

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Special Meeting
Tuesday, November 24, 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 November 10, 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 – absent
Pushpavati Amin – absent	Roger Pearly, Alt. #1 – present
Paul Riga – absent	James Weideli, Alternate #2- present
Michael Kirsh – present	Dawn Guttschall Alternate #3 – present
Evans Humenick – present	John Fallone Alternate #4 - present
Beth Powers – absent	

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

MINUTES FOR APPROVAL:

October 6, 2015, Regular Meeting - Motion by Mr. Weideli, second by Ms. Guttschall the minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Humenick, Mr. Pearly, Mr. Weideli, Ms. Guttschall,
Mr. Fallone

ABSTAIN: Mr. Kirsh

ABSENT: Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

October 20, 2015, Regular Meeting - Motion by Mr. Weideli, second by Mr. Pearly the minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Humenick, Mr. Kirsh, Mr. Weideli, Mr. Pearly, Ms.
Guttschall, Mr. Fallone

ABSENT: Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

November 17, 2015, Regular Meeting (*pending*)

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

MEMORIALIZING RESOLUTIONS:

CHERBONNEAU - 1779 West Circle Drive

Block 702 Lots 13

#15-017- ZB- Simple Variance- Shed

TIME: 120= 1/29/16

DECISION: Denied 10/20/15

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

Motion by Mr. Weideli, second by Mr. Pearly the foregoing resolution memorializing the denial on 10/20/15 was adopted on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Kirsh, Mr. Humenick, Mr. Pearly, Mr. Weideli, Ms. Guttschall

ABSENT: Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

NOT ELIGIBLE: Mr. Fallone

PAPP – 1379 Coriell Drive

Block 602 Lots 9

#15-024-ZB- Simple Variance-Addition

TIME: 120= 1/18/16

DECISION: Approved with conditions 10/20/15

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

Motion by Mr. Weideli, second by Ms. Guttschall the foregoing resolution memorializing the approval with conditions on 10/20/15 was adopted on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Kirsh, Mr. Humenick, Mr. Pearly, Mr. Weideli, Ms. Guttschall

ABSENT: Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

NOT ELIGIBLE: 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

DECISION: Approved with conditions 10/6/15

Eligible to Vote: Mr. Sweeney, Mrs. Amin, Mr. Humenick, Mr. Fross, Mrs. Powers, Mr. Pearly, Mr. Weideli

Motion by Mr. Weideli, second by Mr. Pearly the foregoing resolution memorializing the approval with conditions on 10/20/15 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Humenick, Mr. Weideli, Mr. Pearly

ABSENT: Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

NOT ELIGIBLE: Mr. Kirsh, Ms. Guttschall, Mr. Fallone

HEARING AND DELIBERATIONS:

HAROLD BROWN. –206 Hancock Ave

Block 118 Lots 1.01

#15-030-ZB- Simple Variance – roof over porch

TIME: 120=2/17/16

Harold Brown, applicant and Robert Hayes, contractor for applicant were sworn in for testimony. Mr. Brown stated that he is proposing to construct a roofed porch over the front entry of his home.

Mr. Hayes, contractor for the applicant submitted an exhibit that was marked into evidence as follows.

A-1 11/24/15 Photos of existing condition of home and example of home with a similar porch that is being proposed

Chairman Sweeney reviewed the reports of the Board professionals. The applicant Mr. Brown confirmed that he is proposing to construct an open porch and there would no stone or concrete underneath. Mr. Brown also confirmed that this would fit in with other homes that are in the neighborhood.

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

The board began deliberations.

It was noted that a Developer's Agreement would not be required.

Motion by Mr. Weideli second by Ms. Guttschall to approve the foregoing application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Sweeney, Mr. Kirsh, Mr. Humenick, Mr. Pearly, Mr. Weideli,
Ms. Guttschall, Mr. Fallone

ABSENT: Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

NY SMSA LIMITED PARTNERSHIP DBA VERIZON WIRELESS – 49 Old York. Rd.
Block 134 Lots 6
#15-019-ZB- Minor Site Plan with Variances
TIME: 120=2/12/16

Attorney Warren Stilwell was present to represent the applicant. Mr. Stilwell explained the application is to permit the installation of an antenna assembly on top of mounting pipe alongside an existing building located on Old York Road. Mr. Stilwell reviewed the other sites that were looked at for this application. He noted that the applicant will require d variances for the conditional use because the facility is not sufficiently distant from the nearest residentially zoned property. In addition, the side yard setback for the wireless facility is violated. Mr. Stilwell noted that on Lot 4 in Block 134, Omnipoint received approval in 2009 for a tower, 120 feet high but it has yet to be constructed and advised that if it should become available, this site would be abandoned and collocated to the one on Lot 4.

Ms. Stephanie Koles, radio frequency engineer for Verizon Wireless was sworn in for testimony and was accepted by the board. Ms. Koles submitted exhibits that were marked into evidence as follows:

- A-1 11/24/15 Map of Existing and Approved Verizon Sites**
- A-2 11/24/15 Exhaust Data Graph Map**
- A-3 11/24/15 Distance Histogram**

Ms. Koles provided the following testimony: The applicant is proposing to install a small node, where the coverage extent is much less than a macro designed to target specific high traffic areas. Verizon needs to add a site that could pick up the subscribers in the local area where the coverage gap exists. The area in need was identified through a distant histogram. This helps to determine a location where a new site is needed. This proposed antenna is a small network node that is a single antenna, low in height with minimal equipment. It will specifically target the area where the deficit has been identified. The antenna is needed at the proposed site to increase LTE capacity for

subscribers in the area. LTE is the current technology that is based on their data network. Subscribers in this area will experience a loss in data service if the deficit is not remedied. The board asked if there were any locations in the area where this antenna could be collocated. Ms. Koles stated that there were no other locations in the area.

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

Mr. Paul Dugan, radio frequency consulting engineer was sworn in for testimony and was accepted by the board. Mr. Dugan stated based on his evaluation, he concluded that the proposed application complies with both the NJ act as well the federal regulations for radiation emissions. Mr. Dugan presented an exhibit that was marked into evidence as follows:

A-4 11/24/15 Report from Paul Dugan PE of Millennium Engineering P.C.

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

Mr. John Martinez PE, engineer for the applicant was sworn in for testimony and was accepted by the board. Mr. Martinez described the current conditions on the site and what was being proposed. Mr. Martinez reviewed the reports of the township professionals with the board.

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

Mr. David Karlebach, PP was sworn in for testimony and was accepted by the board. Mr. Karlebach submitted exhibits that were marked into evidence as follows:

- A-5 11/24/15 Aerial Photo Map of Site and Surrounding Area**
- A- 6 11/24/15 Photos of existing conditions on the site and photos and what the site will look like with the proposed antenna**
- A-7 11/24/15 Photo of the view from the intersection of Old York Road and Oak Street with the proposed antenna**
- A-8 11/24/15 Photo of the view from the intersection of Ardmear Drive and Maple Street with the proposed antenna**
- A-9 11/24/15 Photo of the proposed equipment area with proposed fence**

Mr. Karlebach summarized the variances being requested by the applicant. He described the area and why this is a suitable location for the proposed facility and explained the positive and negative criteria of the application.

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

The board began deliberations.

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

AFFIRMATIVE: Mr. Sweeney, Mr. Kirsh, Mr. Humenick, Mr. Pearly, Mr. Weideli,

ABSENT: Ms. Guttschall, Mr. Fallone
Mr. Riga, Mrs. Amin, Mrs. Powers, Mr. Fross

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.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:40 pm.

Respectfully submitted,

Ann Marie Lehberger, Planning Secretary