

NEE BEACHAM  
Robert J. Beacham, Esq. (017271990)  
722 Courtyard Drive  
Hillsborough, NJ 08844  
908-704-8888  
Attorneys for Plaintiff



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CIVIL DIVISION

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THOMAS COULTER,  
Plaintiff,  
vs.  
THE TOWNSHIP OF BRIDGEWATER and  
MARIE L. BROUGHMAN as, Zoning Officer  
for THE TOWNSHIP OF BRIDGEWATER,  
Defendants.

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: SOMERSET CO.  
:  
: DOCKET NO. SOM-L- 279-15  
:  
: CIVIL ACTION  
:  
: VERIFIED COMPLAINT FOR ACTION  
: IN LIEU OF PREROGATIVE WRITS

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Plaintiff, Thomas Coulter, says:

1. Plaintiff Thomas Coulter ("Coulter") is the owner of the real property located within this court's jurisdiction at 1201 Sherlin Drive, Bridgewater, New Jersey 08807.
2. Defendant The Township of Bridgewater ("Bridgewater") is a body politic and corporate created pursuant to N.J.S.A. 40A:63-1 *et seq.*
3. Defendant Marie L. Broughman ("Broughman") is the Zoning Officer of defendant Bridgewater.
4. In her capacity as Zoning Officer, Broughman is responsible for enforcement of various provisions of the Code of Bridgewater Township ("Code") including, but not limited to, Chapter 146, §146-1(A) *et seq.*

5. Chapter 146, §146-1(A) requires that all property owners within Bridgewater remove dead and dying trees, stumps, roots obnoxious growths, filth, garbage, trash and debris from their property when such condition tends to depress the aesthetic value of the neighborhood.

6. Coulter's property abuts the property within Bridgewater located at 1178 Staffler Road ("Staffler Property").

7. The Staffler Property is littered with dead and dying trees, stumps, roots and obnoxious growths which is a clear violation of the Code, including but not limited to Chapter 146-1 *et seq.*

8. The condition of the Staffler Property is especially affecting plaintiff as it is depressing the aesthetic value of his home as well as the neighborhood as a whole.

9. Coulter has made numerous requests of defendants to enforce the provisions of the Code, including but not limited to Chapter 146-1 *et seq.*, by issuing the appropriate notice of violation against the owners of the Staffler Property requiring them to remove all dead and dying trees, stumps, roots and obnoxious growths.

10. Coulter has provided Bridgewater with numerous pictures evidencing the blighted condition of the Staffler Property.

11. Bridgewater officials, including defendant Broughman, have personally viewed the Staffler Property and seen for themselves the dead and dying trees, stumps, roots, and obnoxious growths strewn throughout the property.

12. Defendant Broughman took a series of photographs of the Staffler Property for the Zoning Department files.

13. The property owner at 1198 Fairfield Road, Bridgewater, New Jersey, a property that also abuts the Staffler Property, has also advised defendants of the blighted condition of the Staffler Property and has also requested that defendants take appropriate action to enforce the provisions of Chapter 146.

14. Despite the pleas of Coulter and the other abutting homeowner, defendants have neglected, failed and/or refused to take appropriate action despite the matter having been duly and sufficiently brought to their attention.

15. On or about November 14, 2014, through his attorney, Coulter provided a formal notice to defendants requesting that defendants enforce the Code, including but not limited to Chapter 146-1 *et seq.*, by issuing a notice of violation against the Staffler Property.

16. The formal notice requested that Broughman make a thorough inspection of the Staffler Property from the perspective of the affected properties.

17. Defendants did not respond to the formal notice for more than two months.

18. Finally, defendants responded to Coulter's attorney's formal notice with a two sentence letter dated February 9, 2015 which stated that Chapter 146-1(A) "is not intended to be applied to fallen trees resulting from a hurricane."

19. Defendants' response does not indicate that defendants made any inspection of the Staffler Property prior to refusing to enforce Chapter 146-1 *et seq.*

20. Further, defendants' response evidences an unreasonable interpretation of Chapter 146-1 *et seq.*

21. Pursuant to Court Rule 4:69-1 *et seq.* Coulter is entitled to a court order to compel defendant to enforce the provisions of the Code including, but not limited to,

taking action pursuant to Chapter 146-1 *et seq.* against the owners of the Staffler Property.

WHEREFORE, Coulter demands judgment as follows:

- (a) Ordering that the defendants enforce the provisions of the Code including, but not limited to Chapter 146-1 *et seq.*, by issuing a notice of violation and taking all action necessary to insure abatement of the blighted condition at the Staffler Property; and
- (b) granting other relief which the Court may deem just and equitable.

NEE BEACHAM  
Attorneys for Plaintiff

By: \_\_\_\_\_  
Robert J. Beacham

Dated: February 9, 2015

DESIGNATION OF TRIAL COUNSEL

Robert J. Beacham is hereby designated as trial counsel.

R. 4:5-1 CERTIFICATION


I hereby certify that the matter in controversy is not the subject of any other action pending in any other Court, or of a pending arbitration proceeding.

\_\_\_\_\_  
Robert J. Beacham



R. 1:38-7 CERTIFICATION

I hereby certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(a).



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Robert J. Beacham

Dated: February 9, 2015

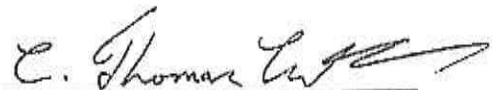
CERTIFICATION IN VERIFICATION OF THE COMPLAINT

I, Thomas Coulter, hereby certify:

1. I am the plaintiff, Thomas Coulter, and I am personally familiar with the facts and circumstances surrounding this matter.

2. I have read the Verified Complaint and the allegations made therein are true to my personal knowledge, except for those allegations made on information and belief, which are made in good faith.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



\_\_\_\_\_  
Thomas Coulter

Dated: February 9, 2015