

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, March 20, 2018
—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 17, 2018 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 K. Warner, Board Planner Scarlett Doyle, Board Engineer Tom Forsythe, Planning Division Secretary, Ann Marie Lehberger and Municipal Services Secretary Jacqueline Pino.

MEMORIALIZING RESOLUTIONS:

C & H CUSTOM HOME BUILDERS LLC- 254 Leeham Ave.

Block 544 Lot 2 & 3

#17-025-ZB- Preliminary & Final Major Subdivision with Variances -3 Lots

Variances –Construct new Home on Vacant Lot

Decision: Approved with conditions 2/6/18

Motion by Mrs. Amin, second by Mr. Weideli the foregoing resolution memorializing the approval on 2/6/18 was adopted as amended on the following roll call vote:

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

ABSENT: Ms. Guttschall

NOT ELIGIBLE: Mr. Humenick, Mr. Fallone, Mr. Foose

ELIAS ASIMOGLU-276 Vanderveer Road

Block 197 Lot 6

#18-001-ZB- Variance- Covered Portico and Roof Overhang

Motion by Mr. Weideli, second by Mr. Kirsh the foregoing resolution memorializing the approval on 2/6/18 was adopted as amended on the following roll call vote:

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

ABSENT: Ms. Guttschall

NOT ELIGIBLE: Mr. Fross, Mr. Fallone, Mr. Foose

HEARING AND DELIBERATIONS:

ANTHONY GIRALDI-117 Miller Lane

Block 718 Lot 152

#17-028-ZB- Variance-demolish existing home and build new single family home

David Stires, PE, the applicant's engineer and John Chadwick, PP, the applicant's planner were sworn in for testimony and accepted by the Board as expert witnesses. Board Planner Scarlett Doyle and Board Engineer Thomas Forsythe were also sworn.

Mr. Stires submitted exhibits that were marked into evidence as follows:

A-1	3/20/18	Photo Rendering
A-2	3/20/18	Zoning & Grading Plan

Mr. Stires described the property and provided testimony as follows: There is an existing a 1,200 square foot house on the property which is currently in disrepair. The proposal is to demolish the existing home and replace it with a 3,248 square foot new two story home. The lot is substandard located in the R-40 zone containing 24,381 square where 40,000 square feet is required. Miller Lane, the street on which the dwelling fronts, is narrow. The applicant is proposing a 25 foot roadway easement. The purpose of the easement rather than a dedication is that there is an existing well that would be within the dedication that the applicant would like to continue to utilize for the new dwelling. As to the grading of the property, Mr. Stires explained that the property was very close to meeting the slope parameters of 10% and that more than half of the property was 10.2%, only slightly above the slope parameters. He also noted that the proposed house would utilize well water and would tie into the public sewerage system. Mr. Stires reviewed the reports of the Township professionals.

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

Mr. Chadwick, the applicant's planner provided testimony as follows: The applicant is requesting variance relief because they do not comply with the Floor Area Ratio requirement for the zone. The proposed dwelling is consistent in size with the dwellings in the surrounding area and the property can comfortably accommodate the proposed dwelling. Mr. Chadwick explained the other bulk variances the applicant was requesting. He further stated that there was no additional land that the applicant could purchase to bring the property into or closer to, conformity, because the adjacent lots are also nonconforming. He also explained that the removal of the existing shed would eliminate two nonconforming setback deviations and would improve the existing side- and front-yard setback deviations. Mr. Chadwick also explained that the requested deviations bring the property more into character with the neighborhood given the proposed relocation of the dwelling to the center of the lot.

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

Richard Hollender of 115 Miller Lane expressed concern about the additional runoff from the gutters. Mr. Stires explained that the water will flow to splash blocks noting that an underground water system was not required.

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

Mr. Hollender returned and was sworn. Mr. Hollender stated that the existing dwelling had been vacant for six years and was in poor condition, and that he was in support of the proposal because he preferred that the property be developed rather than sit vacant.

Chairman Sweeney closed the public portion of the meeting.

The board deliberated and discussed conditions of approval.

Motion by Mr. Kirsch, second by Mrs. Powers 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

ABSENT: Ms. Guttschall

NOT ELIGIBLE: Mr. Weideli, 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:

The Board reviewed the 2017 Annual Report prepared by Board Attorney Steven Warner and discussed the following recommendations for consideration by the Township Council and the Planning Board:

- An ordinance exempting open porches or porticos in residential districts added to an existing single-family dwelling, where they do not protrude more than 5 feet into the minimum required front yard for the zone in which it is located and they do not exceed a width of 10 feet
- Ordinance amendments so that on applications that go over on impervious coverage, to allow Board engineer to have the authority to require stormwater management if deemed necessary
- An ordinance grandfathering a preexisting condition that is not being exacerbated by the proposed development for the purpose of notice. This will help save money for applicants

Chairman Sweeney asked Board Attorney Warner to make the changes as discussed and have it ready for adoption by the Board at the next meeting on April 3, 2018.

ADJOURNMENT:

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

Respectfully submitted,
Jacqueline Pino
Secretary to Municipal Services