

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
Tuesday, March 5, 2019
—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 14, 2019 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.

Others present: Board Attorney Steven K. Warner, Board Planner Scarlett Doyle, Municipal Services Secretary Jacqueline Pino.

ROLL CALL:

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

MINUTES FOR APPROVAL:

October 16, 2018 Regular Meeting-Motion by Mr. Weideli; Second by Mr. Fross the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE: Mr. Riga, Mr. Fross, Chairman Sweeney, Mr. Weideli, Mr. Fallone, Mr. Foose

ABSENT: Mrs. Amin, Mr. Humenick,

NOT ELIGIBLE: Mr. Kirsh, Ms. Guttschall, Mr. Ahern

MEMORIALIZING RESOLUTIONS:

There were no resolutions presented for Board approval

HEARING AND DELIBERATIONS:

EDWARD AND CHRISTINE CIESLA -929 US Rt.202/206

Block 478 Lot 5

#18-025-ZB- Variance-Addition

Attorney William R. Edleston, Esq., entered his appearance on behalf of the Applicants. He explained that the Applicants had obtained variance relief from the Board in 2010, but that same had expired before construction was commenced because the purchasers of the Property were unable to finalize their compliance package. Mr. Edleston advised that the Applicants are the owners of the Property, but are not the intended building contractors or purchasers.

Edward Ciesla Applicant, having an address of 1090 Troon Court, Easton, Pennsylvania, was duly sworn according to law. Mr. Ciesla testified that he currently lives in Pennsylvania, but was a resident of Bridgewater for 17 years. He explained that he purchased the Property and intended to construct a dwelling

for his son thereon, but due to financial issues, could not do so. Mr. Ciesla testified that he had tried to sell the Property, but was unsuccessful until now. On questioning, he explained that the sale of the Property is contingent upon the Applicants obtaining the requested variance relief, such that the purchasers of the Property can construct their proposed dwelling. Mr. Ciesla confirmed that the proposed plans varied from the plans that had been submitted as part of the 2010 application.

Daniel Doran, P.E., P.P., L.S., of William M. Doran and Sons, having a business address of 939 Ridge Road, Suite 1, Monmouth Junction, New Jersey, was duly sworn according to law, provided his qualifications, and was accepted by the Board as an expert in the fields of professional planning and civil engineering.

Engineer Doran testified that the Property fronts on the west side of Route 202/206, south of Byrd Avenue, and is surrounded by single-family dwellings on three sides. He explained that the Property is very narrow and the depth of the Property is three times the width of the Property, and that the Property is constrained by an existing sanitary sewer easement. Mr. Doran testified that the Property is surrounded by a fence on all three sides and that the fence is proposed to remain.

Engineer Doran testified that the Applicants are proposing to construct a single-family dwelling, 32 feet by 45 feet, with associated improvements, including an asphalt driveway with a turnaround area. He further testified that the Applicants' proposal requires lot area, lot width, and combined side-yard setback variance relief. Mr. Doran reminded the Board that the Applicants had previously obtained similar relief as part of the 2010 application.

Engineer Doran explained that the contingent contract purchaser of the Property did not believe a dwelling having a width of less than 32 feet would be functional. As to Comment 5, regarding "wandering wooden fences", Mr. Doran testified that the purchaser of the Property wished to keep the fence and would relocate it onto the Property. As to the fencing along the southern property line, the Applicants stipulated, as a condition of approval, to relocating same onto the Property, or removing it. On questioning, Mr. Doran testified that two trees would be removed and replaced with two street trees, and an additional tree on the northerly side of the Property.

On questioning, Mr. Doran testified that the Applicants had addressed the sanitary sewer issues that prevented the prior purchaser of the Property from moving forward beyond the Compliance phase. On further questioning, Mr. Edleston advised that the Applicants had sent "buy/sell" letters to the adjacent property owners of Lots 4 and 6, but had not received any offers either to purchase a portion of the Property or to sell a portion of said lots to the Applicants. Mr. Doran confirmed that Lots 4 and 6 are already developed and improved with residences.

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 Ms. Guttschall, second by Mr. Weideli the foregoing application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Riga, Mr. Kirsh, Mr. Fross, Chairman Sweeney, Mr. Weideli, , Ms. Guttschall,
Mr. Fallone

ABSENT: Mrs. Amin, Mr. Humenick

NOT ELIGIBLE: Mr. Foose, Mr. Ahern

KEVIN McCANN -747 Hawthorne Ave
Block 802 Lot 129
#17-024-ZB- Variance-Addition

Joseph A. Krawiec, A.I.A., having a business address of 409 Pierce Street, South Plainfield, New Jersey, was duly sworn according to law, provided his qualifications, and was accepted by the Board as an expert in the field of architecture. Mr. Krawiec testified that the Applicant is seeking approval to construct a small addition to the rear of the existing dwelling. He explained that the existing kitchen is very narrow and that the overall layout of the first floor is not ideal.

Architect Krawiec testified that the proposed addition will utilize an existing enclosed, unheated room, and will enlarge the rear of the dwelling such that a functional kitchen, bathroom, mudroom, and living room can be constructed. He further testified that the Property is significantly undersized because it is only 9,375 square feet, whereas the minimum required lot area is 20,000 square feet. Mr. Krawiec explained that the Applicant's proposal requires only d(4) FAR variance relief. He further explained that the total impervious coverage on the Property was being reduced, because a large area of the existing concrete patio was being removed, but not replaced. Mr. Krawiec testified that the Applicant would be removing more impervious coverage than he would be adding.

Kevin and Michelle McCann applicants, having an address of 747 Hawthorne Avenue, Bridgewater, New Jersey, were duly sworn according to law. Mrs. McCann testified that she had spoken to the owner of the adjacent vacant property (Lot 21) regarding the purchase of additional land, but was advised that said owner was not interested. She further testified that the other adjacent lot, Lot 19, is developed and undersized. As such, the Applicant is unable to acquire additional land to bring the Property closer into conformity with the Ordinance requirements. Mr. Krawiec testified that almost none of the properties in the neighborhood conformed with the bulk standards.

Architect Krawiec testified that the existing dwelling is "L" shaped because the garage extends beyond the main portion of the dwelling. He opined that given the proposed location of the addition and the existing landscape buffering, the addition will not be visible from the street. On questioning as to whether the Applicant would consider removing the existing nonconforming shed, Mrs. McCann explained that the shed provided necessary storage and was not being removed or replaced at this time. She stipulated, as a condition of approval, that if the existing shed was removed, any replacement shed would be conforming as to size and location.

Mrs. McCann testified that the family had outgrown the dwelling, particularly since the family includes three boys and only has one bathroom. She explained that the family does not fit in the existing dining room and that, in order to open the dishwasher, furniture had to be moved. She further explained that she much preferred to update the existing dwelling to accommodate her family rather than leaving the neighborhood. Ms. Doyle explained that many of the lots in the neighborhood are undersized and noted that the Applicant is reducing the impervious coverage from 1,900 square feet to 1,700 square feet. On questioning, Mr. Krawiec explained that the proposed windows in the addition are higher than typical windows so they can let in light without creating privacy issues.

The Applicant opined that the Property can accommodate the problems associated with the excess FAR, particularly since the total amount of coverage is being reduced. The Applicant further opined that the proposed expanded dwelling would be consistent with the character of the neighborhood. Mr. Krawiec opined that the addition would result in an attractive, but modest, dwelling and would not have a detrimental impact on the neighborhood and Ms. Doyle concurred.

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

Donna Morello, having an address of 744 Hawthorne Avenue, Bound Brook, New Jersey, was duly sworn according to law. Ms. Morello expressed her support for the Applicant's proposal and testified that the McCanns are good neighbors and maintain their property nicely. She testified that she had also done renovations to her property to accommodate her growing family.

The board deliberated and discussed conditions of approval.

Motion by Mr. Fallone, second by Mr. Fross the foregoing application was approved with conditions on the following roll call vote:

AFFIRMATIVE: Mr. Riga, Mr. Kirsh, Mr. Fross, Chairman Sweeney, Mr. Weideli, , Ms. Guttschall,
Mr. Fallone

ABSENT: Mrs. Amin, Mr. Humenick

NOT ELIGIBLE: Mr. Foose, Mr. Ahern

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 8:45 pm.

Respectfully submitted,
Yorleny Moreno
Planning Division