

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

**AGENDA  
Virtual Online Public Meeting  
December 10, 2020 @ 7:30 PM**

**NOTE:** Due to the COVID-19 outbreak, meetings are being conducted using the Zoom virtual meeting service, a cloud platform for video and audio conferencing across mobile devices, desktops, and telephones.

**TO JOIN A LIVE MEETING:**

1. If you are joining from a smartphone or tablet, install the Zoom app using the App store and join meeting number 357-574-7364 (and Password: 360071).
2. If you are joining from a desktop or laptop computer with a web browser, open <https://zoom.us/j/3575747364> --You may need to DOWNLOAD & RUN ZOOM first  
Meeting ID: 357-574-7364  
Password: 360071
3. You may join the meeting using AUDIO or AUDIO & VIDEO.
4. If only joining audio by phone, call: 1-929-205-6099, then provide meeting ID: 357-574-7364#

Members of the public are invited to watch the meeting and participate (optional) using Zoom. Your microphone will be off (muted) by the host of the meeting. If you wish to participate in the public comment portion of the meeting, you must follow the instructions below:

1. Controls appear at the bottom of the Zoom window. Use the "chat" function to send a typewritten message to the "host" of the meeting which should include only a) your first and last name and b) your home address.
2. When you hear your name announced during the public comment portion of the meeting, you may address the Board with your objections or comments.
3. When you are finished speaking, your microphone will be muted to allow others an opportunity to speak.

Members of the public who lack the ability to access the meeting or need assistance may contact Connie Valenti, Board Secretary, at 908-464-2700, Ext. 2124 or 908-963-3454 (cell) or by email at [cvalenti@bhtwp.com](mailto:cvalenti@bhtwp.com).

**Adequate Meeting Notice:**

This meeting is being held electronically via the Zoom virtual meeting service and will be conducted in conformance with all regulations of the SUNSHINE LAW. Proper notice has been posted on the Township website and sent to the newspaper of record. The Agenda for the meeting, as well as instructions for public participation in the meeting, have also been posted on the Township website and sent to the newspaper of record. 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. Nappi, Mr. Delia, Mr. Coviello,  
Mr. Sylvester, Mr. Ringwood, and Mr. Pereda

Mr. Warner, Board Attorney

**Roll Call:**

**Proclamation: Peter Boyer, Board of Adjustment Member**

**Adoption of Minutes:**

November 12, 2020

**Adoption of Resolutions:**

**Revised Resolution for App.#19-20: Matthew & Tammy Sanders,  
51 Holly Glen Lane N., Block 3502, Lot 6**

Proposed in-ground pool with pool surround. Variances are needed for exceeding the 10% maximum permitted "other" lot coverage as well as the 25% maximum permitted "total" lot coverage. (R-20 Zone)

**App.#24-20: Jennifer LaRosa, 154 Princeton Ave., Block 1708, Lot 1 (R-15 Zone)**

Proposed in-ground pool. The lot borders two unimproved streets, Central Street and Yale Avenue, resulting in two additional front-yard setbacks. As a result, the pool location behind the house is considered a front yard facing Yale Avenue and a front yard facing Central Street. Relief is needed from 1) Section 3.1.7C. which prohibits pools from being located in the front yard and 2) Section 6.1.1B. "Schedule of General Regulations" for exceeding the 10% maximum "other" lot coverage allowed. Nonconforming issues are principal front-yard setbacks from Princeton Avenue and Central Street, generator location in front yard facing Central Street.

**App.#17-20: 391 Springfield Avenue, LLC, 389-391 Springfield Ave, Block 208, Lot 20**

By resolution memorialized on February 19, 2020, the Planning Board approved the conversion of the 2<sup>nd</sup> and 3<sup>rd</sup> floor commercial office space in this existing building into a total of 8 residential apartments, a permitted use. The applicant is now seeking additional changes/additions to the building, including a change of use requiring a "d(1)" use variance for converting the first floor from a business use to a mixed use of residential and office space and an increase in total residential apartment units. The proposed increase in units exceeds the density limits for the zone and triggers a "d(5)" density variance. (DD-Zone)

**Correspondence:**

Letter dated November 9, 2020 from Groundwater & Environmental Services, Inc. requesting water supply information in connection with a groundwater quality investigation conducted at 343 Springfield Avenue, Berkeley Heights.

**Applications for Review:****Please Note:**

Documents in support of the applications may be found on the Zoning Board of Adjustment page of the Township Website at:

<https://www.berkeleyheights.gov/227/Zoning-Board-of-Adjustment>

Scroll down to **Applications** and click on **Current/Pending Applications**.

**App 28-20: Jason Liu, 182 Briarwood Dr. E., Block 1401, Lot 20 (R-15 Zone)**

Proposed installation of a back-up generator. A variance is needed because 1) accessory structures must be at least 10 ft. from a side property line, whereas the proposed generator would be 4.9 ft. from the side property line, and 2) the existing other and total lot coverage numbers are nonconforming, and the proposed generator would result in a slight increase in the percentages. Nonconforming issues are lot area, principal side- and combined side yard setbacks, pool and appurtenances side yard setbacks, existing other and total lot coverage.

**CARRIED FROM OCTOBER 22, 2020 WITH NO FURTHER NOTICE REQUIRED:****App.#18-20: Ciraco Construction, 243 Lincoln Street, Block 205, Lot 9 (R-10 Zone)**

Proposed construction of a new, single-family dwelling on this vacant property. Relief is needed from Section 6.1.1B. "Schedule of General Regulations" for insufficient rear-yard setback and combined side-yard setbacks. (The ordinance requires a 30 ft. rear-yard setback and combined side-yard setbacks totaling 30 ft.) Variances are also needed for exceeding the maximum 20% building coverage allowed, the maximum 10% "other" lot coverage allowed and the maximum 30% total lot coverage allowed.

**App.#26-20: Keyvan Gharehtapeh, 129 Hamilton Ave., Block 1106, Lot 8.02**

Proposed installation of an in-ground swimming pool with pool surround and fencing to be located in the rear yard. Variances are needed for exceeding the maximum other and total lot coverage percentages permitted. Existing nonconforming issues are lot width, principal side- and combined side yard setbacks, other coverage, and existing shed location. (R-15 Zone)

**Applications for Review (continued):**

**App.#27-20: Jon Fehleison & Christal McElroy, 20 Rosegate Ct., Bl. 3201, L. 47.02**

Proposed deck expansion, roof structure over a portion of existing deck, pergolas over deck areas, outdoor kitchen and exterior fireplace on raised deck. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient rear yard setback and exceeding the maximum permitted building and total lot coverage percentages. Existing nonconforming issues are deck rear yard setback, other coverage and total coverage. (R-15 Zone)

**App.#25-20: Jose Rodriguez, 307 McMane Ave., Block 4601, Lot 18 (R-20 Zone)**

Proposed construction of a second story addition, side entry foyer, and expansion of the garage into space occupied by an existing enclosed porch. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient front yard setbacks along both street fronts (corner lot), insufficient principal rear yard setback, and exceeding the maximum permitted building and total lot coverage percentages. A variance is also needed from Section 3.1.3 "Fences & Walls" for exceeding maximum allowed fence height. Existing nonconforming issues are lot area, lot depth, principal front yard setback along both street fronts, principal rear yard setback, building, other and total lot coverage, driveway location.

**Adjournment**

Connie Valenti, Secretary