

**BRIDGEWATER TOWNSHIP PLANNING BOARD**

Regular Meeting  
Tuesday, March 10, 2020  
—MINUTES—

**1. CALL MEETING TO ORDER:**

Chairman Fross opened the meeting at 7:00 p.m. at the Municipal Courtroom, located at 100 Commons Way, Bridgewater, New Jersey 08807.

**2. OPEN PUBLIC MEETINGS ACT 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 23, 2020, proper notice was sent to the Courier Newspaper 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 Planning Board policy for public hearings: no new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 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 Department 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.

**3. SALUTE TO FLAG:**

**4. ROLL CALL:**

Michael Pappas – present	Councilman Kirsh - present
Henry Wang – present	Patricia Casamento - present
Mayor Moench – absent	Beth Powers – present
Alan Fross – present	Maurizio Vescio - present
James Magura – present	Urvin Pandya – absent
Robert Giurlando - present	

Others present: Attorney Katharine Fino, Esq for Attorney Mark Peck, Esq., Engineer William Burr, IV, PE, Scarlett Doyle, PP

**5. APPROVAL OF BOARD MINUTES:**

October 8, 2019, Regular Meeting (pending)  
October 28, 2019, Regular Meeting (pending)  
November 12, 2019, Regular Meeting (pending)  
November 18, 2019, Special Meeting (pending)  
November 26, 2019, Special Meeting (pending)  
December 10, 2019, Regular Meeting (pending)  
January 14, 2020, Reorg. & Regular Meeting (pending)  
January 28, 2020 Regular Meeting (pending)  
February 25, 2020 Regular Meeting (pending)

**6. MEMORIALIZATION OF RESOLUTIONS:**

None

7. **LAND DEVELOPMENT APPLICATIONS:**  
**DAVID HANSEL & TREVON PEIRIS** -536 Berrywood Lane  
Block 718 Lot 89  
#19-014-PB Lot Line Adjustment

Applicant David Hansel summarized the Application for the Board, explaining that the Applicants, he and Trevon Peiris, seek approval for a lot line adjustment/minor subdivision in order to reconcile a condition of an encroachment of the Applicants' driveway that encroaches onto their neighbor's property, Block 718 Lot 90. They seek a lot line adjustment between 536 Berrywood Lane and 534 Berrywood Lane. These lots are referenced on the Township of Bridgewater Tap Map as Block 718 Lots 89 (Hansel and Peiris) & abutting lot 90 (Phillips). Both lots are located in the R-40 Single-Family Residential Zone.

Mr. Hansel testified that the subdivision will effectively be an equal exchange of property of approximately 819.64 square feet from the subject property to Lot 90, and approximately 819.31 square feet from Lot 90 back to the subject property. This exchange is indicated on the Proposed Minor Subdivision Plan dated November 25, 2019 by Robert J. Templin PE & PLS, which was submitted with the application. The lot line adjustment includes an equal exchange of property of approximately, 819 square feet each, between applicants' and the owners of Block 718 Lot 90.

The applicant presented the following exhibit and explained the details of the land swap that was part of the application: **EXHIBIT A-1 to A-4** - Colorized photographs of the Subject Property  
The owner of Block 89, Lot 90, Patricia Phillips, was present at the meeting and testified that she was in agreement with and in favor of the subdivision application and the proposed land swap.

Chairman Fross opened the meeting to the public for questions and comments. No members of the public wished to address the Planning Board on this application.

After the Board heard the testimony of the applicants and considered the evidence that was submitted, including the joint reports which were prepared by Township Planner Scarlett Doyle, PP & Township Engineer William Burr, PE dated 1/23/2020, the Board deliberated on the merits of the case, particularly noting that the application does not require the grant of any bulk variance or waivers. The Board drew upon these to develop conditions that would be required for approval of the application.

Through the evidence submitted and testimony presented by the Applicant, the Board's professionals, and members of the public, the Board concluded that the proposed minor subdivision complies with the requirements for minor subdivision and other standards, specifications, and requirements established by the Township Code, and that the subject property is suitable for the proposed subdivision given the sufficient size of the property and permitted residential uses in the R-40 Zone.

The Board determined that adequate proofs support the grant of the subdivision and that the application should be approved.

The Chairman asked for a motion from the Board.

Motion for approval by Ms. Powers and second by Mr. Pappas

AFFIRMATIVE: Mr. Pappas, Mr. Wang, Chairman Fross, Councilman Kirsh, Patricia Casamento, Ms.

Powers, Mr. Vescio, Mr. Magura, Mr. Giurlando

ABSENT: Mayor Moench, Urvin Pandya

DENIAL: None

NOT ELIGIBLE: None

**PAWEL DABROWA**-690 Foothill Road  
Block 642 Lot 5  
#19-021-PB Minor Subdivision

The applicant, Pawel Dabrowa, was represented by Counsel, Jeffrey B. Lehrer, Esq. The applicant presented testimony by the following witnesses, who were all sworn: Adam Westenberger, PE, Keenan Hughes, AICP, PP, and Pawel Dabrowa. Mr. Lehrer described the Application. He explained that the subject lot is located in the Township's R-40 Zone District. The Application is seeking a minor subdivision of

existing Block 5, Lot 642 into two new lots to be designated as Lot 5.01 and 5.02. The property was used as a swim club and contains a large in-ground pool. The applicant proposes to construct a single-family dwelling on each new lot and will retain Lot 5.02 for himself with the in-ground pool. of a minor subdivision and related “c” variance relief. There is a variance for lot coverage, after application of steep slopes for L. 5.02, 18% max. permitted, 19.7% proposed; no disturbance of slopes greater than 30% is permitted; such disturbance proposed. There is an accessory side yard setback (20’ minimum required, 14.1’ (existing) and 11’ is proposed. There is an accessory rear setback, 20’ minimum required, 18’ (existing)) to subdivide Lot 5 in Block 642 (690 Foothill Road). Both properties will be serviced by public sewer and water.

The Minor Subdivision Plan was prepared by Brett W. Skapinetz, PE of Dynamic Engineering Consultants, PC, dated November 5, 2019 and revised January 10, 2020 (7 sheets). The Boundary & Topographic Survey was prepared by Craig Black, PE, PLS of Dynamic Survey, LLC, dated April 12, 2019 (1 sheet). The Architectural Plans were prepared by Vincent Matarazzo Jr., AIA of NJM Architecture, dated March 9, 2016 (5 sheets).

Several Exhibits were entered into evidence in preparation of testimony:

- A-1 Colored rendering of subdivision plan
- A-2 Survey dated June 27, 2018
- A-3 Drainage map by Dynamic
- A-4 [INTENTIONALLY LEFT BLANK]
- A-5 Colored photographs of Block 642, Lot 5, Bridgewater Township
- A-6 Map of area around subject property showing conformity of existing lots in the surrounding lots in the R-40 Zone
- A-7 Colored photographs of houses similar to those built by applicant
- A-8 Colored rendering of revised subdivision plan.

Attorney Lehrer presented his first witness, Adam Westenberger, who was accepted by the Board as an expert in professional engineering. He described the property and its history. Specifically, the area was the former Coppermine Swim Club, which is no longer used. It had three (3) community pools/swim clubs dating back to the 1950s. The property contains 78,290 SF and still contains the in-ground pool, two (2) one-story buildings, and three sheds, in addition to several paved and gravel areas. The property has steep slopes. There are two drainage pipes that traverse the property – 24” and 36” which run from the headwall located northwest of the property south to Foothill Road. The property drains into an on-site drainage system connected to a culvert that eventually drains Foothill Road.

Lot 5.01 has 40,000 SF, which is the minimum lot area required in the R-40 Zone. The applicant is proposing a two-story single-family dwelling on this lot, with a two-car garage, and using existing driveways. Due to the location of the 24” and 36” drainage pipes, the location of the dwelling cannot be moved.

Lot 5.02 will measure 38,290 SF, which does not meet the minimum Lot Area required for the R-40 Zone. The applicant is also proposing a two-story single-family dwelling on this lot, with a two-car garage in the basement level. There was discussion that due to the steep slopes, the proposed dwelling appeared to be three stories from Foothill Road.

Mr. Westenberger testified that the dwelling on 5.02 would only be two-stories. The in-ground pool will remain on Lot 5.02; however, a portion of the pool deck will be removed to address the improved coverage area. This removal will reduce the impervious coverage by approximately 4%. Decking around the pool will be added, along with a new fence. The water in the pool will be retained during the winter and the pool will not need to be drained. On Lot 5.02, the dwelling, along with the pool, will have an impervious coverage that exceeds that permitted for the Zone, which is 18%. Specifically, the proposed maximum impervious coverage before the steep slope for Lot 5.02 will be 30.6%, and 38.7% after steep slope. There was discussion regarding the impervious coverage area and the potential for further reduction of the proposed impervious coverage area, including reduction of the size of the house and/or pool. Mr. Westenberger testified that the applicant approached neighbors of the property in an attempt to purchase additional land to address the impervious coverage. However, the neighbors either had nonconforming properties or were unwilling to sell, for which the applicant provided written proof of these refusals,.

Mr. Westenberger addressed Engineer Burr's March 5, 2020 Memorandum, specifically noting that the proposed development of the property will result in a 9% reduction in the stormwater runoff. Concerns regarding the stormwater drainage system were discussed. Mr. Westenberger testified that he will work with Mr. Burr to satisfy any concern of the Township regarding the storm sewer system. It was also agreed that the applicant would grant an easement for the sewer system to the Township, if necessary. Concerns regarding landscaping were also discussed. Mr. Westenberger also testified that landscaping will be completed on the property, including the removal of dead trees. It was agreed that applicant would work with Ms. Doyle on this matter.

Chairman Fross opened the meeting and invited the public to question Mr. Westenberger.

- The public had extensive discussions and questions regarding the runoff onto Foothill Road.
- It was discussed that there is a headwall located northwest of the property, which connects to the 24" and 36" drainage pipes that drains the water under Foothill Road. The headwall is not located on the property and there is no proposed realignment of the pipes.
- There was discussion regarding the elevation of the proposed dwelling on Lot 5.02 and whether the dwelling would be two or three stories. Mr. Westenberger testified that the proposed dwelling on 5.02 will be two-stories.

Attorney Lehrer presented Mr. Hughes, AICP, PP who accepted by the Board as an expert licensed professional Planner and testified on behalf of the applicant. Mr. Hughes testified regarding the proposed dwellings on Lots 5.01 and 5.02 as well as the existing neighborhood, including lot coverage, driveway setbacks, and deviation of minimum lot size. He testified that, in his opinion, all requested variances were justified under both c1 and c2, as the proposed lots. He stated that the layout would keep with the character of the neighborhood, especially considering the deteriorating state of the current property. He also noted that keeping the property as one large lot is out of character for the neighborhood. Planner Hughes testified that continued use of the existing pool is within the limits of Improved lot coverage requirements. He also mentioned that removal of several accessory buildings in was proposed in order to comply with the improved coverage. The applicant intends to reuse of current driveways. He also noted that the continued use of the property as a swim pool club is not viable.

Chairman Fross opened the meeting to the public for questions for Mr. Hughes. No member of the public posed any questions for Planner Hughes.

Based on discussions held during the public hearing, the applicant decided to reconsider the design. The Dabrowa public hearing was carried to the meeting of June 9, 2020, with no further notice required.

**8. MEETING OPEN TO THE PUBLIC:**

Members of the public wishing to address the Board on any matter not listed on the agenda may do so at this time.

There were no members of the public who wished to address the Board.

**9. OTHER BOARD BUSINESS:**

The LaRosa subdivision application (Skymanor, Block 718 Lots 160, 161, 164, Application #16-015 PB) applied for an extension of time to file the final plat and to correct a scribe's error where the maximum Impervious Coverage should be 18%. Approved for filing deadline of 5/26/2020. The Chairman asked for a motion from the Board.

Motion for approval by Councilman Kirsh and second by Ms. Casamento

AFFIRMATIVE: Mr. Pappas, Mr. Wang, Chairman Fross, Councilman Kirsh, Patricia Casamento, Ms. Powers, Mr. Vescio, Mr. Magura, Mr. Giurlando

ABSENT: Mayor Moench, Urvin Pandya

DENIAL: None

NOT ELIGIBLE: None

**10. EXECUTIVE SESSION:**

Matters of litigation, Pursuant to N.J.S.A. 10:4-12(b)(7)

**11. ADJOURNMENT:**

The meeting was adjourned at approximately 9:55 pm