

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday April 18, 2017

—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 18, 2017 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

Pushpavati Amin – present

Paul Riga – present

Michael Kirsh, – present

Evans Humenick – present

Alan Fross – absent

Beth Powers – present

James Weideli, Alternate #1- present

Dawn Guttschall Alternate #2 – present

John Fallone Alternate #3 - present

Jeff Foose Alternate #4 - absent

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

MINUTES FOR APPROVAL:

March 21, 2017, Regular Meeting-Motion by Mr. Weideli; Second by Mrs. Powers the foregoing minutes were adopted as amended on the following roll call vote:

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

ABSENT: Mr. Fross, Mr. Foose

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone

MEMORIALIZING RESOLUTIONS:

SONNER- 85 Loeser Ave.

Block 300 Lot 10

#14-009-ZB- Minor Site Plan with Variances- Landscape Business

Decision: Approved with conditions 2/21/17

Attorney Robert Foley was present on behalf of the applicant Robert Sonner. Mr. Foley requested that the resolution not be memorialized as scheduled this evening so that the applicant could reopen the hearing to address one of the conditions of approval.

The applicant will return to the Board on June 20, 2017 at 7:30 pm. New Notice is required.

NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS- 685 Route 202/206
Block 476 Lot 25
#16-038-ZB- Conditional Use Variance-Antennas on roof of existing office building
Decision: Approved with conditions 2/21/17

Motion by Mr. Weideli, second by Mrs. Amin the foregoing resolution memorializing the approval on 2/21/17 was adopted on the following roll call vote:

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

ABSENT: Mr. Fross, Mr. Foose

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone

HEARING AND DELIBERATIONS:

BA MASSEY- 24 Finderne Ave.

Block 319 Lot 8

#16-026-ZB- Minor Site Plan with Variances- Expansion and modifications to existing gas station

Township Planner Scarlett Doyle gave a brief overview of the Finderne Neighborhood Study.

Chairman Sweeney noted that when the last meeting had finished on March 21st, Ms. Jardine was asking questions of the engineer and that is where they would begin this evening.

The applicant's attorney Marcia Zalewski noted that the engineer's testimony was completed and that after the questions for the engineer are completed they will have the planner testify.

Jeannette Jardine of 614 Second Street was previously sworn and remained under oath. She expressed concern about the lighting that would be on the canopy. Ms. Jardine also expressed concerned about gas spills and how they would be contained.

John Chadwick, PP was sworn in for testimony and was accepted by the Board as an expert witness. Mr. Chadwick provided testimony as follows. The site remains to be suitable for the proposed use. The gas station has been operating as a viable business that has been in existence for about 50 years. As a result of the proposed improvements, the property will be cleaned up, onsite circulation will be improved and offsite queuing along Finderne Ave. will be reduced. The existing sign will be replaced with a single smaller sign. The modifications to the existing building will make it a more aesthetically pleasing structure making it more consistent with the guidelines of the Township's Finderne Neighborhood Study. The addition of the canopy will bring the existing station into the 21st century and make it consistent with the other gas stations in the area. The applicant will work with the Township Planner to create an effective buffer to separate the building from the surrounding residential homes.

Chairman Sweeney opened the public portion for questions of Mr. Chadwick.

Michael Hrieik of 618 Third Street expressed concern about drainage off the property because the neighborhood streets flood when there is a heavy rain.

Attorney Marcia Zalewski provided some brief closing comments.

Chairman Sweeney opened the public portion of the meeting for comments.

Rita Bahooshian of 618 Second Street was sworn and stated that she believes the canopy proposed by the applicant is oversized for the property. She also stated that she would prefer a fence instead of a landscape buffer. She also is concerned about the continued maintenance of the property because it is not currently being adequately maintained.

Dawn Hribik of 618 Third Street was sworn and expressed concern about drainage specifically on 3rd street where a drainage problem currently exists. Board Engineer Tom Forsythe stated that the township would look into and address the issue.

Jeanette Jardine of 614 Second Street was previously sworn and expressed concern about the light spillage onto her property. She stated that she would like to see improvements on the property because it is currently not maintained well but not at the expense of the neighboring homes. She stated that a fence and landscaping buffer is a necessity to ensure a buffer and safety to the residents so that they can enjoy their property.

Chairman Sweeney asked the neighborhood residents that were present at the meeting if the application was approved whether they would prefer a fence or a landscape buffer. The residents stated that they would prefer a fence along the property line. The applicant agreed to construct a fence as discussed by the Board along the Lot 1 property line and the easterly portion of the property along the property line of Lot 2 rather than planting landscape buffering.

The Board began deliberations and discussed conditions of approval.

At the Board's request, the applicant agreed to install a sidewalk along the Finderne Ave. frontage of the property. This would be subject to the review and approval of the Township Engineer.

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

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

ABSENT: Mr. Fross, Mr. Foose

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:

There was no other business discussed.

ADJOURNMENT:

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

Respectfully submitted,
Ann Marie Lehberger
Planning Secretary