

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, September 20, 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:

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	Beth Powers – present
Pushpavati Amin – present	James Weideli, Alternate #1- present
Paul Riga – present	Dawn Guttschall Alternate #2 – absent
Michael Kirsh, – present	John Fallone Alternate #3 – present
Evans Humenick – present	Jeff Foose Alternate #4 – present
Alan Fross – present	

Others present: Board Attorney Steven Warner Esq., Board Planner Scarlett Doyle, Board Engineer Thomas Forsythe and Ann Marie Lehberger, Planning Division Secretary

MINUTES FOR APPROVAL:

September 6, Regular Meeting

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

MEMORIALIZING RESOLUTIONS:

ELFAND – 1676 Valley View Road

Block 700 Lot 43

#16-024-ZB- Simple Variance – Roof over Porch

DECISION: Approved with Conditions 9/6/16

Motion by Mr. Weideli; Second by Mrs. Amin, the foregoing resolution memorializing the approval on 9/6/16 was adopted on the following roll call vote:

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

BATRA & KAUR-575 Buena Parkway

Block 172.01 Lot 2

#16-027-ZB- Appeal Decision of Zoning Officer- Pool

DECISION: Approved with Conditions 9/6/16

Motion by Mr. Weideli; Second by Mrs. Amin, the foregoing resolution memorializing the approval on 9/6/16 was adopted on the following roll call vote:

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

HEARING AND DELIBERATIONS:

HALL'S WAREHOUSE CORP. - Foothill Road

Block 233 Lot 4

#15-036-ZB- Minor Site Plan with Variances-Outdoor Storage

Attorney Peter Lanfrit was present to represent the applicant. Mr. Lanfrit stated that the applicant was previously here on August 2nd. Mr. Lanfrit noted that as requested by the Board he gave the residents in attendance at the last meeting his business card but was not contacted by anyone via phone or email regarding their concerns.

F. Mitchell Ardman, PE & PP, engineer and Planner for the applicant was previously sworn in for testimony and accepted by the Board as an expert witness. Mr. Ardman explained some changes that the applicant is proposing and provided testimony as follows: A gate is proposed closer to the street to provide blockage so that trucks will not be able to park in the entrance prior to the start of business hours. The gate would block the full length of the driveway approximately 10 feet from the roadway.

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

A-4	9/20/16	Plan rendering of proposed front gate
A-5	9/20/16	Photo of sample of proposed fence style
A-6	9/20/16	Parking exhibit plan

The applicant is also proposing a 10 foot high solid fence along the entire rear length of the adjacent property on lot 7 and the fence will be one foot off the property line.

The Board questioned if there were other options to help control the trucks from coming prior to business hours other than just putting up a fence.

Mr. Ardman also noted that at the previous hearing there was a question of how many cars could be parked in the outdoor storage areas if potentially cars were being stored. He stated that a total of 130 could be parked split throughout the site.

At the previous appearance on August 2nd the Board had asked the applicant to consider moving the front storage area to a location on the northwest side of the building. The Board again questioned Mr. Ardman about that particular change in storage area.

Mr. Jayne, owner was present and previously sworn, stated that he would prefer to not use that area because he does not know if and when he will utilize the outdoor storage. There would be an increased cost if he was to develop that area. The areas that are being proposed for the outdoor storage are already developed areas.

Mr. Ardman also noted that a parking variance was granted as part of the original application. The proposed outdoor storage area would eliminate 19 parking spots leaving 43 spots therefore creating the need for additional variance relief. Mr. Ardman stated that he has frequently visited the site and no more than 15 cars were there at any given time and that the 43 spots are more than adequate for the existing operations.

Mr. Ardman provided a summary including an overview of planning and variances requested.

The Board expressed concern about the increase in noise that may be created with the addition of the proposed storage area in the front and questioned how that could be addressed.

The Board questioned if additional lighting was proposed. Mr. Ardman stated that no additional lighting was proposed.

The Board discussed other areas in back of the building that could possibly be used for outdoor storage instead of the area in the front and suggested that the applicant consider an alternate location for the area proposed for the front.

Mr. Sweeney opened the public portion of the meeting.

Adrienne Tomkins of 197 Foothill Road questioned the location of the fence and if the gate in the front would remain the same because she is able to see directly into the property from her home. Ms. Tomkins also expressed concern about lighting because the lights from the property shine into her home.

Mr. Moose of 236 Foothill Road questioned if it would be possible to put up the exact fence that is currently at the Turtle and Hughes location. Mr. Moose also questioned if it trucks should be making right turns out of the warehouse onto Foothill Road. Mr. Moose expressed concern about fluid leakage of the vehicles or trucks that could potentially be parked in the proposed storage area.

Daryl Flederbach of 218 Foothill Road questioned whether a fence would be proposed at the rear of his property because the lights from the warehouse shine into his property. Mr. Flederbach also expressed concern about the trucks parking and idling along the rear of his property, noting that due to the noise and fumes he is unable to go into his backyard.

The Board took a 10 minute recess at 9:10 pm.

The Board returned to the meeting at 9:20 pm on the following roll call:

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

After the break, Mr. Lanfrit stated that his applicant has decided to withdraw his application.

MEETING OPEN TO THE PUBLIC:

Froso Andronikou of 224 Foothill Road was present and expressed concern about how the issues the neighbors have with Hall's Warehouse would be addressed by the Township since the applicant has withdrawn their application and the business will remain as is. Board Attorney Steve Warner clarified that it was outside the Board's jurisdiction if the application is withdrawn and not reinstated, but there may be options that neighbors have available other than in the context of a land use board application.

OTHER BOARD BUSINESS:

There were no other matters of Board business.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:30 pm.

Respectfully submitted,
Ann Marie Lehberger

Planning Secretary