

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

May 23, 2019

The Regular Meeting of the Board of Adjustment was called to order at 7:30 PM in the Public Meeting Room.

It was confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had 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 significantly past 10:30 PM.

Roll Call:

Members present were Mr. Sullivan, Mr. Delia, Mr. Mustacchi, and Mr. Ringwood. Mr. Coviello arrived at 7:40 p.m.
Mr. Steve Warner, Board Attorney, was also present.

Applications for Review:

App.#3-19: Jefferson Freyre, 105 Briarwood Dr. East, Bl. 1404, L. 19 (R-15 Zone)

The applicant is proposing a principal addition to consist of a new front portico entry with new and reconfigured sidewalk, new one-story addition in place of existing covered porch (side yard) and new second-story addition (rear) over a portion of the first story. Variances are needed for insufficient front-yard setback and for exceeding the maximum allowed "other" lot coverage of 10% and maximum allowed "total" lot coverage of 25%. Existing nonconforming issues are lot area, lot width, principal front-yard setback, "other" and "total" lot coverage, shed setback location and driveway too close to the property lines.

Mr. Sullivan announced that the hearing of this application has been adjourned to a future date, yet to be determined. The applicant will be required to provide new notice.

Adoption of Minutes:

April 25, 2019 Regular Meeting

A motion was made by Mr. Mustacchi, seconded by Mr. Delia, and carried by unanimous voice vote to adopt the minutes of the April 25, 2019 Regular Meeting as presented.

Adoption of Resolutions:

App.#6-19: Patrick & Maria Monaco, 39 Lenape Lane, Block 2601, Lot 19

Proposed principal additions to a single-family dwelling. The project includes a second story to be added above the existing garage, a new two-story front adjacent to the garage and a one-story rear addition. A covered front porch is also proposed. The entire structure will receive new roof lines, and a new patio would replace the existing patio. Variances are needed because the side yard and combined side yard setbacks are insufficient. (The existing setbacks are nonconforming.) The new patio would also need a variance for insufficient side yard setback. Nonconforming issues are driveway too close to the side property line; existing "other" coverage (which will be reduced as a result of the project); side yard setback and combined side yard setbacks.

A motion was made by Mr. Delia, seconded by Mr. Ringwood, to adopt the above Resolution. The roll call vote was 5-0 with Mr. Sullivan, Mr. Delia, Mr. Mustacchi, Mr. Ringwood, and Mr. Coviello voting in favor. There were none opposed.

App.#7-19: Brian Cunningham, 90 Killarney Drive, Bl. 3505, L. 28

Proposed construction of a new deck and installation of a paver patio. The deck would require a variance for insufficient rear-yard setback. The Lot Area is nonconforming. (R-20 Zone)

A motion was made by Mr. Ringwood, seconded by Mr. Coviello, to adopt the above Resolution. The roll call vote was 5-0 with Mr. Sullivan, Mr. Delia, Mr. Mustacchi, Mr. Ringwood, and Mr. Coviello voting in favor. There were none opposed.

Open to Public

The meeting was opened to the public for questions or comments.

Mr. Josh Bochner, a resident of Berkeley Heights and a college student at Rice University in Houston, introduced himself. Mr. Bochner wanted to raise certain questions concerning the Connell Corporation but was advised by Mr. Warner that the Board of Adjustment is not the appropriate Board in this case. Mr. Warner explained that the Board of Adjustment hears specific applications, and all issues must be addressed at the time of the hearing on the specific application. It would not be appropriate for the Zoning Board of Adjustment to communicate any of the matters raised by Mr. Bochner to another Board or to the Governing Body, the Township Council.

Mr. Warner stated that as a resident and citizen, Mr. Bochner has the right to make his public comments to the Planning Board – which considers policy and hears cases – or to the Governing Body.

There were no other members of the public who had questions or comments.

Adjournment:

A motion was made by Mr. Ringwood, seconded by Mr. Delia, to adjourn the meeting. The voice vote was unanimous and the meeting was adjourned at 7:55 PM.

Connie Valenti, Secretary