

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, August 15, 2017
—MINUTES—

CALL MEETING TO ORDER:

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

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

MINUTES FOR APPROVAL:

May 2, 2017, Regular Meeting-Motion by Mrs. Amin; Second by Mr. Weideli the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Weideli, Ms. Guttschall, Mr. Foose.

ABSENT: Mr. Sweeney, Mr. Riga, Mr. Fross, Mr. Fallone

NOT ELIGIBLE: Mrs. Powers

May 16, 2017, Regular Meeting-Motion by Mrs. Amin; Second by Mr. Weideli the foregoing minutes were adopted as amended on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Weideli, Ms. Guttschall, Mr. Foose

ABSENT: Mr. Sweeney, Mr. Riga, Mr. Fross, Mr. Fallone

NOT ELIGIBLE: Mr. Foose

MEMORIALIZING RESOLUTIONS:

RAMAN SUNDARARAJAN-17 Schaal Street

Block 178 Lot 21

#17-009-ZB- Variance –Conservatory

DECISION: Approved with conditions 7/18/17

Motion by Mr. Weideli, second by Mrs. Amin the foregoing resolution memorializing the approval on 7/18/17 was adopted as amended on the following roll call vote:

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

ABSENT: Mr. Sweeney, Mr. Riga, Mr. Fross, Mr. Fallone

NOT ELIGIBLE: Ms. Guttschall, Mr. Foose

HEARING AND DELIBERATIONS:

ROBYN STERNER-794 Eisenhower Ave.
Block 438 Lot 7
#17-011-ZB- Variance –Pool

Attorney Lisa Leili was present to represent the applicant. Ms. Leili explained that the applicant was present this evening to request a variance so that they could construct a pool with a patio in the rear of their home.

Robyn Sterner, applicant was sworn in for testimony. Ms. Sterner submitted exhibits that were marked into evidence as follows:

A-1 8/15/17 Photos showing existing conditions
A-2 8/15/17 Photos showing proposed location of pool and landscaping

Ms. Sterner described the property and stated that there are several other homes in the area that have pools and what they have proposed will fit in nicely with the neighborhood.

Thomas Skrable, PE was sworn in for testimony and was accepted by the Board as an expert witness. Mr. Skrable provided testimony as follows: The applicant is proposing a pool and patio in the rear yard. As a result of the proposed development, the improved coverage increases from 19.5% to 20.59%, whereas the maximum permitted improved coverage is 18%. The proposed pool is approximately 842 square feet and the associated patio is 419 square feet. It a modest size pool with a small patio and equipment pad. Mr. Skrable reviewed the reports of the Township professionals. The applicant agreed to install a storm water seepage pit or perimeter drain if deemed necessary by the Township Engineer.

The Board suggested moving the pool equipment pad to the back portion of the property closer to the drainage area.

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

Ms. Leili provided closing comments. The Board deliberated and discussed conditions of approval.

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

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mrs. Powers, Mr. Weideli, Ms. Guttschall, Mr. Foose

ABSENT: Mr. Sweeney, Mr. Riga, Mr. Fross, Mr. Fallone

ANDREW D'AMICO-36 North Ave.
Block 111 Lot 12
#17-016-ZB- Variance- Demolish existing home and rebuild new home

Attorney Christopher Erd was present on behalf of the applicant. Mr. Erd explained that the applicant's proposal was to demolish the existing home and shed on the property and build a new home with a partially attached garage.

Andrew D'Amico, applicant was sworn in for testimony. Mr. D'Amico submitted an exhibit that was marked into evidence as follows:

A-1 8/15/17 Photos of existing conditions at the property

Mr. D'Amico provided testimony as follows: The existing home is old, very small and in poor condition. He and his wife fell in love with the beautiful setting and views at the property overlooking the North Branch of the Raritan River. Mr. D'Amico reviewed the reports of the Township professionals and agreed to change

the street address to Morris Street as suggested to be more in line with the neighboring properties. Mr. D'Amico explained that in 2005 a portion of Morris Street was vacated and as a result of this vacation, the side yard became the rear yard creating the need for variance for rear yard setback.

Craig Stires, PE was sworn in for testimony and accepted by the Board as an expert witness. Mr. Stires submitted exhibits that were marked into evidence as follows:

A-2 8/15/17 Aerial photo
A-3 8/15/17 Colored version of Site Plan

Mr. Stires described the property and provided testimony as follows: As a result of the vacation of a portion of Morris Street in 2005, the front yard of the property became located on Morris Street which changed the setback requirements. The applicant proposes to demolish the existing home and shed to construct a new 40 x 44 log cabin with a 34 x 24 garage that would be adjacent to the home. The proposed dwelling will have a rear-yard setback of 22 feet, whereas the minimum rear-yard setback required is 50 feet. There is a 50 foot riparian buffer zone in the rear of the property due to its location near the Raritan River. The applicant will provide a letter from their environmental consultant confirming that there are no wetlands. The proposed size of the home is consistent with the size of the homes on neighboring lots.

Vice Chairman Kirsh opened the public portion of the meeting for questions. There were no questions or comments.

Christine Cofone, PP was sworn in for testimony as was accepted by the Board as an expert witness. Ms. Cofone provided testimony as follows: This is a substantially conforming application. The only variance the applicant is seeking is for rear yard setback. The proposal complies with other bulk requirements, including improved coverage and floor area ratio. The applicant's proposal is reasonable and the proposed dwelling is comparable to the size of other dwellings in the area. The proposal would neither result in substantial detriment to the public good, nor substantially impair the zone plan or zoning ordinance.

Vice Chairman Kirsh opened the public portion of the meeting for questions or comments.

Joseph Saling of 44 North Ave. was sworn and stated that he was in favor of the applicant's proposal.

Vice Chairman Kirsh closed the public portion of the meeting

Mr. Erd provided closing comments. The Board deliberated and discussed conditions of approval.

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

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mrs. Powers, Mr. Weideli, Ms. Guttschall, Mr. Foose

ABSENT: Mr. Sweeney, Mr. Riga, Mr. Fross, 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