

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
MAY 17, 2022
—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Foose called the meeting to order at 7:00 pm.

2. OPEN PUBLIC MEETING ANNOUNCEMENT:

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 19, 2022 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 9:30 pm and no new testimony will be taken after 10:00 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:

Jeff Foose	- Present	Gary La Spisa	- Present
James Weideli	- Present	Bruce Bongiorno	- Present
Dawn Guttschall	- Absent	John Gayeski	- Present
Pushpavati Amin	- Present	Jeffrey Sicat	- Present
Donald Sweeney	- Absent	John Kulak	- Present
Andrew Fresco	- Present		

Others present: Board Attorney Mr. Richard Oller, ESQ. for Mr. Steven Warner, Esq., Board Planner Scarlett Doyle, PP, Zoning Officer Roger Dornbierer, and Land Use Coordinator Nancy Probst

5. MEETING OPEN TO THE PUBLIC

6. APPROVAL OF BOARD MINUTES:

December 7, 2021 Regular Meeting (pending)	March 1, 2022 Regular Meeting (pending)
December 21, 2021 Regular Meeting (pending)	April 5, 2022 Regular Meeting (pending)
January 18, 2022 Reorganization Meeting (pending)	April 19, 2022 Regular Meeting
February 1, 2022 Regular Meeting (pending)	
February 15, 2022 Regular Meeting (pending)	

7. MEMORIALIZING RESOLUTION(S):

DAVID SCAGLIOTTA - 208 ADAMSVILLE ROAD

Block 222.02 Lot 3

21-029-ZB – VARIANCE

Eligible to vote: Foose, Weideli, Sweeney, Guttschall, Amin, Fresco, La Spisa

Motion by Mr. La Spisa, **seconded** by Mr. Weideli to approve.

AFFIRMATIVE: Mr. Foose, Mr. Weideli, Ms. Amin, Mr. Fresco, Mr. La Spisa, Mr. Bongiorno, Mr. Gayeski, Mr. Sicat

ABSENT: Ms. Guttschall, Mr. Sweeney

DENIED: NONE

MARTINSVILLE REALTY ASSOCIATES, LLC – Carried from March 1, 2022 meeting.

801 CHIMNEY ROCK RD (PENDING) – Carried to June 21, 2022 meeting.

Block 802 Lot 131

21-031-ZB– PRELIMINARY SITE PLAN AND VARIANCES

Eligible to vote: Foose, Weideli, Amin, Fresco, La Spisa, Bongiorno, Gayeski

8. HEARING AND DELIBERATIONS:

ADRIAN TURCO – 39 MORRIS STREET

Block 108, Lot 9

21-039-ZB - BULK VARIANCE

Eligible to vote: All Members

Applicant is seeking to construct an addition to the existing dwelling within the front yard in order to add a foyer with a closet and a dining room to the first floor and a master bedroom on the second floor, which would be located over the proposed dining room. The existing dwelling currently satisfies the required 50-foot front yard setback, however, and the proposed addition would invade the required front yard set back and be set back only 37.2 feet. Therefore, variance relief is required.

Mr. Thomas Behold, the applicant's architect, represented the applicant and was sworn according to law. He testified that the property is an undersized lot (17,600 square feet existing; 20,000 square feet required) located in the R-20 zone, improved with a cape cod style frame dwelling, patio, driveway, and detached garage.

The Board was provided with the following (a) a joint report from the Township Planner, Scarlett Doyle, P.P., and Township Engineer, William H. Burr, IV, P.E., dated May 11, 2022, revised May 12, 2022; (b) construction details and sketches prepared by Thomas Besold, R.A., dated February 15, 2022, last revised April 4, 2022, same consisting of one sheet; (c) a Plan of Survey prepared by Robert M. Horvath, N.J.L.S., dated January 18, 2007, same consisting of one (1) sheet; and (d) A copy of the Form #3E, Variance Application and supporting documents.

Board Planner, Scarlett Doyle, P.P., was duly sworn according to law.

Mr. Besold testified that the existing property is non-conforming since (a) the lot area consists of 17,600 square feet, whereas a minimum lot size of 50,000 square feet is required; and (b) the lot is 88 feet wide, whereas a minimum width of 100 feet is required.

Mr. Besold also testified that although the survey previously submitted to the Board is older, it is up to date and accurate as to the current conditions on the Property. Mr. Besold stated he modified the survey to incorporate the proposed improvements to explain the overall proposed site plan.

Mr. Besold described the dwelling as a cape cod style home with a small front entrance and that the Applicant desires to add an entry foyer with a closet, a dining room, and a master bedroom. The proposed improvements would need to be constructed in the front of the dwelling due to the existing floor plan, the existing deck, and the swimming pool. The proposal includes construction of a master bedroom over the proposed dining room. Mr. Besold further testified that the Applicant is also proposing other improvements to the dwelling which do not require a variance from the Board.

Mr. Besold testified that the dwelling's siding would be a clapboard siding and the roof would be a shingled roof. He further testified the proposed improvements would be constructed on either a crawl space or over a full basement, but that decision needed to be made at a later date.

Mr. Besold opined that other adjoining homes in the neighborhood are set back from the road in a similar fashion as what is being proposed by the Applicant, and that the dwelling needs upgrading to more current living standards and that the proposed improvements are consistent with the character of the neighborhood.

Mr. Besold testified that the Property will continue to satisfy bulk ordinance requirements for side yard setback, rear yard setback, impervious coverage, building height, and floor area ratio.

Mr. Besold presented the following items as part of his testimony, which were marked as exhibits and entered into evidence:

- A-1 Variance Application Form # 3E
- A-2 Architect's Plan prepared by Thomas Besold, dated February 15, 2022, last revised April 4, 2022
- A-3 Survey prepared by Robert M. Horvath, N.J.L.S, dated January 18, 2007
- A-4 Letter from Architect Thomas R. Besold dated May 17, 2022, in response to joint memorandum from the Township Planner and Board Engineer.
- A-5 Series of seven photographs of the subject Property and neighboring area.

The Applicant agreed to comply with all the comments and recommendations set forth in the May 12, 2022 Review Memorandum prepared by the Township Planner, Scarlett Doyle, P.P., and Township Engineer, William H. Burr, IV, P.E.

PUBLIC QUESTIONS ON MR. BEHOLD'S TESTIMONY

No members of the public had any questions.

PUBLIC COMMENT ON APPLICATION

No member of the public commented on, or objected to, the application.

The Board Attorney reviewed salient points of the application and testimony was concluded.

BOARD DELIBERATIONS

The Board commented that the proposed application was a better aesthetic design that made the dwelling a more desirable visual environment. Members felt the applicant satisfied the burden of proving the requested bulk variance. It was noted that no member of the public spoke in objection of the proposal.

Motion for Approval: Mr. La Spisa, Seconded by Mr. Weideli.

AFFIRMATIVE: Mr. Foose, Mr. Weideli, Ms. Amin, Mr. Fresco, Mr. La Spisa, Mr. Bongiorno, Mr. Gayeski

ABSENT: Ms. Guttschall, Mr. Sweeney

DENIED: NONE

9. MEETING OPEN TO THE PUBLIC:

Members of the public wishing to comment to the Board on any matter not listed on the agenda were able to do so at that time. Please note that under 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.

10. OTHER BOARD BUSINESS:

None.

11. EXECUTIVE SESSION:

There was no need for Executive Session.

12. ADJOURNMENT

The meeting was adjourned at approximately 8:20 pm on a motion made by Mr. Weideli.

Respectfully Submitted,



Roger Dornbierer, Zoning Officer

APPROVED 4/21/22