

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, September 1, 2015
—MINUTES—

CALL MEETING TO ORDER:

Chairman Sweeney called the meeting to order at 7:30 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 12, 2015 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.

Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the Planning Board Secretary before the public meeting.

However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding weekends and holidays, may be necessary.

ROLL CALL:

Don Sweeney – present	Alan Fross – present
Pushpavati Amin – present	Roger Pearly, Alt. #1 – present
Paul Riga – absent	James Weideli, Alternate #2- present
Michael Kirsh, – absent	Dawn Guttschall Alternate #3 – absent
Evans Humenick – present	John Fallone Alternate #4 - present
Beth Powers – present	

Others present: Board Attorney Larry Vastola, Board Engineer Thomas J. Forsythe, Board Planner Scarlett Doyle, Ann Marie Lehberger, Planning Secretary

MINUTES FOR APPROVAL:

August 4, 2015, Regular Meeting - Motion by Mrs. Amin, second by Mr. Pearly the minutes were adopted on the following roll call vote:

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

MEMORIALIZING RESOLUTIONS:

None Pending

HEARING AND DELIBERATIONS:

PRESBYTERIAN CHURCH OF BOUND BROOK- Mountain Ave
Block 381 Lots 27, 28 & Portion of 22
#25-11-ZB- Preliminary and Final Site Plan, Minor Subdivision, and Variances

At the request of the applicant, the above referenced application will not be heard.

It will be carried to October 6, 2015 at 7:30 p.m.

BRENDENBECK – Old York Road
Block 122 Lots 24
#15-022-ZB- Bulk Variance-Single Family Home
TIME: 120= 11/15/15

Attorney Warren Fink was present to represent the applicant. Mr. Fink described the application as a minor site plan with a request for a variance for front yard setback.

Board Engineer Thomas J. Forsythe, PE was sworn in for testimony. Mr. Forsythe provided a brief overview of building in a flood hazard area. Mr. Forsythe also noted that the applicant has obtained the permits from the DEP that are necessary.

Mr. Fink noted that the basement that is proposed will not be used as living space.

James Mantz, the applicant's engineer was sworn in for testimony. Mr. Mantz presented exhibits which were marked into evidence at follows:

- A-1 Copy of original site plan from 2009
- A-2 Copy of the portion of flood hazard area regulations from the DEP
- A-3 Copy of flood hazard area requirements for a building from the DEP

Mr. Mantz provided testimony as follows: The property is currently a vacant wooded lot that is located in a flood hazard area. The limit of disturbance that is allowed by the DEP is 0.156 acres. To accommodate the DEP regulations, the house would be pushed up towards Old York Road as far as possible to fit in with the existing houses in the neighborhood and retaining walls would also be added. If the home is moved further back on the property it would encroach on the allowable disturbance limit and reduce the useable space in the rear yard

Mr. Mantz reviewed the reports of the township professionals.

The board questioned the reason that the applicant would build a basement since it is likely that it will get water in it. Mr. Mantz noted that building a basement with flood vents is a standard practice in a flood plain area and it would fit in with the other homes in the neighborhood better than if they were to build the home on stilts. He also stated that there will be electricity only in the ceiling of the basement which would be above the flood hazard area.

The board also questioned whether the applicant asked the county if they would be interested in purchasing the property for open space.

Chairman Sweeney opened the public portion of the meeting.

Chris and Philomena Moeller of 109 Old York Road were present and asked if the construction of the proposed home would cause any disturbance to the ground near their home. Mrs. Moeller expressed concern because they get a lot of water in their basement and backyard already. Mr. Mantz stated that the impact on their backyard would be miniscule if any.

John Chadwick, the applicant's planner was sworn in for testimony. Mr. Chadwick provided testimony as follows. Most of the homes currently on Old York Rd. are very old. The DEP regulations have evolved since the mid 70's. They have constantly increased the regulatory restrictions on properties with wetlands and flood hazard areas. The proposed home meets the 2015 updated regulations. Bridgewater Township

does not have a lot of homes on stilts. The proposed plan fits in with the other homes currently in the neighborhood. The size of the home is appropriate for the ordinance.

Chairman Sweeney stated that he would like more detail provided as to what the home will look like and also what the retaining walls would look like. Chairman Sweeney also noted that he would like to see the applicant contact the county and find out if they would be interested in purchasing this lot for open space.

The application was carried to the meeting on October 6, 2015 with no additional notice required.

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 business discussed.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:20 pm.

Respectfully submitted,
Ann Marie Lehberger, Planning Secretary