

Application No. 3-21
 Date of Filing 1/28/21

Application Fee _____
 Escrow _____

RECEIVED
 JAN 28 2021
 PLANNING & ZONING ENGINEERING
 TOWNSHIP OF BERKELEY HIGTS, NJ

APPLICATION TO ZONING BOARD OF ADJUSTMENT, Berkeley Heights, NJ

NOTE: It is the responsibility of the applicant to specify in this application all requests for relief from any section of the ordinance that may be needed. Should any unspecified violation be found prior to or during the course of a public hearing, no such relief can be granted and the case cannot be permitted to proceed without re-advertising the notices. If the failure is not discovered by the Board until it commences its deliberation after closing the public hearing, the result may be a denial of the entire application, or the grant or recommendation that the variance be granted limited to the specific relief requested, which will result in the necessity for a re-application to obtain the remaining relief required.

In the matter of the petition of Steven Newman for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name Steven Newman, residing at 75 Lincoln St.

Telephone No. 201-259-4912, Email address snewee@gmail.com

1. Petitioner is Steven Newman of property at 75 Lincoln St., Block 103, Lot 1 (owner or tenant etc.) on the Tax Map located in the R-10 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances required:
We require a (c) variance in regards to the (other) coverage being above the allowable 10%. The proposed site plan exhibits 19.8% other coverage and 10.1% building coverage for a total of 29.9%.

3. Does the Application concern a request for Certificate of Nonconformity? No
 Does the Application concern a Use Variance? No, and: a) Site Plan b) Subdivision _____

NOTE: If Application concerns site plan or subdivision, appropriate plans and additional forms must be filed with the Zoning Board of Adjustment as an additional part of the Application.

4. The proposed building/subdivision/use is contrary to Article 6.1 Section 6.1.B of the Zoning Ordinance.

5. a. Description of the Property:

	Required See Attached Schedule 6.1.B	Existing	Proposed	Variance Required: Y/N
Lot Area (sq. ft.)	10,000 sf	25,000 sf	No Change	N
Lot Width	100'	125'	No Change	N
Lot Depth	100'	200'	No Change	N
Front Setback	30'	35.5'	No Change	N
Side Setback	12'	19.9'	No Change	N
Side Setback	12'	14.8'	No Change	N
Combined side setbacks	30' combined	34.7' comb.	No Change	N
Rear Setback	30'	129.3'	No Change	N

b. Provide coverage numbers below. Do not include slotted deck in this section:

- Area of existing buildings/structures (house, attached/detached garage, covered porch, shed) to remain 2,523 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 0 sq. ft.
- Total area to be occupied by buildings/structures 2,523 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 4,441 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) 519 sq. ft.
- Total area to be occupied by Other Items 4,960 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 6,964 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 7,483 sq. ft.

c. Lot Coverage (from 5.b., Page 1)	R-15/20 Zone	Maximum Allowed	
		R-15/20 Zone	R-10 Zone
Existing buildings/structures (Item 1/sq.ft. of lot)	10.10% percent	15%	20%
Existing Other coverage (Item 4/sq.ft. of lot)	17.8% percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot)	27.9% percent	25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot)	No Change 10.10 percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot)	2% 19.84 percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot)	29.9 percent	25%	30%

d. Accessory buildings/structures (if applicable): Patio / new Pool surround
 (type: pool, etc.) (Existing Pool to Remain)

Area proposed +519 sq. ft square feet
 Maximum height proposed at grade patio feet

Proposed Set Backs
 Side 16' Side 33' Rear 62'

6. Has there been a previous petition for relief involving the property? NO (if yes, attach Resolution.)

7. Facts in support of petitioner's relief:
The total proposed lot coverage is under 30% (29.9%) which is the intent of the ordinance.

8. Set forth the particular Statute under which this Application is made (NJSA 40:55D-70)
 a) Appeal _____ b) Interpretation _____ c) Hardship X d) Use _____

9. Has the Building or Zoning Department examined the plans for the proposed building and refused a building permit? YES If Yes, please attach the Zoning Officer's Denial letter.

10. If the property is not owner occupied, name the Lessee and Use of the existing building and premises
N/A

If the property is not to be owner occupied, name the Lessee and the proposed Use of the building and premises.
N/A

11. Attach hereto and made a part hereof are the following:
- a) Complete set of plans of any proposed building alteration or extension, including all items set forth in instructions
 - b) 200-foot radius map and copy of certified list (provided by the Township) of property owners within 200 feet
 - c) Architectural plans or equivalent

I hereby certify that the above statements made by me and the statements contained in the papers submitted herewith are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

[Signature]
 Petitioner Signature

Address 75 Lincoln St.

Phone 201-259-4912 Cell Phone _____

E-Mail Address snewee@gmail.com



Berkeley Heights Township
ZONING
29 PARK AVE
BERKELEY HEIGHTS, NJ 07922
908-464-2700, 2115
TBOCKO@BHTWP.COM

Application Date: 2/2/2021
Application Number: ZA-21-72
Permit Number: _____
Project Number: _____
Fee: \$0

Denial of Application

Date: 2/9/2021

To: HARMONY DESIGN GROUP
1520 PINE GROVE AVE.
WESTFIELD, NJ 07090

CC: Newman, Karen & Steven
75 Linclon St.
Berkeley Heights, NJ 07922

RE: 75 LINCOLN ST
BLOCK: 103 LOT: 1 QUAL: ZONE: R-10

DEAR HARMONY DESIGN GROUP,

The applicant is proposing to enlarge an existing pool patio surround, construct a firepit sitting area and add sidewalks from the dwelling to the pool area. This is a through lot with street frontage on improved Lincoln Street and frontage on unimproved Washington Street. All work is proposed to be completed beyond the 30' front yard setback off of Washington Street right-of-way.

In addition to the above, the initial application was submitted to include a new deck, with demolition of an existing concrete patio below and gas line to the fire pit sitting area. These two elements (deck & gas line) were separated from the hardscape installation and zoning approval was issued through zoning permit # ZP-20-00504.

Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance allows for a maximum 10% other coverage, where nonconforming 17.76% is existing and 19.84% is proposed with the expanded pool surround, firepit sitting area, additional sidewalks and removal of existing concrete patio below deck.

FEMA Flood Zone Determination - Panel 016F - Zone X

You have a right to appeal this determination to the Berkeley Heights Zoning Board of Adjustment. Please call Connie Valenti at 908-464-2700, ext., 2124.

Sincerely,

Thomas A. Bocko - Zoning Officer

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
() N/A	()	Consider the orientation and design to maximize passive solar heat/cooling. For example, orient the building along its east-west axis to have a larger surface exposure to the south, and use deciduous vegetation to block the sun in the summer months and maximize light and heat in the winter months.
(✓)	()	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
(✓)	()	Create landscapes that use native plantings to limit the need for lawn chemicals and maintenance (mowing, trimming, watering). Consider using captured rainwater (rain barrel) or recycled grey water for irrigation.
(✓)	()	Recycle and/or salvage non-hazardous construction and demolition debris.
() N/A	()	Consider the use of renewable building materials and products. Consider choosing products with low VOCs and avoid products that contain hazardous chemicals (i.e. formaldehyde, cyanide).
(✓)	()	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
() N/A	()	Where practicable, place parking spaces in shaded areas and consider using paving materials with an SRI value >29 (this will reflect, not absorb solar heat).

Storm Water Management Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
() N/A	()	Consider limiting impervious surfaces such as use of an open grid pavement system (at least 50% pervious).
() N/A	()	Consider reducing impervious cover to promote infiltration that captures and treats storm water runoff from rainfall.
() N/A	()	Consider avoiding runoff to other properties by installing an underground cistern or rain garden. This will keep water on your own property and out of the sewer.

Energy & Lighting Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
() N/A	()	Consider providing natural daytime lighting as much as possible with skylights or solar tubes. Consider using triple-pane windows, with protection against sun damage.
() N/A	()	Consider choosing energy-efficient light bulbs. Use solar lighting outdoors.
() N/A	()	Consider use of motion sensor lighting where applicable. In commercial/industrial settings consider use of sensor controls.
() N/A	()	Conserve energy, reduce electricity use and if possible incorporate renewable energy.
() N/A	()	Consider choosing ENERGY STAR appliances.

Heating and Cooling Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(NA)	()	Consider Increasing amount of insulation by using 2 x 6 studs.
(NA)	()	Consider installation programmable thermostats and attic fans to regulate heating and cooling.
(NA)	()	Consider installation heat pumps to transfer energy heat and cold.
(NA)	()	Consider use high efficiency boilers/furnaces.
(NA)	()	Consider use light color roofing materials to limit heat absorbed by dark colored roofs. Consider tile or metal roofs.
(NA)	()	Consider use roofing material with a solar reflectance index (SRI) equal or greater than 78 for low roofs and 29 for steep-sloped roofs.

Water Usage Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(NA)	()	Consider use of low-flow shower heads.
(NA)	()	Consider installing dual-flush toilets.
(NA)	()	If there are any other sustainable building practices not mentioned before, that will be used in this project, please describe: _____ _____ _____

LIST OF PROPERTY OWNERS TO BE SERVED NOTICE



TOWNSHIP OF BERKELEY HEIGHTS

29 PARK AVENUE

BERKELEY HEIGHTS, NEW JERSEY 07922

PHONE: (908) 464-2700

FAX: (908) 464-8150

The following property owners shall be notified at least 10 days prior to the date set for hearing. The applicant shall clearly indicate the type of service, i.e., P.S. (Personal Service) or R.M.S. (Registered Mail Service) used to notify each owner. See instruction for method of service and filing of affidavit.

Application No.: _____ Date Requested: January 21, 2021

Block: 103 Lot(s): 1 Address: 75 Lincoln St

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Service</u>
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SEE ATTACHED LIST

I certify that the above is an accurate and complete list of property owners and addresses as prepared from the most recent tax lists. The owners must be given notice pursuant to NJSA 40:55D-12.

Date: 01/21/2021

Robert J. Edgar
Tax Assessor TS

I certify that no taxes, or assessments for local improvements, are due or delinquent on the subject property.

Date: 1-22-2021

Suzelle M. Schizzo
Tax Collector

OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

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CERTIFIED 200' LIST FOR BLOCK 103, LOT 1
75 LINCOLN ST

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
101	2		4A	OUR LADY OF MT CARMEL 55 RIVER ROAD BERKELEY HEIGHTS, NJ 07922	55 RIVER ROAD	
102	1		2	RUNFOLO, JOHN R. & DEBORAH R. 61 GARFIELD STREET BERKELEY HEIGHTS, N J 07922	61 GARFIELD ST	
102	2		2	BRAUSS, ELIZABETH S 73 GARFIELD STREET BERKELEY HEIGHTS, NJ 07922	73 GARFIELD ST	L 10
102	3		2	FROHLICH, ROBERT M. & JUDITH S. 81 GARFIELD STREET BERKELEY HEIGHTS, N J 07922	81 GARFIELD ST	
102	4		2	ALONSO, ALBERTO & ROXANA 79 PASSAIC AVE BERKELEY HEIGHTS, NJ 07922	79 PASSAIC AVE	L 10
102	5		2	CORONA, JENNIFER & KRUMENAKER, JASON 89 PASSAIC AVE BERKELEY HEIGHTS, NJ 07922	89 PASSAIC AVE	
102	6		2	TANG, PEI Y. & REN, SUBIN 76 LINCOLN STREET BERKELEY HEIGHTS, N J 07922	76 LINCOLN ST	L 10
102	7		2	WYSOCKI, JOHN A & CAROL A 68 LINCOLN STREET BERKELEY HEIGHTS, N J 07922	68 LINCOLN ST	
102	8		2	LEE, JAEJOON & JUNG, YUKYUNG 60 LINCOLN STREET BERKELEY HEIGHTS, NJ 07922	60 LINCOLN ST	
103	1.01		4A	COLETTA FAMILY INVESTMENT 13 HEATHER COURT NEW PROVIDENCE, NJ 07974	PROPERTY T 58 RIVER ROAD	
103	2		2	BOSEFSKIE, FRANK & ANNA 99 PASSAIC AVENUE BERKELEY HEIGHTS, N J 07922	99 PASSAIC AVE	
103	3		2	TURTURIELLO, VINCENT J & JOYCE 111 PASSAIC AVE BERKELEY HEIGHTS, NJ 07922	111 PASSAIC AVE	
104	13		2	NEAL, MATTHEW SEAN & EMILY 90 LINCOLN ST BERKELEY HEIGHTS, NJ 07922	90 LINCOLN ST	
105	1		2	LEUNG, STEPHEN Y 5 ADAMARY PL PINE BROOK, N J 07058	100 PASSAIC AVE	
105	18		2	MONTEMURRO, MICHAEL V & PAMELA 94 WASHINGTON STREET BERKELEY HEIGHTS, N J 07922	94 WASHINGTON ST	
501	2		15C	DIV. OF PARKS & REC. /UNION CTY. ADM. B ELIZABETH TOWN PLAZA ELIZABETH, N J 07207	WASHINGTON & SPRINGFIELD	
502	1		2	BERKELEY CROSSING URBAN RENEWAL LLC 210 MOUNTAIN AVE, BLDG. A WATCHUNG, NJ 07069	88 RIVER ROAD	
502	2		1	BERKELEY CROSSING URBAN RENEWAL L L 210 MOUNTAIN AVE, BLDG. A WATCHUNG, NJ 07069	663 SPRINGFIELD AVE	4, 5
502	3		2	ELITE PROPERTIES AT BERKELEY HEIGHT 210 MOUNTAIN AVE, BLDG. A WATCHUNG, NJ 07069	123 PASSAIC AVE	

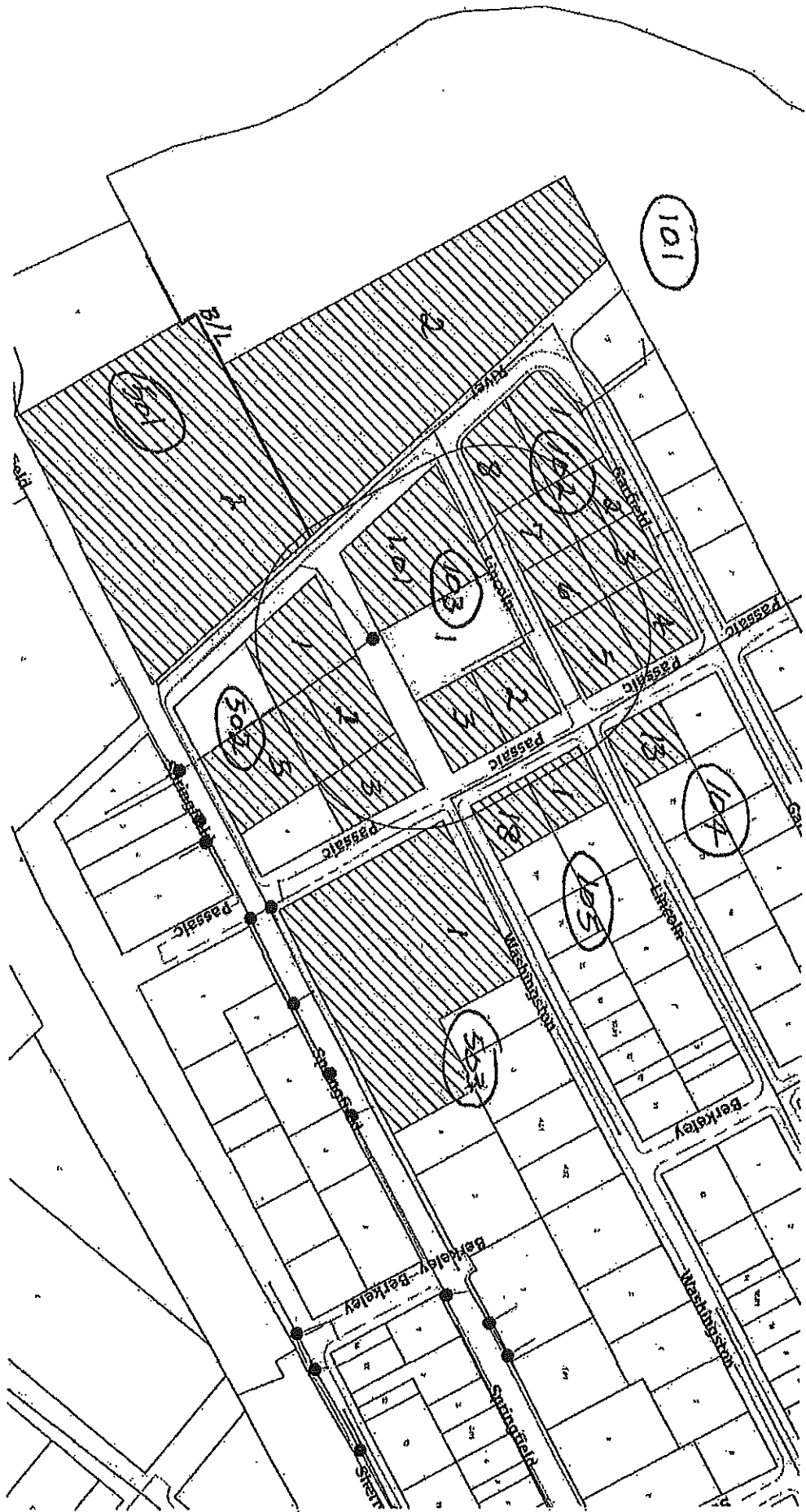
OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

CERTIFIED 200' LIST FOR BLOCK 103, LOT 1
75 LINCOLN ST

01/21/21 Page 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
503	1C.1	CONDO	4A	BERKELEY AQUATIC CLUB, INC 629 CENTRAL AVENUE NEW PROVIDENCE, NJ 07974	649 SPRINGFIELD AVE	
503	1C.2	CONDO	4A	GTWBH LLC PO BOX 111 GILLETTE, NJ 07933	649 SPRINGFIELD AVE	
503	1C.3	CONDO	4A	BEKDAS & BEKDAS LLC 437 RYESIDE AVE NEW MILFORD, NJ 07646	649 SPRINGFIELD AVE	



200' radius map
block 103 for lot 1
(75 Lincoln St.)