

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, November 21, 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	Beth Powers – present
Pushpavati Amin – present	James Weideli, Alternate #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
Alan Fross – present	

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

MINUTES FOR APPROVAL:

October 17, 2017 Regular Meeting-Motion by Mr. Kirsh; Second by Mr. Foose the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Sweeney, Mr. Foose.

NOT ELIGIBLE: Mr. Riga, Mr. Humenick, Mrs. Powers, Mr. Fross, Mr. Weideli, Ms. Guttschall, Mr. Fallone

MEMORIALIZING RESOLUTIONS:

There were no resolutions presented for Board consideration.

HEARING AND DELIBERATIONS:

MADISON BUILDERS LLC-56 Walnut Ave.

Block 142 Lot 20

#17-026-ZB- Variance-demolish Existing home and build new single family home

Attorney Robert Foley was present on behalf of the applicant. David Stires, PE and Michael DiGeronimo, principal of Madison Builders LLC were sworn in for testimony. Board Planners Scarlett Doyle was also sworn. Mr. Foley submitted an exhibit that was marked into evidence as follows:

A-1 11/21/17 Colored Rendering of Site Plan

—MINUTES—

Mr. DiGeronimo provided testimony as follows. The proposal is to demolish the existing home on the property that is currently vacant and construct a new two story single family home. The existing home is in a state of disrepair. The proposed home will be that as shown on the architectural plans that were submitted with the application. There is no rear deck proposed. The existing shed will be removed which will eliminate the need for a preexisting accessory side yard or rear yard variance. The concrete slab that exists in the back of the property will also be removed.

The applicant agreed to comply with all the comments in the Township professional reports. Mr. DiGeronimo confirmed that they were requesting three variances as follows:

- A side yard setback variance of 5 feet where 3.5 feet exists and 15 feet is required
- A combined side yard variance of 21 feet where 23.6 feet exists and 40 feet is required
- A Floor Area Ratio variance of 0.274 where 0.11 exists and 0.25 is required

The Board questioned whether a basement was proposed. Mr. DiGeronimo stated that an unfinished basement was. It was noted that the plans should be amended to show the basement.

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

David Stires, PE &PP was accepted by the Board as an expert witness. Mr. Stires provided testimony as follows: The applicant has agreed to comply with all the comments in the reports from the Township professionals. A detailed landscape plan will be provided for review by the Township Planner. A grading plan will also be submitted. The property is an undersized lot that contains 8,750 square feet where 10,000 square feet is required in the zone. This is consistent with the other homes that are currently in the neighborhood. The applicant proposes to construct a 2,400 square foot two story home. There are other similar sized homes existing on nearby lots on Walnut Ave. and Pine Street.

In response to a question from the Board Mr. Stires stated that the applicant will install a small platform with two steps from the rear sliding door and would also agree to conduct a sweep of the property for any underground oil tanks.

The Board discussed at length whether landscaping would be required along the northerly property line. It was determined that the applicant would install 5 evergreen trees, 6 feet in height along the northerly property line starting at the rear of the new home and continuing to the rear property line. It was noted that the location and species would be subject to review and approval by the Township Planner

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

The Board deliberated and discussed conditions of approval.

Motion by Mrs. Powers; Second by Mrs. Amin, 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. Fross, Chairman Sweeney

NOT ELIGIBLE: Mr. Weideli, Ms. Guttschall, Mr. Fallone, Mr. Foose

The Board entered into Executive Session at 8:45 p.m. to discuss pending litigation of Sonner v. Township of Bridgewater Board of Adjustment.

The Board returned to open session at approximately 8:55 p.m. with all members present.

A resolution to authorize Board Attorney Steven Warner to execute a stipulation of dismissal for the matter of Sonner v. Township of Bridgewater Board of Adjustment was presented.

Motion by Mrs. Powers, second by Mrs. Amin the foregoing resolution was adopted on the following roll call vote:

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

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 on any matter not listed on the agenda.

OTHER BOARD BUSINESS:

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 9:00 pm.

Respectfully submitted,
Ann Marie Lehberger
Planning Secretary