

BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
Regular Virtual Online Meeting  
Tuesday, June 1<sup>st</sup>, 2021  
—MINUTES—

**1. CALL MEETING TO ORDER:**

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

**2. OPEN PUBLIC MEETING ANNOUNCEMENT:**

Both adequate and electronic notice of this meeting specifying the time, place and manner in which such notice was provided in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, and recently enacted Emergency Remote Meeting Protocols for Local Public Bodies, N.J.A.C. 5:39-1, et seq. Specifically, on **January 13, 2021** 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 at the Municipal Building. Public meetings are held with participants at remote locations, connected by conferencing software provided by RingCentral.com. Members of the public are invited to attend and participate in live meetings either by using the RingCentral client, which allows audio and video participation, or by phoning into a meeting for audio only participation. The required access information is provided in the notice, as well as set forth on the agenda. The procedures and requirements for making public comment are as follows: Attendees are admitted to meetings via the waiting room and microphones are muted until enabled by the host. Members of the public may participate in meetings at certain designated times as announced by the Board Chair. Members of the public will be allowed to address applicants and their experts, ask questions and/or make comments as appropriate once recognized to do so. Attendees may request to be heard by 'raising a hand', either physically or virtually. Regulation of conduct by members of the public on the remote public meeting shall be consistent with law and practices followed if a member of the public disrupts an in-person meeting. Specifically, if a member of the public becomes disruptive during any period for public comment, the member of the public shall be muted and warned that continued disruption may result in him or her being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors, such as, but not necessarily limited to, shouting, interruption, and use of profanity. A member of the public who continues to act in a disruptive manner after receiving a warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make their comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting. Please be aware of the Zoning Board of Adjustment 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.

**3. SALUTE TO FLAG:**

**4. ROLL CALL:**

Jeff Foose - present  
James Weideli - present  
John Fallone - present  
Dawn Guttschall- present  
Pushpavati Amin-present

Donald Sweeney -present  
Bruce Bongiorno-present  
Kevin Wrobel - **absent**  
Andrew Fresco -present  
Gary La Spisa - present

Others present: Board Attorney Mr. Steven Warner, Esq., Board Engineer Mr. William Burr, IV, PE., Board Planner Ms. Scarlett Doyle, PP., and Land Use Coordinator Ms. Zuzana Karas.

**5. MEMORIALIZING RESOLUTIONS:**

**TESLA, INC - 582 UNION AVENUE**

**Block 257 Lot 3.01**

**20-035-ZB- AMENDED SITE PLAN APPROVAL SUBMISSION/ AS SUPPLEMENTED**

Some changes were made.

The Chairman asked the Board for a motion to approve the resolution with the changes made.  
A motion of approval was made by Mr. Weideli with a second by Ms. Amin.

**Roll Call Vote:**

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

ABSENT: Mr. Wrobel.

ABSTAIN: Mr. Fresco, Mr. La Spisa, and Mr. Bongiorno.

DENIAL: None.

**JITESH AMIN - 11 BURR STREET**

**Block 196.02 Lot 3**

**20-036-ZB- SIMPLE VARIANCE**

No changes were made.

The Chairman asked the Board for a motion to approve the resolution with no changes.  
A motion of approval was made by Ms. Guttschall with a second by Mr. Weideli.

**Roll Call Vote:**

AFFIRMATIVE: Mr. Foose, Mr. Weideli, Mr. Sweeney, Ms. Guttschall, Ms. Amin, Mr. Fresco, and Mr. La Spisa.

ABSENT: Mr. Wrobel.

ABSTAIN: Mr. Fallone and Mr. Bongiorno.

DENIAL: None.

**7. 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 were able to do so at this time. As noted, under the Municipal Land Use Law and case Law, any questions or comments about a pending application would have to be held until the hearing on that specific application.

No member of the public wished to address the Board.

**8. HEARING AND DELIBERATIONS:**

**PAULO G. CUNHA AND ANABELA BRANDAO - 1065 BROWN ROAD**

**Block 263 Lot 6**

**20-040-ZB- SIMPLE VARIANCE**

The applicant's attorney, Ms. Erica Edwards, conveyed to the Board that her clients could not come to the meeting due a death in the family. The Board rescheduled the application to June 15<sup>th</sup> meeting as requested by the applicant, without further notice.

**NICHOLAS NATURILE - 964 NORTH SHORE DRIVE**  
**Block 608 Lot 3**  
**21-018-ZB- BULK VARIANCE**

Mr. Nicholas Naturile applied to the Board for a front yard variance relief due to a proposed addition to the existing dwelling. The subject property is designated as Block 608, Lot 3 more commonly known as 964 North Shore Drive. An unimproved "paper street" creates two front yards, which requires compliance with two front-yard setback requirements.

The applicant sought to construct a one-story, 625 square foot addition to the existing home. Due to this addition the front-yard setback was proposed at 27.3 feet, whereas the minimum required in the R-20 Zone is 50 feet.

The Board reviewed the following with the application submitted: A joint report from the Township Planner, Ms. Scarlett Doyle, P.P., and Township Engineer, Mr. William H. Burr, IV, P.E., dated May 26, 2021, a survey prepared by Mr. W. Leland Titus, P.L.S., of Titus Surveying & Engineering, P.C., dated January 7, 2021, last revised April 26, 2021, an Architectural Plan, prepared by Mr. Joel Jenkins, A.I.A., of Joel Jenkins Architecture, dated November 4, 2020, last revised December 18, 2020, and Form #3E, Appeal or Variance Application and supporting documents.

The Board Planner, Ms. Scarlett Doyle, P.P., and Board Engineer, Mr. William H. Burr, IV, P.E., were duly sworn according to law.

Mr. Nicholas Naturile, the applicant, was duly sworn according to law. Mr. Naturile testified that he is seeking relief to construct an addition to his existing single-family dwelling. He explained that the existence of Park Place renders the property as a corner lot. This creates the front-yard setback deviation off the unimproved street.

Mr. Naturile testified that the proposed addition would be twenty-five feet by twenty-five feet and would accommodate his wife and two kids, along with the extended family on holidays. Moreover, he explained that the proposed location is next to the kitchen and provides access to the rear yard, making this location ideal as it adds to the "flow" of the house. The same flow would not be provided if the addition was placed on the other side of the dwelling.

Mr. Naturile testified that he explored other locations for the addition, however, due to the layout of the dwelling and existing topographic conditions this location is extremely suitable. Mr. Naturile testified that there is a garage on the easterly side of the dwelling, which currently has stormwater management issues. He explained that the rear of the property would not be a suitable location since there is an existing patio and HVAC units located therein. He further explained that the home's front yard contains underground potable water well, rendering the front yard as an unsuitable location for the proposed addition.

Mr. Naturile testified that he spoke with representatives of the Township to see if the Township would be willing to vacate the paper street, Park Place. However, since there is an existing underground sanitary sewer line and access points located along Park Place, the Township was not in a position to vacate.

In response to the Board Professionals' Review Memorandum dated May 26, 2021, Mr. Naturile testified that one tree in the northwest corner of the property would need to be removed, which he believes is dying. Mr. Naturile testified that he intends to have all construction equipment for the addition enter the property through the northwest corner once the tree is removed.

Mr. Naturile testified that, while there would be a partial basement included in the foundation of the proposed addition, there would not be any sleeping accommodations or utilities located within such area. He explained that, at this time, the house's exterior has brick siding, and he intends to match the siding of the addition with what currently exists on the dwelling.

The applicant proposed porch lights to the exterior entrances of the house, all of which would be pointed in a downward direction not causing any light spillage onto neighboring properties.

The applicant testified that the stormwater from the roof of the dwelling drains to, and flows across, the rear and side yards of the property, to the wooded sections on the south-easterly sides of the property.

Mr. Naturile testified that, in his opinion, the proposed addition is consistent with the remainder of the neighborhood since the side-yard and front-yard setbacks throughout the neighborhood are consistent with his existing and proposed property improvements.

Ms. Doyle, the Board Planner, questioned the current status of Park Place, and specifically, if anyone uses it and whether it contains a footpath or any pavement. The Board and its professionals determined that Park Place is merely a wooded "paper" street with sanitary sewer lines.

Noting that the existing pad for the play area in the westerly side of the property slightly encroaches over the property line along Park Place, the Board concluded that the Township should reserve the right to have the applicant remove the pad should the need for same arise. Mr. Naturile stipulated to the condition.

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

The Board, following deliberation, approved the application, subject to terms and conditions stipulated during the hearing.

Roll Call Vote:

Motion of approval was made by Mr. Weideli with a second by Mr. Fresco.

AFFIRMATIVE: Mr. Foose, Mr. Weideli, Mr. Fallone, Mr. Sweeney, Mr. Guttschall, Ms. Amin, and Mr. Fresco.

ABSENT: Mr. Wrobel.

ABSTAIN: Mr. La Spisa and Mr. Bongiorno.

DENIAL: None.

**9. OTHER BOARD BUSINESS:**

Chairman Foose announced that a new member would be joining the Board at their next scheduled meeting. Mr. John Gayeski, would be joining with prior board experience through the Borough of Bound Brook.

The Board discussed the next upcoming meeting dates and applications scheduled.

**10. EXECUTIVE SESSION:**

There was no need for an Executive Session.

**11. ADJOURNMENT**

The meeting was adjourned at approximately 8:30 pm with a motion made by Mr. Weideli and a second by Mr. La Spisa.