

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Virtual Online Meeting
Tuesday, June 16, 2020
—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Sweeney called the Virtual Online meeting to order at 7:30 pm.

ANNOUNCEMENT: For the duration of the Corona virus Health Emergency, the Municipal Complex is closed to the public and meetings will be held digitally, connected by conferencing software provided by RingCentral.com. Members of the public are invited to view meetings live using RingCentral webinar, which also allows them to “raise a hand” and contribute when they are invited to do so during public portions of the meeting. Instructions for Virtual online meeting:

1. Download RingCentral meetings on preferred device: <https://www.ringcentral.com/apps/rc-meetings>
2. At the advertised start time of the meeting, enter: <https://webinar.ringcentral.com/j/1480994202> into your browser. **This method allows listening & participation*

Please note: You may also join via telephone: Dial: +1(646)357-3664, Webinar ID: 1480994202 * *telephone access allows only listening and not participation.* If you would like to make a comment, text 1(908) 912-4247 with name, contact information and comment for the Board and it will read into the record.

2. 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 May 18, 2020 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 outside of 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 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:

Donald Sweeney- present
Evans Humenick- present
John Fallone - present
Dawn Guttschall- present
Pushpavati Amin- present
James Weideli -present

Jeff Foose - present
Daniel Ahern- present
Donna Kelly - present
Andrew Fresco - present
Gary Laspisa - present

Others present: Attorney Steven Warner, Esq., Planner Scarlett Doyle, PP, Engineer William Burr, IV, PE

5. MINUTES FOR APPROVAL:

November 20, 2018 Regular Meeting (pending)
August 6, 2019 Regular Meeting (pending)

August 20, 2019 Regular Meeting(pending)
September 17, 2019 Regular Meeting(pending)
November 19, 2019 Regular Meeting (pending)
December 17, 2019 Regular Meeting(pending)
January 21, Regular & Reorg Meeting(pending)
February 18, 2020 Regular Meeting (pending)

May 19, 2020 Virtual Online Meeting

Motion for approval by Mr. Weideli and second by Ms. Guttschall

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

ABSENT: None

NOT ELIGIBLE: Mr. Ahern, Ms. Kelly, Mr. Fresco, Mr. Laspisa

6. MEMORIALIZING RESOLUTIONS:

There were no Resolutions

7. HEARING AND DELIBERATIONS:

AROCKIAM – 6 Yohn Drive

Block 500 Lot 141

#20-002-ZB

Variance-New Deck

Applicant, Moses Arockiam stated that he submitted an application to the Zoning Board of Adjustment for variance relief to construct a deck at the rear of his dwelling, which is Block 500, Lot 141 on the Tax Map. The address is 6 Yohn Drive. The property is in the R-40 Zoning district. The variance is for a proposed rear-yard setback of 62 feet, whereas the existing rear-yard setback is 77.71 feet to the dwelling, and the minimum required rear-yard setback in the zone is 75 feet.

The Board's professionals, as well as applicant, Moses Arockiam were sworn. Mr. Arockiam testified that he moved to Bridgewater two years ago with his family. He explained that the proposed deck will encroach into the required 75-foot rear-yard setback by 7 feet, so that the rear-yard setback to the southeast corner (only) of the deck would be 62 feet. He testified that constructing the deck will not require the removal of trees and will not have any impact on the existing drainage.

With the aid of the professionals' reports and the Board's inquiries, the applicant further described the property and explained what the proposal was. It is an irregularly shaped lot located on the southerly side of the bulb of the Yohn Drive cul-de-sac. The property was created and approved as part of a subdivision filed on June 11, 1999. It is presently improved with a 2.5 story single family residential dwelling with a macadam drive and concrete front walk. Mr. Arockiam proposes to construct an L-shaped deck to the rear of the dwelling, and he explained the design.

The Board reviewed a report from the Township Engineer, William H. Burr, IV, P.E., dated June 11, 2020, a report from the Township Planner, Scarlett Doyle, P.P., dated March 12, 2020, a Variance Plan prepared by Stephen E. Parker, P.E., P.L.S., P.P., last revised February 12, 2020, an Architectural Plans prepared by Jeffrey A. Fleisher, A.I.A., dated July 22, 2019, and a survey prepared by Daniel E. Parker, N.J.L.S., dated July 18, 2019.

Mr. Arockiam agreed to comply with the comments and recommendations set forth in the Engineer's and Planner's reports. In response to comments in Ms. Doyle's report, Mr. Arockiam testified that he was unable to locate the proposed deck in a conforming location given the irregular shape of the lot and its location on the bulb of a cul-de-sac, together with the orientation of the existing dwelling. He noted that the parking lot for Temple Sholom is located behind his property and he is of the opinion that the deck would not have a detrimental impact on the Temple's property, particularly given the existing landscaping along the perimeter. Mr. Arockiam also pointed out that the proposal would be in character with the neighborhood since two of his

neighbors have swimming pools in their rear yards and other neighbors have decks or other improvements in their rear yards as well. On questioning, Mr. Arockiam testified that there would be dirt under the proposed deck rather than impervious material, and that the construction of the deck would not interfere with any existing utility lines or structures, well heads, or underground storage tanks. On questioning as to a satellite dish that had been located on the property, Mr. Arockiam testified that his son had been using the satellite for a school project and that it has since been removed. In response to comments made in Mr. Burr's Report, Mr. Arockiam stated that he did not believe that the proposed deck will have any detrimental impact on the existing drainage patterns or the overall character of the neighborhood. Mr. Burr confirmed that the deck likely would not create any drainage issues, particularly since the material under the deck will be pervious and the existing landscaping will absorb runoff.

Chairman Sweeney opened the meeting to the public for questions or comments. No member of the public wished to comment on, or to object to, the Applicant's proposal.

The Board discussed applicant's assertion that the strict application of the zoning regulations would result in peculiar and exceptional difficulties to, or exceptional and undue hardship upon, him as the owner of the property. This is due, in part, to the extraordinary and exceptional situation uniquely affecting the property. The irregularly shaped property is located at the end of a cul-de-sac and, with the orientation of the dwelling thereon which is on an angle, it would be extremely difficult to locate a deck of any reasonable size in a conforming location. The Board also noted that there was no adjacent land available for purchase to provide for a conforming rear-yard setback to the deck that would be in, or closer to, conformity with the zoning requirements.

The Board agreed that there was no substantial impact to the zone plan or ordinance and that the neighborhood would not be greatly affected. No resident appeared in connection with this application. The Board was in favor of granting the rear-yard setback variance with necessary conditions of approval. These conditions should be imposed and should be placed in the conditions of a Resolution:

1. The applicant will conform to the recommendations of the Board professionals.
2. The deck must be constructed in accordance with the testimony given during the hearing and in accordance with the plans submitted to the Board.
3. The underneath of the deck must remain as dirt.
4. A grading plan must be submitted prior to issuance of a building permit.
5. Limits of disturbance must be shown on revised plans to demonstrate limited intrusion into the existing tree line. This will be approved by the Township Engineering Department.
6. The Applicant shall comply with the Construction Mitigation Measures in the Land Use Ordinance.
7. The Applicant will not be required to enter into a Developer's Agreement.
8. The Applicant shall submit a Bridgewater Township Compliance Report for a Simple Variance Compliance Checklist prior to the plans and any deeds being signed, and prior to scheduling the pre-construction meeting and issuance of construction permits.

The Board's attorney reminded the applicant of the ordinance that states that variance relief would expire unless the construction has been commenced within one year from the date of the adoption of the approving Resolution. This is also to be a condition in the Resolution.

The Chairman asked for a Motion from the Board.

Motion for approval by Ms. Guttschall and second by Mr. Weideli

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

ABSENT: None

NOT ELIGIBLE: Mr. Ahern, Ms. Kelly, Mr. Fresco, Mr. Laspisa

DENIED: None

DOUGHERTY – 1931 Mountaintop Road

Block 713 Lot 16

#20-001-ZB-

Variance-New Detached Garage

Applicants Sean and Susan Dougherty appeared before the Zoning Board and stated that they had submitted an application for a variance related to the construction of a detached garage, on their property. The lot is known as Block 713, Lot 16, known as 1931 Mountain Top Road. It was stated that they needed a side-yard setback of 10 feet for a proposed 25-foot-wide by 40-foot detached garage.

Mrs. Dougherty, the Planner, Scarlett Doyle, P.P., and the Engineer, William H. Burr, IV, P.E., were sworn.

Ms. Dougherty acknowledged that the minimum required side-yard setback for an accessory structure is 25 feet in the R-50 Residential Zone District. Based on review of the Planner’s report, the applicant confirmed that they propose to construct a 10-foot-wide covered patio attached to the westerly side of it. The lot is located in the R-50.

In describing the property, it was emphasized that the lot is a very long, narrow Residential Zone District. The lot is improved with a two-story dwelling with an attached garage, enclosed porch, deck, macadam drive, and walkways.

The Board reviewed with the applicant the information in the application packet, the professionals’ reports, including a report from the Township Planner, Scarlett Doyle, P.P., and a report from the Township Engineer, William H. Burr, IV, P.E.. Also, in the application packet was a Variance Map prepared by Stephen E. Parker, P.E, P.P., last revised February 13, 2020, Architectural Plans prepared by George F. Sincox, A.I.A., dated November 12, 2019, a Stormwater Control Plan and Environmental Impact Statement Waiver Requests prepared by Stephen E. Parker, P.E., P.P., dated January 3, 2020.

Mrs. Dougherty told the Board that she and her husband relocated to Bridgewater one year ago after having lived in Middlesex for 20 years. She explained that they have been searching for a property that can accommodate her husband’s car collection and that the proposed detached garage is necessary because the existing dwelling does not have adequate storage space. The Applicants are using the existing attached garage for their personal storage, so the proposed detached garage would be used for his vehicle collection.

The Applicants agreed to comply with the report from the Township Planner, Scarlett Doyle, P.P., dated May 19, 2020 and the report from the Township Engineer, William H. Burr, IV, P.E., dated June 11, 2020. In response to comments in report from Ms. Doyle, Mrs. Dougherty explained that the detached garage will accommodate between four and six vehicles and will not be used as a separate dwelling unit. She further confirmed that the garage would not have plumbing, but would have electricity and a heating/cooling system. She testified that the existing dwelling is contemporary and that the proposed garage will be consistent with the existing dwelling.

With regard to the position of the garage on the lot, Mrs. Dougherty was asked whether the garage could be shifted east in order to comply with the required 25 foot side-yard setback, Mrs. Dougherty stated that relocating the driveway further from the westerly property line shared with Lot 17 would result in the garage being located in the middle of her rear yard. She explained that she did not want to locate the garage in such a location because doing so would obscure their views from their kitchen. On discussion of whether the proposed concrete patio, attached to the detached garage, could be removed so the garage could be shifted, Mrs. Dougherty stated that the patio is intended for her husband to have an area to relax near the garage with his friends. She explained that relocating the garage further from her neighbor’s property on Lot 17 would have a negative effect on the overall layout of their property. Mrs. Dougherty said that no tree removal would be required to construct the garage. She also said that the garage would not be used for maintenance or for repairs. On questioning as to whether the location of the garage provides sufficient space for vehicle turning movements, Mrs. Dougherty testified that it did.

Stephen E. Parker, P.E., the applicant’s engineer and planner, was sworn and provided his qualifications. He was accepted as an expert in the fields of civil engineering and professional planning. Mr. Parker agreed with Mrs. Dougherty that no tree removal was needed. Mr. Parker concurred that vehicular access to the garage would not be an issue. On questioning regarding whether a conventional two-story garage

could be constructed in order to reduce the length of the garage, Mr. Parker testified that neither he, nor the Applicants, had considered that option, but they were opposed to doing that.

On questioning as to how they would address the portion of their driveway that currently encroaches onto adjacent Lot 17, the Mrs. Dougherty agreed, as a condition of approval, to obtaining an easement from the owner of Lot 17 and recording this easement in the Somerset County Clerk's Office.

With regard to the increase in floor area ratio noted on the plans, Mr. Parker said that the increased FAR was an error. He explained that when he calculated the proposed FAR, he had inadvertently included the garage when same should not be included as it does not constitute habitable space. The Applicants agreed, as a condition of approval, to revising the plans to correct the proposed FAR on the plans.

On discussion of buffer plantings along the side of the garage and adjacent Lot 17, Mrs. Dougherty stated that she believed that such buffering was not necessary because the garage would be attractive. Ms. Doyle advised that the proposed 10-foot setback would not provide sufficient space for plantings, but that a 15-foot setback would be sufficient to support plantings.

Mr. Parker was asked if the plan would be consistent with the character of the existing neighborhood. He said that it would be consistent, even though there are no other accessory structures like the one proposed by the Dougherty's other than on Lot 12. He said that the Applicants had discussed the proposal with the most-affected neighbor (Lot 17) and that the owner had no objections to the plan. He supported the premise that the lack of objection evidenced the fact that there would not be a substantial detriment to the character of the neighborhood.

In discussion of comments made in Mr. Burr's June 11, 2020 report, Mr. Parker said that there would be a slight increase in stormwater runoff as a result of the increased impervious coverage, but that the topography of the lot is such that the additional runoff will flow into a wooded area. He stated that the proposal would not result in a measurable stormwater runoff impact on adjacent properties.

On questioning regarding the proposed lighting, Mrs. Dougherty testified that the only lighting proposed is at the front of the garage and possibly on the side of the garage adjacent to the proposed patio. She was willing to stipulate, as a condition of approval, that any lighting would be downward directed and appropriately shielded, so as to eliminate light spillage onto adjacent properties.

Mr. Parker stated that he believes that the Applicants had demonstrated an entitlement to the requested setback relief given the narrowness of the property. On questioning as to whether it would be a better planning alternative to shift the garage an additional 5 feet from the side property line (shared with Lot 17) in order to provide a 15 foot side-yard setback and allow for landscape plantings to screen the view from Lot 17, Mr. Parker stated that the Applicants' proposal is appropriate "as-is" given the lack of objection from the owner of Lot 17. He suggested that, if buffering was necessary between the garage and Lot 17, the Applicants could instead construct a fence, and the fence could be accommodated by the proposed 10-foot side-yard setback. After further questioning, Mr. Parker consulted with his clients and the Applicants agreed to shift the garage an additional 5 feet from the side property line shared with Lot 17 so as to provide a 15-foot side-yard setback.

The Applicants also agreed to provide landscape buffering and screening behind the detached garage and Lot 17. This plan will be subject to the review and approval of the Township Planner. On further questioning by the Board, Mr. Parker confirmed that relocation of the garage would not result in an increase in stormwater runoff or a change in the accessibility of the garage.

Chairman Sweeney opened the meeting to the public for questions and comments.

James Lopa, the owner of adjacent Lot 17, was duly sworn according to law. Mr. Lopa testified that he is the neighbor most impacted by the proposed development and that he does not have any objection to the Applicants' proposal. He explained that he had intended to plant landscape screening on his side, between his property and the proposed garage.

No other member of the public commented on, or objected to, the Applicants' proposal.

The Board deliberated and was satisfied that the applicants satisfied the burden for variance relief, including lot geometry hardship, and that the application should be approved, but with the conditions discussed and with the conditions recommended by the Board's professionals. Conditions that are to be placed in the Resolution, if approved, and applied beyond those required in the Compliance Report include:

1. Plans to show a relocation of the proposed detached garage another 5 feet to the west away from adjacent Lot 17 such that a 15-foot side-yard setback is provided.
2. Plans to show landscape screening between the proposed garage and the easterly property line shared with adjacent Lot 17. This screen is to be approved by the Township Planner.
3. A condition that the Applicants are not permitted to use the proposed garage for vehicle maintenance or for repairs.
4. A condition that there will be no plumbing in the proposed garage.
5. The applicant is not to use any portion of the proposed garage as habitable space, and the entire lot can only be used for single-family dwelling purposes.
6. Exterior lighting on the proposed garage must be focused downward and shielded in order to eliminate light spillage onto the adjacent properties. This shall be approved by the Township Engineering Department.
7. The Applicants are to get an easement from the owners of adjacent Lot 17 permitting the portion of the Applicants' driveway that encroaches onto adjacent Lot 17. The easement deed shall be recorded with the Somerset County Clerk's Office.
8. The plans should be revised to correct the FAR calculations to the satisfaction of the Township Engineer.
9. The plans should be revised to show that there are no utilities or underground storage tanks in the area of the proposed garage.
10. The cover sheet of the plans should show the Construction Mitigation Measures as found in the Land Use Ordinance;
11. Construction plans, with topography and grading information, will be submitted at the time a building permit is requested.
12. The Applicants shall not be required to enter into a Developer's Agreement .
13. A Compliance Report for a Simple Variance will be submitted prior to the plans and any deeds being signed, and prior to scheduling the pre-construction meeting and issuance of construction permits.

The applicant was advised that the variance relief that would be granted shall unless the construction has been commenced within one year from the date of the adoption of the approving Resolution. This should also be put into the Resolution if the application is approved.

The Chairman asked for a Motion from the Board.

Motion for approval by Ms. Amin and second by Mr. Weideli

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

ABSENT: None

NOT ELIGIBLE: Mr. Ahern, Ms. Kelly, Mr. Fresco, Mr. Laspisa

DENIED: None

FILIPOWICZ – 1002 Sunset Ridge

Block 646 Lot 12

#20-003-ZB-

Variance-Addition and renovation

Mr. Darinka Filipowicz appeared before the Zoning Board to request variances for the construction of is single-family home which lies within the R-40 Zone and the lot is located at 1002 Sunset Ridge. He stated that he is presenting the case and has experts, but does not have an attorney representing him. Mr. Filipowicz testified that he and his wife purchased the property in 2018 and is looking to renovate the existing dwelling and improve the overall aesthetics. He explained that he would like to establish a clean and organized backyard. Mr. Filipowicz presented three color photographs which were submitted with the application materials as **Exhibit A-1**. These were taken in early March/May of 2020. On inquiry by the Board's attorney, he described the photos and confirmed that they are an accurate depiction of the property as it presently exists.

Mr. Filipowicz described the improvements, stating that he wanted to create two levels of outdoor space. It was this plan that requires him to secure variance relief for the resulting violation of improved coverage as well as other variances. Mr. Filipowicz went on to state that he proposes to reduce the overall size of the driveway, as well as remove and replace the driveway materials with grass pavers which will help reduce the amount of total improved coverage.

He again stated that he needed variance relief which were also due to his other renovation and additions, including the construction of a new porch and 8' wide garage addition, installation of pavers, a fence, a pool equipment shed, and other site improvements, and the removal of various existing improvements. He noted that these improvements and associated variances were also identified in the municipal reports.

He noted that he has a pre-existing side-yard setback condition of 18.2 feet to the garage extension, and that the minimum required side-yard setback for the R-40 Zone is 20 feet. His plan shows that the existing improved coverage (before steep slope adjustment) is already 21.67%, where the maximum for the zone is 18%. The new plan requires a variance for improved coverage (before steep slope adjustment) of 25.29%. With respect to improved lot coverage after steep slope computations, he agreed that the existing condition is 26.76%, and the proposed new plan has an improved lot coverage is 31.24%. The construction plan proposes disturbance of slopes of 30%, which he believes were man-made created. Mr. Filipowicz noted that there is an existing side-yard setback of his pool equipment shed, which is 3.11 feet. The ordinance requires a setback of 20 feet, but he explained that this is a current condition which would be changed to 1.5 feet. The plan requires another variance for the proposed deck of 1.49 feet from the side lot line. The existing side-yard setback to the deck is 1.41 feet. Mr. Filipowicz testified that the patio is 1.5 feet from the side property line. A minimum distance, per ordinance, is 5 feet. He added that there used to be a deck near the pool, but that they had removed all of the concrete associated with it and installed additional vegetation as a replacement. He stated that the proposed plan also required a variance for a fence height, which is proposed to be more than 6 feet. The Chairman noted that the fence maximum height in the ordinance is 6 feet.

The applicant's Engineer, Adnan A. Khan, P.E., C.M.E, was present to discuss his Preliminary and Final Site Plans and Soil Erosion and Sediment Control Plan. He provided his qualifications and was accepted by the Board as an expert in the field of civil engineering. Mr. Khan described the site and the existing and proposed improvements. He explained that the applicant's lot is encumbered by steep slopes and he argued that the applicants' proposal would allow them to make better use of their rear yard if a variance would be approved for disturbance of the steep slope area. He also noted that the plan would improve the existing drainage conditions. Mr. Khan testified that the plan shows replacement of the entire asphalt driveway with grass pavers and noted that doing so would have the beneficial effect of having only 38% of the proposed driveway area being considered pervious.

Engineer Khan testified that the site plan shows removal of the existing porch, decks and walkways, and that they are proposing to construct a new walkway around the garage and leading to the rear of the house. Given the condition of steep slopes on the property, the plan proposes a tiered wall system which will have less impact on the steep slopes, while still providing a flat area that can be used for recreation.

The engineer also testified that the lot currently has no stormwater management system and that the plan proposes a system to collect all of the stormwater runoff from the downspouts. He testified that the drywell was calculated and sized to accommodate the existing excessive coverage, as well as the additional coverage that is proposed in the new plan.

On questioning as to whether the proposed retaining wall would interfere with stormwater runoff patterns, Mr. Khan testified that it would not because the wall will have stormwater drainage features.

On further questioning, Mr. Khan testified that the Filipowicz's are not proposing additional lighting except for some decorative lighting in the rear yard. On questioning as to the proposed landscaping, Mr. Khan testified that the Applicants have an extensive plan that includes a significant amount of landscaping, including shrubbery and trees.

At this point, the Board Chairman addressed Planner Doyle's May 20, 2020 Review Memorandum, pointing to the comments relating to the proposed disturbance of slopes greater than 30%. Mr. Khan testified that the disturbance of steep slopes is necessary to create a level surface for convenient use of the back yard.

Board Engineer, Mr. William Burr, questioned whether a change in the plan could further reduce the extent of the proposed disturbance and the amount of additional impervious coverage. Mr. Burr expressed his concern about the proposed stormwater management system. He focused on the use of the drainage ditch and advised that, technically, the ditch is not an environmentally-constrained feature of the lot. Mr. Khan explained that the ditch is not in designated open waters and acknowledged that, while there is overgrown vegetation, the ditch is technically not required to be protected. On questioning as to the nature of the ditch, Mr. Khan testified that the ditch captures runoff from the lot, as well as the adjacent property, and was likely created to carry the runoff to a collection point. He explained that he had not followed the ditch to its terminus, but that he had looked at Federal Emergency Management Agency and New Jersey Department of Environmental Protection maps and did not believe that the ditch is a regulated feature. On questioning as to the sizing of the drywell, Mr. Khan testified that he calculated the design and that it is sized for a 100-year storm event.

On questioning whether the plans could be revised to relocate the pool equipment, Mr. Khan testified that the pool equipment cannot be shifted too far from the proposed location because it will conflict with the location of the proposed retaining wall. On questioning as to whether the Filipowicz's could maintain the location of the existing shed, Mr. Filipowicz explained that the shed is used for storage and would be moved somewhat. He explained that the pool equipment consists of pumps and filters and that moving it to a conforming location would have a detrimental impact on the functionality of the only flat portion of the property.

Tomasz Bona, R.A., was present and provided his qualifications. He was accepted by the Board as an expert in the field of architecture. He testified on the design of the improvements and the location of the pool equipment, stating that it is currently visible from the back of the residence through the existing glass walls. He explained that relocating the equipment would improve the visibility and functionality of the rear yard. Mr. Bona pointed out that the pool equipment is more than 75 feet from the corner of the adjacent dwelling on the most adjacent property and will be located behind a retaining wall. He testified that the equipment would not be visible from the neighbors' properties. Members of the Board recommended that the applicants attempt to re-evaluate and revise the plans to reduce the amount of proposed improved coverage and the amount of disturbance on the slopes greater than 30%.

Mr. Bona confirmed Mr. Filipowicz's comments, noting that the steep slopes are not naturally occurring, but are manmade, probably when the existing dwelling was constructed. He explained that there is no standing water on the lot and the ditch is a natural depression that continues through multiple properties. Mr. Bona further explained that the applicants are seeking to create a pathway to provide access to the rear of the Property. He testified that the proposed improvements will not change the grading significantly and, therefore, will not result in a change to the runoff patterns. On discussion of the retaining walls, Mr. Bona explained that the plan is now to use stepped retaining walls to reduce the visual impact of them on the lot. On Board discussion of the proposed amount of coverage, he stated that the Applicants could replace some more of the proposed hardscaping with grass pavers. The Board noted the lateness of the hour and the need for further consideration of plan revisions. The applicant agreed to return to the Board with a revised plan on August 4, 2020.

The Board Chairman opened the meeting to members of the public who wished to address the Board on the application.

Alan Granetz, whose address is 769 Partridge Drive, wished to speak and was sworn in. Mr. Granetz testified that he resides on Lot 6, which is located to the rear of the applicant's lot. He explained that his property often has stormwater runoff issues and requested that the engineer relocate the drywell so that it is outside of the retaining wall. Mr. Granetz introduced three photographs as **Exhibit O-1**, depicting stormwater runoff issues that affect his property and testified that he took the photographs. Board attorney Warner asked a question, where he testified that the photos were accurate depictions of what presently exists at the lot today.

Resident Thomas Moser, who lives at 1008 Sunset Ridge, wished to speak and was sworn in. Mr. Moser expressed his concern about the proposed garage addition and whether that location would obstruct the view from his living room. He advised that he was also concerned about stormwater runoff and drainage because, after rain events, a large puddle accumulates to the northeasterly portion of the garage. Mr. Moser

also expressed concern about the noise generated by the pool equipment and wondered whether or not he would be able to hear the noise from his property.

Residents Keith and Mary Beth Masur, who live at 800 Partridge Drive, wished to speak and were sworn in. Mr. and Mrs. Masur testified that they are also concerned about stormwater runoff because they have observed the drainage ditch overflowing during heavy rains.

The Chairman noted that these issues would be a matter of discussion at the next public hearing. Board Attorney, Steven Warner, announced to the public that the Filipowicz public hearing would be continued, as a virtual meeting, to August 4, 2020, with no further notice required.

8. MEETING OPEN TO THE PUBLIC:

Members of the public wishing to make a comment to the Board on any matter not listed on the agenda may do so at this time. Please note that in accordance with the Municipal Land Use Law and case Law, any questions or comments about a pending application must be made in the hearing on that specific application. No member of the public wished to address the Board.

9. OTHER BOARD BUSINESS:

There was no other Board business

10. EXECUTIVE SESSION:

There was no need for Executive Session

11. ADJOURNMENT

The meeting was adjourned at approximately 10:55 pm