

WEST WINDSOR TOWNSHIP ZONING BOARD MEETING
REGULAR MEETING
August 1, 2024

The Regular meeting of the Zoning Board was called to order at approximately 7:00 pm by Chairwoman Abbey in Meeting Room A in the Municipal Building.

STATEMENT OF ADEQUATE NOTICE

Chairwoman Abbey announced that pursuant to the Sunshine Law, a notice of this meeting's date, time, location, and agenda was mailed to the news media, posted on the township bulletin board, and filed with the Municipal Clerk on July 17, 2024.

ROLL CALL AND DECLARATION OF QUORUM

Susan Abbey, Chair
Curtis Hoberman, Vice-Chair
John Church
Henry Jacobsohn
Daniel Marks (arrived at 7:14 pm)
John Roeder
Michael Garzio, Alt. #1

ABSENT: Carl VanDyke
Eugene Fridkin, Alt. #2

TOWNSHIP CONSULTANT STAFF PRESENT

Ed Schmierer, Esq., Attorney, Mason, Griffin & Pierson
Sam Surtees, Land Use Manager and Zoning Officer

MINUTES

June 6, 2024 Minutes
Mr. Roeder made a motion to adopt the June 6, 2024 minutes, as amended with correction cited by Mr. Church; seconded by Mr. Church. Voice Vote -- All Aye. Abstention by Mr. Jacobsohn.

RESOLUTION:

ZB22-06 **Nathan & Alison Prussing**
d-4; "c" Bulk Variances
976 Alexander Road
Block 11.01, Lot 17

Mr. Roeder made a motion to approve Zoning Board Resolution ZB22-06, seconded by Vice-Chairman Hoberman. Voice Vote -- All Aye. Abstention by Mr. Jacobsohn.

ZB24-01 **Elan S. Rome**
"c" Bulk Variance
6 Robin Circle
Block 27.05, Lot 36

Mr. Roeder made a motion to approve Zoning Board Resolution ZB24-01, seconded by Mr. Garzio.
Voice Vote -- All Aye. Abstention by Mr. Jacobsohn.

CHAIR'S COMMENTS & CORRESPONDENCE

There was no correspondence to review and the Chair had no comments.

Chairwoman Abbey opened the meeting for non-agenda comments from the public. There were no comments from the public.

RECESS 7:07 PM – 7:14 PM Zoning Board Chairwoman Abbey recessed the meeting to allow time for member Daniel Marks to arrive to give the applicant a full seven-member Board for the variance requested. Mr. Marks arrived at 7:14 PM.

APPLICATION:

ZB24-02 **AMARTYA ROY**
d-4 (FAR) Variance & c-1 Bulk Variances
12 Berrien Avenue
Block 68, Lot 11
Property Zoned: R-1A District
MLUL: 10/30/24

Applicant seeks to construct an addition of 686 sq. ft. to an existing 2 bed, 1 bath, 1 ½ story house (714 square foot) built on a 9064.81 square foot lot. Structure will need variance relief to increase Floor Area Ratio (FAR) from 7.88% (13% permitted) to 15.44%. A side variance from 20.16 feet to 8.83 feet and a Maximum Improvement Cover (MIC) from 18.88% (17% permitted). Proposed structure will include 1 in-law suite, 1 full bathroom, and small family room on the first floor and extend 1 bedroom with an attached bathroom on the second floor (facing the backyard) making it a 3-bedroom, 3-bathroom house. The applicant also seeks as variances, waivers, exceptions, and all other relief that the Zoning Board of Adjustment may deem appropriate and necessary.

Attorney Schmierer stated that the proof of publication is in order and the Board has jurisdiction to hear the application. Attorney Schmierer then swore-in Amartya Roy and Subhasree Bose.

The applicant, Amartya Roy, presented his application and explained the addition he was seeking. The proposed addition will fit in with the historical setting of the neighborhood and the front façade would not change.

Mr. Church said that there was no survey submitted. Mr. Surtees stated that the applicant will submit it with the construction permit.

(It was noted that the plans showed the rear of the house on the bottom of the page, instead of the top.)

Zoning Board Planner Novak was sworn-in. He reviewed the variances requested for the setbacks.

The names of the rooms were not completely labeled on the plans. Mr. Roy explained where each of the rooms were located throughout the home.

The following documents pertaining to the application were submitted:

- Memorandum dated July 16, 2024 from Attorney Schmierer
- Report dated July 3, 2024 from Zoning Board Planner David Novak

Chairwoman Abbey opened the meeting for public comment on the application.

MARY KONDO, 6 Berrien Avenue: Ms. Kondo said a memorandum was submitted by a neighbor. Chairwoman Abbey stated that the memorandum received by a neighbor cannot be read into the record because they were not present to be questioned. Ms. Kondo gave information about the neighborhood. She asked the Zoning Board not to approve anything until Berrien City receives land use regulations. She said the house is very close to the home next door. Ms. Kondo asked if the addition could be added to the other side of the house because it would border a yard instead of a home.

There were no further comments. Mr. Roeder made a motion to close the public hearing; seconded by Mr. Jacobsohn. Voice Vote -- All Aye.

RECESS: 8:15 PM – 8:18 PM

The Zoning Board members deliberated. Mr. Church made a motion to extend the meeting to another date to allow the next-door neighbor to give input. There was no second. It was then suggested that a condition be added that a natural screening be added for privacy between the ranch home next door.

Chairwoman Abbey commented/cited conditions as follows:

- This is the type of addition the Zoning Board desires in Berrien City: putting the addition in the back and keep the look of the existing, early 20th century homes. If the addition was placed deeper in the rear, it would interfere with the garage, etc.
- Adjacent to 14 Berrien Avenue, the side yard will be 8.83 feet and no further encroachment on 12 Berrien Avenue.
- Roof on bathroom by new front door will extend over the door, all the way across.
- On the bathroom front wall there, a window will be installed and will match the existing front windows.
- Overhangs will match the existing home.
- The applicant may have to return to the Board if the new walkway from the driveway to the new front door exceeds the MIC.
- There will not be a driveway from street to new front door.
- Along the property line next to the bay window, greenery will be installed for privacy. A fence can be installed, as well. She recommended skip laurel, not arborvitae.
- Addition can be accommodated completely.
- Does not substantially impair with the intent and purpose of the zoning.
- Does coincide with Planner Novak's comment about recognizing and preserving the existing historic and unique development pattern of the Berrien City community.

West Windsor Township Zoning Board
Regular Meeting Minutes August 1, 2024

- Will not be disruptive to the neighbor next door.
- Won't cause an undue hardship.
- Although the size of the house is being doubled, the 1400 sq. ft. is the average size of the homes in the neighborhood.

Mr. Roeder made a motion to approve application ZB24-02 with stated criteria, comments, and conditions as cited by Chairwoman Abbey; seconded by Mr. Marks.

Roll Call:

Aye: Garzio, Roeder, Marks, Jacobsohn, Church, Hoberman, Abbey

Nay: None

Abstain: None

Absent: Fridkin, VanDyke

Not Voting: None

Chairwoman Abbey announced that the Planning Board will hold the hearing on the issue of zoning in Berrien City on September 4, 2024.

The next meeting is tentatively scheduled for September 5, 2024.

With no further business, Mr. Roeder made a motion to adjourn the meeting at 8:32 pm; seconded by Mr. Church.

Respectfully submitted,

Cynthia Dziura, RMC/CMR
Recording Secretary