft wide and emergency vehicles currently do not utilize the turn-around. She stated they currently back out of the roadway when responding. Ms. Serrillo also expressed concerns with snow removal with the proposed application.

Marilynn Madison of 540 Juniper Lane, Bridgewater, NJ, spoke in opposition for the application, citing drainage concerns with the proposed project.

Vice-Chairman closed the public portion of the meeting and began Board deliberations.

Motion by Mr. Riga, second by Mrs. Amin, the foregoing application was approved with conditions based on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Riga, Mr. Humenick, Mrs. Powers, Mr. Fross, Mr. Pearly.  
ABSENT: Mr. Kirsh, Chairman Vornehm  
NOT ELIGIBLE: Mr. Weideli, Ms. Guttschall

**PENSCO TRUST COMPANY, LLC – 1507 & 1513 Washington Valley Rd.  
Block 905, Lot 6  
#14-015-ZB, Preliminary and Final Major Subdivision w/variances**

Attorney Francis Linnus was present to represent the applicant. The applicant's professionals were sworn in and testimony was provided by David A. Stires, PE. The applicant introduced exhibits as follows:

**A-1 9/30/14**= Rendering of Existing Conditions.  
**A-2 9/30/14**=Rendering of Final Plat.

Attorney Linnus described the nature of the application and stated the purpose of this application is to subdivide Lot 6 into two undersized-non conforming lots. The proposed lot 6.08 would consist of .639 acres the proposed lot, 6.09 would consist of .934 acres. Mr. Linnus confirmed the application is not proposing any development on the properties. The purpose of the subdivision is for the owner to sell one lot. Mr. Linnus also explained the history of the Lot 6 and generally addressed COAH regulations.

Mr. Stires presented **Exhibit A-1 9/30/14**, describing the exhibit as a rendering of the existing conditions, and described the existing dwellings. Mr. Stires also introduced **Exhibit A-2 9/30/14**, Rendering of the Final Plat. Mr. Stires also explained the lot and the purpose of the subdivision application. Mr. Stires testified there is no development or improvements proposed in the application as well as no need for easements. Mr. Stires stated one will have improved lot coverage issues based on the existing conditions.

Mr. Stires advised each property has their own independent utilities, including the smaller of the two properties. Mr. Stires confirmed that both residences have separate driveways. Mr. Stires utilized **Exhibit A-2 9/30/14** to orient the Board on the nature of the application. Mr. Stires reviewed the comments Engineer's Report and Planner's Report.

On question of the Board, Mr. Linnus confirmed the property is currently owned by a SEP IRA, that was inherited.

It was the consensus of the Board to carry the application to October 28, 2014. Mr. Linnus agreed to provide an extension to that date.

**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. No members wished to address the Board at this time.

**OTHER BOARD BUSINESS:**

None.

**ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 10:30 pm.

Respectfully submitted,  
Jo-Ann M. Petruzzello  
Secretary to Planning Division