

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, February 16, 2016
—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 08807

OPEN PUBLIC MEETING ANNOUNCEMENT:

The Chairman read the following notice: 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 25, 2016 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	James Weideli, Alt. #1 – present
Paul Riga – present	Dawn Guttschall, Alternate #2- present
Michael Kirsh – present	John Fallone Alternate #3 – present
Evans Humenick – present	Jeff Foose Alternate #4 - present
Beth Powers – present	

Others present: Board Attorney Larry Vastola, Esq., Board Planner Scarlett Doyle, Ann Marie Lehberger, Planning Division Secretary

MINUTES FOR APPROVAL:

November 17, 2015, Regular Meeting

November 24, 2016, Special Meeting

February 2, 2016, Regular Meeting

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

January 19, 2016, Reorganization and Regular Meeting

Motion by Mr. Weideli; Second by Mrs. Amin, the foregoing minutes were adopted on the following roll call vote, as written.

AFFIRMATIVE: Mrs. Amin, Mr. Riga, Mr. Sweeney, Mr. Kirsh, Mr. Humenick, Mr. Fross, Mr. Weideli

NOT ELIGIBLE: Mrs Powers, Ms. Guttschall, Mr. Fallone, Mr. Foose

MEMORIALIZING RESOLUTIONS:

No Resolutions were pending for Board action

HEARING AND DELIBERATIONS

DE FALCO – 5 Levan Court

Block 172 Lots 39

#15-033-ZB- Bulk Variance- Pool & Patio

TIME: 120=4/8/16

Eligible to vote: All Members

Mr. Frank DeFalco, the applicant and Mr. Gregg Spadaro were present and were sworn in for testimony. Mr. Spadaro, Landscape Architect was qualified and accepted by the Board.

Mr. Spadaro provided testimony as follows: The applicant is proposing to construct an in ground swimming pool in the rear of their property. They are seeking three c variances. The first is for side yard accessory structure setback where 20 feet is required and 10 feet is proposed. The second is for rear yard accessory where 20 feet is required and 16.68 feet is proposed. The third is for lot coverage where 35% is required and 36.4 % is proposed. The site is located in the Meadows II at Bridgewater, a subdivision of residential homes that created some different bulk requirements in the zone to allow for smaller lot sizes. Mr. Spadaro described the property noting that the property slopes off in the back. The change in grade makes it necessary to locate the pool as proposed. Mr. Spadaro submitted an exhibit that was marked into evidence as follows:

- A-1 2/16/16 Design Constraints Plan
- A-2 2/16/16 Colored rendering of Site Plan zoomed in with landscaping

Mr. Spadaro gave an overview of the proposal. The applicant is proposing to do the following:

- Install a 12 x 24 in ground pool in the center of the rear yard
- Install a 64 square foot walkway that leads from the deck to the pool
- Expand a portion of the existing deck by 52 square feet
- Remove 62 square feet of the existing deck
- Relocate the existing stairs
- Install a concrete pad for pool mechanicals
- Installation of pvc fencing along the property line

The applicant is also proposing a drywell to compensate for the increase in impervious coverage. Landscaping is proposed along the fence and around the pool equipment for screening. Mr. Spadaro reviewed the reports of the Township professionals.

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

The Board began deliberations.

Motion by Mr. Kirsh; Second by Mr. Fross the foregoing application was approved with conditions on the following roll call vote:

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

OPEN ROAD AUTO GROUP –400 Route 22 East

Block 400 Lots 5.03

#15-034-ZB- Minor Site Plan & Use Variance

TIME: 120=5/1/16

Attorney Francis P. Linnus was present to represent the applicant. Mr. Linnus described that the applicant would like to bring their Corporate Office Headquarters to the proposed site. The applicant proposes to convert the existing retail plumbing supply showroom that was approved in 2006 for E & B Distributors to non retail corporate offices for Open Road Auto Group and to convert the existing plumbing supply warehouse to a warehouse for storage and pre delivery inspection of vehicles to be transported to their dealerships located in Bridgewater.

Michael Morais, president of Open Road Auto Group was sworn in for testimony. Mr. Morais provided testimony as follows: Open Road has two dealerships in Bridgewater. Open Road Mercedes and Open Road Volkswagen as well as many other locations in the Tri State Area. Open Road is looking to relocate their Corporate Office Headquarters to the proposed site and use the existing warehouse for storage and inspection of new vehicles. They are currently leasing another building in Bridgewater. Mr. Morais reviewed the report of Board Planner Scarlett Doyle and described in detail the proposed use of the property. The applicant is proposing to convert 9,111 S.F. of the building for office use, including a conference room having an area of approximately 672 S.F. The conference room is intended for quarterly meetings of approximately 80 staff members. There will be approximately 12 employees on site using the offices on a daily basis. The applicant also proposes to store up to 134 new vehicles in the remaining warehouse portion of the building. Only new vehicles delivered by the manufacturer will be stored at this location. No pre owned vehicles will be stored at the site. There will be no outside storage of motor vehicles. The vehicles will undergo a diagnostic testing inspection performed by a technician. This vehicle preparation testing is performed by computer connection and takes approximately 7 minutes. The only mechanical portion is the removal of spacers that are installed to prevent movement during overseas transportation. Any vehicle not passing the preparation testing is removed and brought to the dealer for any needed repairs. No repairs will be performed at this facility and the preparation technician will be the only non-office employee at the site. There will be no repairs, no oil changes, no changing of tires, no body work, no air compressor, no air compression tools or forklifts on site. The proposed hours of operation will be Monday through Saturday 8:00 a.m. to 6:00 p.m. At the rear of the building there are 4 overhead doors, 3 with a loading dock and one at ground level. Vehicles will be delivered at the rear of the building using only the overhead door at ground level. The other overhead doors will not be used. There is sufficient room at the rear of the building so that trucks delivering vehicles can make a continuous turn and will not have to back-up to unload.

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

Mitchel Ardman, PE was sworn in for testimony and accepted by the Board. Mr. Ardman submitted exhibits that were marked into evidence as follows:

- A-1** **2/16/16** Color rendering of sheet 2 of plan set
- A-2** **2/16/16** Additional parking exhibit

Mr. Ardman described the proposed site and provided testimony as follows: The loading docks that currently exist will not be used. The overhead door will be used for the cars to enter and exit the facility. There will be no need for the trucks delivering the vehicles to turn around after unloading vehicles. Landscaping will be added to increase the buffer to the neighbors in the back. There is no landscaping proposed to the west since it is currently heavily wooded. There will be security lights on each of the doors that will remain on in

the evening. The parking lot lights will be off at night. The existing trash compactor will be replaced by two dumpsters, one for garbage and one for recycling. Mr. Ardman reviewed the report of the Township Engineer. There are 27 parking spots currently on the site; an additional 42 are proposed to be striped on the existing pavement in the back of the building to be used only on a quarterly basis when the onsite meetings occur (Exhibit A-2). A dozen parking spaces will be used on a daily basis

The Board questioned how the trucks carrying the vehicles will enter and exit the site. Mr. Ardman confirmed that the trucks carrying the vehicles could enter and exit the site without backing up to turn around.

The Board questioned if there would be sales and training sessions held in the building as well. Mr. Morais noted that they also would have specified training sessions that would be 10-20 people.

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

William Kaufman, AIA, architect for the applicant was sworn in for testimony and accepted by the Board. Mr. Kaufman submitted exhibits that were marked into evidence as follows:

- A-3 2/16/13** Architecture Plan A-111 with interior parking shown
- A-4 2/16/16** Colored photo rendering of proposed building facade

Mr. Kaufman noted that there are two main components to the building. The first is the warehouse space and the second is the retail space that is currently being used by E & B. They are proposing to convert this retail space to the corporate offices. They are also proposing to convert a portion of the current warehouse space to a meeting space. Mr. Kaufman described how the cars would be stored inside the warehouse spaces (Exhibit A-3). He described the proposed minor changes to the façade of the building (exhibit A-4). The new sign will be located in the same location as the current sign but it will be smaller in size.

The Board questioned if the building had a sprinkler system and if any additional items are required for fire safety and emissions. Mr. Kaufman confirmed that there was a sprinkler system and that there are no additional requirements due to the activity occurring on site.

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

Ronald Kennedy, PP, Planner for the applicant was sworn in for testimony and accepted by the Board. Mr. Kennedy gave a brief history of the property and explained the applicant's proposal to occupy the property for warehouse and office use. Mr. Kennedy submitted an exhibit that was marked into evidence as follows:

- A-5 2/16/16** Aerial Exhibit

Mr. Kennedy provided testimony as follows: The property is located in a C-3 zone where warehouse use is not permitted so the applicant is requesting a use variance for the warehousing of cars at the facility. He explained the variances that were preexisting on the site. There is a current free standing sign, no physical

changes are proposed to the sign other than the lettering. The awning signs that are currently on the building would be removed and replaced with one compliant sign which removes a pre-existing variance. No new variances are being requested with the exception of the use. Mr. Kennedy discussed the positive and negative criteria. He concluded that based on the history of the property, taking what is currently existing there, the proposal is making it more compliant to the intent of the zone and Master Plan.

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

Mr. Linnus provided closing comments.

The Board began deliberations and discussed several conditions.

Motion by Mrs. Amin; Second by Mrs. Powers the foregoing application was approved with conditions on the following roll call vote:

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

MEETING OPEN TO THE PUBLIC:

There were no members of the public wishing to address the Board.

OTHER BOARD BUSINESS:

There were no other matters of Board business.

ADJOURNMENT:

The Board adjourned the meeting at approximately 10:45 pm.

Respectfully submitted,
Ann Marie Lehberger
Planning Secretary