

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
October 8, 2024
—MINUTES—

1. CALL MEETING TO ORDER:

Deputy Chairman Weideli 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 9, 2024 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 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	Jeff Foose-	Absent
Bruce Bongiorno-	Present	John Gayeski-	Present
James Weideli-	Present	Claudio Vescio-	Present
Jeffrey Sicat-	Present	Andrew Fresco-	Present
Pushpavati Amin-	Present	Chris Gabbett-	Present
John Kulak	Present		

Others present: Board Attorney Rich Oller, Esq., Board Planner Katherine Sarmad, Nancy Probst, Land Use Administrator and Roger Dornbierer, Zoning Officer.

5. OPEN TO THE PUBLIC

Deputy Chairman Weideli opened the meeting to the public. With there being no members of the public wishing to speak, the Board closed this portion of the meeting.

6. APPROVAL OF MINUTES

There were no minutes for approval

7. RESOLUTIONS

Application # 24-003-ZB; Somerset Properties Associates, LLC (“Senior Life”) (pending)
Block 476, Lot 20 (757 Route 202/206)
Preliminary & Final Site Plan with Use Variance

On motion by Ms. Amin, seconded by Mr. Bongiorno, the foregoing resolution was adopted as amended based on the following roll call vote:

Ayes: Mr. Weideli, Ms. Amin, Mr. Sweeney, Mr. Fresco, Mr. Bongiorno,
& Mr. Sicat
Nays:
Ineligible: Mr. Gayeski, Mr. Kulak, Mr. Vescio & Mr. Gabbett
Abstain:
Absent: Chairman Foose

8. LAND DEVELOPMENT APPLICATIONS

#24-005-ZB; 821 Bridgewater LLC & JCC of Somerset, Hunterdon & Warren
Block 477, Lot 45&46 (821 & 831 Route 202-206)
D(1), D(4), D(5) Variances

This application was carried to the October 22, 2024 Regular Meeting without further notice.

Application #23-023-ZB; Bridgewater Realty II LLC (Starbucks)
Block 222, Lot 6.01 (1288 & 1298 Rt. 22 & Morgan Lane)
Preliminary & Final Major Site Plan, Use Variance, Bulk Variances

This application was carried to the November 12, 2024 Regular Meeting pending new notice.

Application #23-014-ZB; CX Towers
Block 163, Lot 6.01 (719 Route 202)
Preliminary & Major Final Site Plan with D Variance, C Variance (s)

This application was carried to the November 12, 2024 Regular Meeting pending new notice.

Application #23-010-ZB; Bellie Holdings LLC
Block 249, Lot 40 (19-21 Mount Pleasant Ave)
D Variances, Bulk Variances

This application was carried to the December 10, 2024 Regular Meeting pending new notice.

Application #23-011-ZB; 1200 Route 22 Land Investors & 1200 Route 22 LLC Holding Block 221; Lots 1.02, 1.03, 1.04, 2 & 2.01 (1210 & 1220 Route 22)
Preliminary & Final Site Plan Approval with D Variance(s), Bulk Variance(s)

This application was carried to the December 10, 2024 Regular Meeting pending new notice.

Application #24-011-ZB; St. Bernard of Clairvaux Block 400, Lot 26; 551 Route 28
PFSP with C&D Variances

Mr. Michael Ligorano, Esq. advised a property owner has filed drainage concerns late in the day. Mr. Ligerano requested this application be carried so the applicant could work with the neighbor to work prior to a public hearing.

The Board carried this application to October 22, 2024, regular meeting without further notice.

Application #24-015-ZB; Xi Chen Block 663, Lot 56 (950 Sunset Ridge)
Simple Variance/Design Waiver

Mr. Michael Silbert, Esq., was present to represent the applicant. Sworn testimony was provided by Ms. Xi Chen, Property Owner, Mr. Roger Dornbierer, Township Zoning Officer. Exhibits were entered as follows:

A1 10/8/24 Compendium of 4 Photographs
A2 10/8/22 Video of Existing Fence

Mr. Silbert provided a brief overview of the application, advising the Board the intent of this application is for a privacy fence due to an ongoing neighbor dispute. He advised the neighbor at 848 Sunset Ridge placed a video camera facing the applicant's yard that states it is recording based on motion.

Mr. Silbert introduced Ms. Xi Chen as the Property Owner. She was sworn and accepted by the Board.

On questioning by the Board, Mr. Silbert confirmed the existing fence needs a variance since it exceeds the 6' height limit, at some points reaching 15 ft. in height.

On questioning by the Board, Ms. Chen advised the neighbor's camera faces her front yard, backyard, garage and driveway.

Ms. Chen stated the steep slopes make it difficult to maintain privacy and there are ongoing issues with the neighbor. She advised the Board that the neighbor looks over to her yard, trespasses onto her property and calls her names. She then advised he then installed a camera

system that “nonstop talks.” She further advised the neighbor makes her feel uncomfortable and she feels that he is watching her movements.

Ms. Chen confirmed she was aware that a permit was needed for the fence; however, she installed the fence prior to obtaining permits due to the circumstances.

On questioning by the Board, Ms. Chen advised that she has installed her own cameras on the property.

Ms. Chen advised the fence was installed due to the steep slopes on her property. The deck is not constructed on flat land and without the fence at this height, she would not have privacy on her property.

On questioning by the Board, Ms. Chen confirmed the fence blocks the camera but doesn't stop the audio announcing the camera is recording. She also confirmed it provides the privacy she needs from her neighbor looking out the windows at her.

Ms. Sarmad advised the fence height regulations are in part for the proper maintenance of it. She then requested a condition for the applicant to be responsible for properly maintaining the fence. The applicant agreed.

Ms. Sarmad clarified there are 2 variances needed, the height of the fence as well as the 6' portion that extends into the front yard.

On questioning by the Board Professionals, Mr. Silbert advised the neighbor is not in attendance and that has not asked the applicant for any landscaping.

The Board opened the meeting to the public for questions. With there being no questions, the Board closed this portion of the meeting.

The Board took a short recess and reconvened.

Mr. Silbert clarified with Ms. Chen that the fence was installed in late 2023, not 2024. Mr. Silbert then clarified the survey presented to the Board was created in March 2024 and depicts the actual fence that is installed.

Mr. Silbert introduced Mr. Roger Dornbierer as the former Township Zoning Officer. He was sworn and accepted by the Board.

Mr. Dornbierer advised he conducted a site visit in April 2024 based on a complaint from the neighbor. He then referenced his memo written in September 2024 and advised Ms. Chen's backyard to have steep slopes at the rear of the property.

Mr. Dornbierer discussed the neighbors' cameras and stated he did observe the camera system, announcing that it was recording.

Mr. Dornbierer advised that the neighbor came to the Township to complain about the aesthetics of the fence which required him to conduct a site inspection of the property and fence.

On questioning by the Board, Mr. Dornbierer opined the fence appeared new and sturdy.

On questioning by the Board, Mr. Dornbierer advised Ms. Chen responded to the Township when she received the notice of violation and advised him of the ongoing situation with the neighbor. Mr. Dornbierer suggested she speak to the Police Department and file a police report, which she did on the same day.

The Board opened the meeting to the public for questions. With there being no questions, the Board closed this portion of the meeting.

The Board opened the meeting to the public for comments.

Ms. A. Georgiou-Admera 952 Sunset Ridge, Bridgewater NJ. Ms. Georgiou-Admera was sworn. Ms. Georgiou-Admera advised her neighbors Ms. Chen's property. She advised Ms. Chen is a good neighbor and has advised her of the going issues with the neighbor. She opined that the fence is nice and good quality.

Ms. Advised she has no concerns with the fence and has not heard of any of the neighbors having concerns.

Ms. Yudi Chen of 932 Sunset Ridge, Bridgewater NJ. Ms. Chen was sworn. Ms. Chen advised Ms. Chen is a good neighbor. She then advised the Board that Ms. Chen advised her of the issues with the neighbor.

Mr. Leo Li of 1263 Mt. Vernon Rd, Bridgewater NJ. Mr. Li advised he knew Ms. Chen prior to moving to the neighborhood. He advised Ms. Chen had a good relationship with the previous owner of 948 Sunset Ridge; however, she has ongoing issues with the new owner of the property.

Mr. Li confirmed a dead animal was placed in Ms. Chen's driveway and he witnessed it.

Mr. Li confirmed the fence should be blocking the cameras, but it doesn't completely block the camera. He advised he could hear the camera sounds while visiting Ms. Chen's deck.

With there being no further comments, the Board closed this portion of the meeting.

Mr. Silbert provided a brief summation.

Mr. Oller reviewed conditions for the resolution and the Board deliberated.

On motion by Mr. Bongiorno, seconded by Mr. Sweeney, the application was approved with conditions based on the following roll call vote:

Ayes: Mr. Weideli, Ms. Amin, Mr. Sweeney, Mr. Fresco, Mr. Bongiorno,
& Mr. Sicat
Nays:
Ineligible: Mr. Gayeski, Mr. Kulak, Mr. Vescio & Mr. Gabbett
Abstain:
Absent: Chairman Foose

9. OTHER BOARD BUSINESS

Ms. Probst advised the Board calendar will appear stacked in November and December due to the timelines of the applications.

10. ADJOURNMENT

The Board unanimously voted to adjourn at approximately 8:57 pm.

Respectfully Submitted,



Jo-Ann M. Ricks
Certified Board Secretary

