

RECEIVED

Application No. 22-21  
Date of filing 12/16/21

DEC 16 2022

Application Fee \$250.00  
Base fee \$500.00

PLANNING / ZONING / ENGINEERING  
APPLICATION TO ZONING BOARD OF BERKELEY HEIGHTS, INC., 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-acknowledging the notices. If the failure is not discovered by the Board and it commences its deliberation after closing the public hearing, the result may be 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 applicant's responsibility for any application or other remaining relief requested.

In the matter of the petition of Matthew K. Lemons for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name Matthew K. Lemons, residing at 45 Maple Avenue  
Telephone No. 201-841-1354, Email address Matthew.k.lemons@gmail.com

1. Petitioner is owner of property at 45 Maple Ave, Block 901, Lot 11  
(owner or tenant etc.)  
on the Tax Map located in the R15 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances requested:  
Building coverage, total lot coverage, principal front yard setback combined side yard.

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

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 6.1.113 of the Zoning Ordinance.

5. a. Description of the Property:

	Required See Attached Schedule 6.1.1B	Existing	Proposed	Variance Required: Y/N
Lot Area (sq. ft.)	15,000	8700	8700	Existing
Lot Width	100	87'	87'	Existing
Lot Depth	130'	100'	100'	Existing
Front Setback	50'	31.5'	24'	N
Side Setback	12'	12.1'	12.1'	N
Side Setback	12'	14.9'	14.9'	N
Combined side setbacks	30'	27'	27'	Y
Rear Setback	40'	40'	40'	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 1645 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed): 1362 sq. ft.
- Total area to be occupied by buildings/structures 1797 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) 1398 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) N/A sq. ft.
- Total area to be occupied by Other Items 1398 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 3043 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 3195 sq. ft.

	Maximum Allowed	
	R-15/20 Zone	R-10 Zone
c. <u>Lot Coverage</u> (from 5.b., Page 1)		
Existing buildings/structures (Item 1/sq.ft. of lot) <u>18.95</u> percent	15%	20%
Existing Other coverage (Item 4/sq.ft. of lot) <u>16.49</u> percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot) <u>35.45</u> percent	25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot) <u>22.01</u> percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot) <u>16.49</u> percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot) <u>38.51</u> percent	25%	30%

d. Accessory buildings/structures (if applicable): N/A  
 (type: pool, etc.)

Area proposed \_\_\_\_\_ square feet  
 Maximum height proposed \_\_\_\_\_ feet

Proposed Set Backs  
 Side \_\_\_\_\_ Side \_\_\_\_\_ Rear \_\_\_\_\_

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:  
We are a young couple looking to grow our family. We love our neighbors, neighborhood, and community. We want to raise our children here but have outgrown our home. We want to invest in our community.

8. Set forth the particular Statute under which this Application is made (NJS 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? \_\_\_\_\_ 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.

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.

Matthew Lemons  
 Petitioner Signature  
45 Maple Avenue  
 Address  
Berkeley Heights, NJ 07922  
201-841-1354  
 Phone Cell Phone  
Matthew.K.Lemons@gmail.com  
 E-Mail Address



Applicant Matthew K. Lemons  
Application # 22-21

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(MA)	( )	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.
(Y)	( )	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
(Y)	( )	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.
(Y)	( )	Recycle and/or salvage non-hazardous construction and demolition debris.
(Y)	( )	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).
(Y)	( )	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
(YA)	( )	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.
(Y)	( )	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>
(Y)	( )	Consider providing natural daytime lighting as much as possible with skylights or solo tubes. Consider using triple-pane windows, with protection against sun damage.
(Y)	( )	Consider choosing energy-efficient light bulbs. Use solar lighting outdoors.
(Y)	( )	Consider use of motion sensor lighting where applicable. In commercial/industrial settings consider use of sensor controls.
(Y)	( )	Conserve energy, reduce electricity use and if possible incorporate renewable energy.
(Y)	( )	Consider choosing ENERGY STAR appliances.

Heating and Cooling Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(Y)	( )	Consider Increasing amount of insulation by using 2 x 6 studs.
(Y)	( )	Consider installation programmable thermostats and attic fans to regulate heating and cooling.
(Y)	( )	Consider installation heat pumps to transfer energy heat and cold.
(Y)	( )	Consider use high efficiency boilers/furnaces.
(Y)	( )	Consider use light color roofing materials to limit heat absorbed by dark colored roofs. Consider tile or metal roofs.
(Y)	( )	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>
(Y)	( )	Consider use of low-flow shower heads.
(Y)	( )	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: <hr/> <hr/> <hr/> <hr/>



## TOWNSHIP OF BERKELEY HEIGHTS

29 Park Ave. Berkeley Heights, NJ 07922

TEL: (908)-464-2700 FAX: (908) 464-3791

### LIST OF PROPERTY OWNERS TO BE SERVED NOTICE

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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: 12/13/2021

Block: 901                      Lot(s): 11                      Address: 45 Maple Ave

<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: 12/13/2021

  
Tax Assessor's Office

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

Date: 12-15-2021

  
Tax Collector

OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

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CERTIFIED 200' LIST FOR BLOCK 901, LOT 11  
45 MAPLE AVE

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
901	8		2	GALLITELLI, STEVEN & GALLITELLI, LORI 23 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	23 MAPLE AVE	
901	9		2	GOWAN, PARKER & LISA 99% INTEREST 31 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	31 MAPLE AVE	
901	10		2	VENDEMI, CHRISTOPHER & TANCREDI, L 37 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	37 MAPLE AVE	
901	12		2	SANTOS DE VICENTE, LUCIANO & ANDREA 53 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	53 MAPLE AVE	
901	13		2	TOMBROS, CHARLES & CAROL 61 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	61 MAPLE AVE	
901	14		2	MORRISON, JOHN D. & ANNAMARIE E. 67 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	67 MAPLE AVE	
901	15		15C	TOWNSHIP OF BERKELEY HEIGHTS 29 PARK AVENUE BERKELEY HEIGHTS, N J 07922	REAR ROBBINS AVE	
902	20		2	MAURIELLO, ROBERT & DONNA 64 MAPLE AVENUE BERKELEY HEIGHTS, N J 07922	64 MAPLE AVE	
902	21		2	DI DONATO, MICHAEL & KATHERINE 56 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	56 MAPLE AVE	
902	22		2	LEVINE, CATHERINE D 50 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	50 MAPLE AVE	
902	23		2	HESSINGER, JILL & QUIGLEY, TIMOTHY 34 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	34 MAPLE AVE	
902	23.01		2	DE ANGELIS, LEO & KATHLEEN F. 42 MAPLE AVENUE BERKELEY HEIGHTS, NJ 07922	42 MAPLE AVE	
902	24		2	LANGE, MELISSA 30 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	30 MAPLE AVE	
902	25		2	LANGE, ERIC 24 MAPLE AVE BERKELEY HEIGHTS, NJ 07922	24 MAPLE AVE	



200' List 45 Maple Avenue  
Block 901, Lot 11

