

**BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS
29 Park Avenue
Berkeley Heights, NJ 07922**

**AGENDA
Regular Meeting
July 25, 2019 @ 7:30 PM**

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINELAW and proper notice has been given to the Courier; also, the Agenda has been posted in Town Hall, Board Office and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

Members: Mr. Sullivan, Mr. Siburn, Mr. Boyer, Mr. Nappi, Mr. Delia,
Mr. Coviello, Mr. Sylvester, and Mr. Ringwood

Mr. Warner, Board Attorney

Roll Call:

Adoption of Minutes:

June 27, 2019 Regular Meeting

Adoption of Resolutions:

App.#12-19: New Cingular Wireless PCS, LLC ("AT&T), 47-53 Industrial Road, Block 1301, Lots 3.01 and 3.02 (LI-Zone)

Proposal to install antennas and equipment in an existing telecommunications facility. AT&T is seeking a waiver of site plan approval for this upgrade pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

App.#9-19: Jennifer & Steve SanAntonio, 36 Delmore Ave., Bl. 401, L. 27

Proposed construction of a one-story principal addition to rear of home. An existing patio will be removed and replaced by a new one. Variances are needed for exceeding building, "other" and total lot coverage limits. Relief is also needed because the ordinance requires a garage to be constructed if the total area of the dwelling would exceed 1,700 sq. ft. including the addition. (Proposed total area: 1,708 sq. ft.) Nonconforming issues are lot width, lot depth, lot area, principal front yard setback, side and combined sideyard setbacks, existing "other" and "total" lot coverage, and driveway less than 5 feet from the side property line. (R-15 Zone)

Adoption of Resolutions (continued):

App. #8-19: Michael Pashkow, 130 Overhill Way, Bl. 3507, L. 3 (R-20 Zone)

Proposed construction of a sports court (26.5 ft. x 31.5 ft.) with an in-ground basketball hoop. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for exceeding the maximum allowed "other" and "total" lot coverage limits and for insufficient side yard and rear yard setbacks for the proposed sports court. Nonconforming issues are existing "other" lot coverage and principal front yard setback.

Applications for Review:

App.#13-19 : Robert Scarzella, 66 Old Farm Road, Block 3001, Lot 95 (R-20 Zone)

Proposed construction of a new portico approximately 7 ft. x 9 ft. at the front door entry. The applicant also seeks approval to remove two existing concrete sidewalks in the front yard and install a new sidewalk to the portico on this corner property. Relief is needed from Section 6.1.1B. because the existing house does not conform to the required front-yard setback of 50 ft., and the portico will encroach farther into the front-yard setback. Existing nonconforming issues are lot area, lot depth, and principal front-yard setbacks along both Old Farm Road and Cedar Green Lane.

App. #11-19: Matthew & Yuling Holden, 105 River Bend Rd., Bl. 1002, L. 95

Proposed second-story addition over a portion of the existing first floor of this single-family dwelling. Relief is needed from Section 6.1.1B because the existing home's front-yard setback is nonconforming; therefore, the new second-story addition will also have an insufficient front-yard setback. Nonconforming issues are lot area, lot width, and existing front-yard setback. (R-15 Zone)

App. #14-19: Terrence & Louisa Grossman, 197 Gallinson Dr., Bl. 3902, L. 14

Proposed one-story addition to the rear of an existing home for a master bedroom suite. The existing kitchen will be relocated, the dining room modified, the existing deck removed, and a new deck constructed. Relief is needed from Section 6.1.1B because the allowed "Building Coverage" of 15% and "Total Lot Coverage" of 25% will be exceeded due to the addition. Existing "Accessory Lot Coverage" exceeds the 10% allowed; the proposed "Accessory Lot Coverage" will decrease as a result of the project but still be over the 10% limitation. Existing nonconforming issues are lot area, principal side-yard setback (one side), accessory lot coverage, and driveway less than 5 ft. from the property line. (R-20 Zone)

Applications for Review (continued):

App.#15-19: James Buchanan, 167 Chaucer Drive, Block 1002, Lot 24 (R-15 Zone)

Proposed installation of in-ground pool, pool surround, and patio in the rear yard. Relief is needed from Section 6.1.1B because existing "accessory" lot coverage is nonconforming (more than the 10% permitted) and will increase due to the project. Existing "total" lot coverage is also nonconforming and will increase as well. In addition, relief is also needed from Section 3.1.3 because a large portion of the applicant's fence is located on township property. Nonconforming issues are lot area, lot width, principal side-yard setback, combined side-yard setbacks, existing building, accessory, and total lot coverage ratios, driveway located too close to property line.

App. #16-19: Anne Damiano, 282 Garfield Street, Block 209, Lot 5 (R-10 Zone)

Proposed construction of a second-story addition over a portion of the first story to consist of additional living space in this single-family home. The lot is a through lot with frontage on improved Garfield Street and frontage on unimproved Grant Street. Relief is needed from Section 6.1.1B as the existing home does not meet the required 30 feet of combined side-yard setbacks, and the setback deviation will not change as a result of the project. Nonconforming issues are driveway too close to the property line and existing combined side-yard setbacks.

Executive Session:

Discussion of potential need for recusals of BOA members and borrowing of qualified Class IV PB members as temporary BOA members for upcoming hearings on applications for development

Adjournment

Connie Valenti, Secretary