

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Tuesday, October 6, 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 – present
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:

September 1, 2015, Regular Meeting - Motion by Mr. Weideli, second by Mrs. Amin the minutes were adopted on the following roll call vote:

AFFIRMATIVE:	Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mr. Fross, Mr. Pearly, Mr. Weideli, Mr. Fallone
ABSTAIN:	Mrs. Powers, Ms. Guttschall
ABSENT:	Mr. Riga, Mr. Kirsh

September 15, 2015, Regular Meeting - Motion by Ms. Guttschall, second by Mr. Weideli the minutes were adopted on the following roll call vote:

AFFIRMATIVE:	Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mrs. Powers, Mr. Weideli, Ms. Guttschall, Mr. Fallone
ABSTAIN:	Mr. Fross, Mr. Pearly
ABSENT:	Mr. Riga, Mr. Kirsh

MEMORIALIZING RESOLUTIONS:

BARGHASH - 10 Wilpert Rd.
Block 706 Lots 20
#15-028-ZB- Simple Variance - Deck

TIME: 120= 12/6/15

DECISION: Approved with conditions 9/15/15

Eligible to Vote: Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mr. Kirsh, Mr. Weideli, Ms. Guttschall, Mr. Fallone

Motion by Mrs. Amin, second by Mr. Weideli the foregoing resolution memorializing the approval on 9/15/15 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mr. Weideli, Ms. Guttschall
Mr. Fallone

ABSENT: Mr. Riga, Mr. Kirsh

NOT ELIGIBLE: Mr. Fross, Mrs. Powers, Mr. Pearly

DARJI - 5 Charlotte Drive

Block 163.02 Lot 16

#15-015-ZB- Bulk Variance - Garage

TIME: 120= 10/24/15

DECISION: Approved with conditions 9/15/15

Eligible to Vote: Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mr. Kirsh, Mr. Weideli, Ms. Guttschall, Mr. Fallone

Motion by Mr. Weideli, second by Ms. Guttschall the foregoing resolution memorializing the approval on 9/15/15 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mr. Weideli, Ms. Guttschall
Mr. Fallone

ABSENT: Mr. Riga, Mr. Kirsh

NOT ELIGIBLE: Mr. Fross, Mrs. Powers, Mr. Pearly

HEARING AND DELIBERATIONS:

BRENDENBECK – Old York Road

Block 122 Lots 24

#15-022-ZB- Bulk Variance-Single Family Home

TIME: 120= 11/15/15

Attorney Earnest Renda was present to represent the applicant.

Mr. Hussain Burhanpurwala, project engineer for applicant was sworn in for testimony. Mr. Burhanpurwala submitted an exhibit that was marked into evidence as follows:

A-1 10/6/15 Various photos of proposed home

Mr. Burhanpurwala provided testimony as follows: The proposed home would be a center hall colonial, three bedrooms with two and half baths. The aesthetic of the home will match the characteristic of the rest of the community. The driveway would be widened per the board's request with a turnaround added so that the homeowner can easily enter and exit onto Old York Road. The property grades down and away from Old York Road. There are two retaining walls proposed one on north side and one on south side of property. Decorative fencing can be installed on top of the wall. There will be flood vents at the bottom of the basement to allow water to come in and out to prevent flooding in the basement. There would be no access from the outside to the basement and no windows. There would be stairs from the first floor inside of the home.

Mr. Mantz, engineer for the applicant explained the reason for the flood vents is to let water in and out of the basement to alleviate pressure that could cause buckling on the basement wall.

The board expressed concern about the basement due to the potential flooding that can occur and that homeowners will likely use it for storage.

The board reviewed options of building the home without a basement. The board suggested only building three basement walls and leaving the back of the home open. This would provide the desired look from the front but the back wall would be open to the elements. This option would prevent the homeowner from storing boxes of items that could potentially get damaged by flooding. The board also suggested using lattice and including 2 or 3 columns for support. The applicant agreed that this option would be a good solution.

Board Planner Scarlett Doyle noted that the previous plan had a roof over the front stoop and the revised plan does not show one. She noted that this would require a variance if the owner wished to put one there later. The applicant stated that they will incorporate it into the plans with the variance that is being requested.

John Chadwick, planner for the applicant was present and stated that he did contact the county and they do not have any interest in acquiring this property for open space.

Chairman Sweeney opened the public portion of the meeting. There were no questions or comments.

The board began deliberations and discussed several conditions. It was noted that a developer's agreement was not required.

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

AFFIRMATIVE: Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mrs. Powers, Mr. Fross,
Mr. Pearly, Mr. Weideli

ABSENT: Mr. Riga, Mr. Kirsh

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone

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
TIME: 120= 11/15/15

Attorney Bob Foley was present to represent the applicant.

Mr. Foley submitted an exhibit that was marked into evidence as follows:

A-1 10/6/15 Copy of resolution adopted by township council
A-2 10/6/15 Colored rendering of site plan sheet 3

Dennis Costain, office manager at cemetery and Wayne Miller, finance officer for the church and cemetery were sworn in for testimony.

Mr. Costain noted his duties and operations of the cemetery. The church is proposing an extension of the cemetery that would extend into Bridgewater Township. Mr. Costain noted that they are bound by the NJ state cemetery board and have to adhere to their regulations.

Board Planner Doyle questioned if the cemetery has services that include material such as fruit or burning as part of burial ceremonies. Mr. Costain stated that they have never had any ceremonies that were like this in the past and that other than flowers no organic materials are used.

Mr. Miller described his duties as finance officer.

Chairman Sweeney opened the public portion of the meeting. There were no questions or comments

James R. Houston Jr., engineer for the applicant and Nancy Weaver Smith, planner for the applicant were sworn in for testimony and were accepted by the board.

Mrs. Weaver Smith reviewed the report of the township planner presented testimony as follows: The landscaping is proposed along the northerly property line. It will be the Leyland cypress. This was chosen because it is a fast growing evergreen and will provide an adequate buffer along the residential property line. This will be in addition to the 6 foot high black vinyl fencing that is being proposed and will help prevent visual impact of the cemetery on the adjacent lots.

Board Planner Scarlett Doyle was sworn in for testimony. Ms. Doyle confirmed that the landscaping plan proposed will be adequate screening within a three year time frame.

Mr. Houston submitted exhibits that were marked into evidence as follows and provided testimony as follows:

A-3 10/6/15 Concept plan for proposed columbaria
A-4 10/6/15 Photo of existing columbaria

There will be a final map of the entire layout that has to be approved by the state cemetery board filed in the county clerk's office. The cemetery would also like to construct columbaria which are small structures that contain ashes. The minor subdivision part of the application is that they will acquire a small triangular portion of residential lot 22 which will combine with lot 27 to create lot 27.01. This will allow them to create a loop drive to provide public access to the expansion of the cemetery and a service drive for cemetery vehicles to drive throughout the property. An approval from the DEP was obtained in order to construct the driveway in the flood plain. It must be maintained as gravel and a fence cannot be placed within the flood plain. The proposed expansion would give them the potential to create up to 950 graves not including the columbaria. Mr. Houston reviewed the report of the township engineer.

Chairman Sweeney opened the public portion of the meeting. There were no questions or comments.

Mrs. Weaver Smith provided summary comments for planning

Mr. Foley provided closing comments.

Chairman Sweeney opened the public portion of the meeting. There were no questions or comments.

The board began deliberations and discussed the conditions of approval.

Motion by Mr. Weideli second by Mr. Pearly the foregoing application was approved with conditions on the following roll call vote:

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

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:

Board Attorney Vastola stated that he received a letter from the engineer for the applicant Kanhaa LLC Application# 15-009-ZB noting that there was an error in the resolution that was originally adopted on 8/4/15. The Board concluded that condition 7 of the resolution was incorrect and that the total number of parking spaces is 47 with 5 encumbered by the easement, leaving 42 unencumbered stalls.

Motion by Mrs. Powers, second by Mrs. Amin, condition 7 of the resolution for the Kanhaa LLC Application#15-009-ZB was amended on the following roll call vote:

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

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:55 pm.

Respectfully submitted,

Ann Marie Lehberger, Planning Secretary