

WEST WINDSOR TOWNSHIP ZONING BOARD MEETING  
REGULAR MEETING  
June 6, 2024

The Regular meeting of the Zoning Board was called to order at 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 May 23, 2024.

**ROLL CALL AND DECLARATION OF QUORUM**

Susan Abbey, Chair

ABSENT: Henry Jacobsohn

Curtis Hoberman, Vice-Chair

John Church

Daniel Marks

John Roeder

Carl VanDyke

Michael Garzio, Alt. #1 (arrived at 7:02 pm)

Eugene Fridkin, Alt. #2

**TOWNSHIP CONSULTANT STAFF PRESENT**

Ed Schmierer, Esq., Attorney, Mason, Griffin & Pierson

Sam Surtees, Land Use Manager and Zoning Officer

**STAFF APPOINTMENT**

The Zoning Board members discussed the appointment of Edward Sniekeus of Burgis & Associates as the new Landscape Architect for the Zoning Board. He will replace Dan Dombromilsky who recently retired.

Mr. Roeder made a motion to approve the appointment; seconded by Mr. VanDyke. Voice Vote--Motion Carried.

**MINUTES**

February 1, 2024 Minutes

Mr. Roeder made a motion to adopt the February 1, 2024 minutes; seconded by Mr. Church. Voice Vote--Motion Carried.

**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.

AMARTYA ROY, 12 Berrien Avenue: Mr. Roy recently purchased a 700 sq. ft. home in Berrien City next to train station because he and his wife travel to the city. He is currently working with architect to put on an addition. Chairwoman Abbey advised him to make an appointment to speak with Mr. Surtees to help him with the process.

There were no further comments from the public.

**APPLICATION:**

**ZB22-06**

**NATHAN & ALISON PRUSSING**

Request for One-Year Extension of Approval  
D-4 FAR Variance & C Bulk Variance  
976 Alexander Road  
Block 11.01, Lot 17  
Property Zoned: R-1A District  
MLUL: N/A

Applicant requests one (1) year extension of prior approval date March 2, 2023, for D-4 (FAR) and "C" Bulk (MIC) variances.

The applicant, Nathan Prussing, was sworn-in by Attorney Schmierer. He explained that he was requesting a one-year extension. He also stated that they are no longer seeking to build the second-floor addition. He is moving forward with the front porch and the back deck. The FAR will not change.

Mr. Church made a motion to approve the one-year extension from today's date, June 6, 2024, for application ZB22-06; seconded by Mr. VanDyke.

Roll Call:

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

Nay: None

Abstain: None

Absent: Jacobsohn

Not Voting: Fridkin

**APPLICATION:**

**ZB24-01**

**ELAN ROME**

"C" Bulk Variance  
6 Robin Circle  
Block 27.05, Lot 36  
Property Zoned: R-30 District  
MLUL: 8/20/24

Applicant requests side yard variance from required 20 feet (accessory structure) to 10 feet for an existing 65' x 14' mesh netting batting cage which is surrounded by 12' to 20' evergreens and not visible from the street.

Attorney Schmierer stated that the proof of publication is in order and the Board has jurisdiction to hear the application.

The applicant, Elan S. Rome (Steve), explained that the batting cage has been there for 14 years, and he was recently notified that the batting cage needs a variance from the Township; he did not know that he needed one. The Township was notified anonymously of the batting cage when Mr. Rome added a tarp to the top of it. He testified that they do not use the cage at night, the machine pitches softer-type balls, it is surrounded and hidden by mature trees, and there is no problem with water ponding.

The Zoning Board discussed what was being considered and what was noticed: only the side-yard variance setback, not the Maximum Improvement Coverage (MIC).

The following documents pertaining to the application were submitted:

- Memorandum dated May 9, 2024 from Attorney Schmierer
- Report submitted May 8, 2024 from the Site Inspection Subcommittee

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

There were no comments. Mr. Roeder made a motion to close the public hearing; seconded by Mr. Church. Voice Vote-Motion Carried.

Chairwoman Abbey stated the following circumstances/conditions:

- It benefits the community and residents.
- It does not impair the intent and purpose of the zoning plan.
- It doesn't impact adjacent property owners.
- The netting is dark--cannot see it. And the netting will remain dark.
- No tarps will be placed on top.
- The homes in the neighborhood are very tall so the structure does not dwarf the homes.
- There are mature taller trees surrounding the structure.
- The balls used do not make a lot a noise.
- The Zoning Board recommended that the structure be inspected.
- The Zoning Board's site inspection report was positive.

Mr. Marks made a motion to approve application ZB24-01 for a minimum of 10' setback, with conditions discussed; seconded by Mr. Church.

Roll Call:

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

Nay: None

Abstain: None

Absent: Jacobsohn

Not Voting: Fridkin

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The next meeting is tentatively scheduled for August 1, 2024.

With no further business, Mr. Church made a motion to adjourn the meeting at 7:47 pm.

Respectfully submitted,

Cynthia Dziura, RMC/CMR  
Recording Secretary