

Application No. APP23-0003
 Date of Filing 2/24/23

Application Fee \$250.00
 Escrow \$500.00 initial deposit

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 MATT & CAITLIN ANDERSON (applicant name) for relief from the strict application of the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name MATT & CAITLIN ANDERSON, residing at 40 GREENBROOK ROAD
 Telephone No. 908, Email address _____

1. Petitioner is OWNER (owner or tenant etc.) of property at 40 GREENBROOK, Block 2901, Lot 1-95 on the Tax Map located in the R-20 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances required:
CONSTRUCT SECOND FLOOR DORMER @ FRONT, 2 STORY ADDITION
#1 STORY ATTACHED ADDITION @ THE REAR, REQUIRING VARIANCES FOR
REAR YARD MIN. SIDE YARD, BUILDING COVERAGE, OTHER COVERAGE
& TOTAL LOT COVERAGE

3. Does the Application concern a request for Certificate of Nonconformity? NA

Does the Application concern a Use Variance? NA, and: a) Site Plan NA b) Subdivision NA

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 _____ Section 6.1B 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.)	20,000	17,501	17,501	
Lot Width	100	120	120	
Lot Depth	150	146.33/145.36	146.33/145.36	
Front Setback	50	44.1	44.1	
Side Setback	12	58.6	58.6	
Side Setback	12	26.8	5.8	✓
Combined side setbacks	30	85.4	64.4	
Rear Setback	40	52.0	25.9	✓

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 1442 sq. ft.
- Area of proposed buildings/structures (house, attached/detached garage, covered porch, shed) 1366 sq. ft.
- Total area to be occupied by buildings/structures 2808 sq. ft.
- Area of existing Other Items (patio, driveways, walks, pool) to remain - 476 2132 sq. ft.
- Area of proposed Other Items (patio, driveway, walks, pool) 0 sq. ft.
- Total area to be occupied by Other Items 2132 sq. ft.
- TOTAL AREA OF EXISTING BUILDINGS/STRUCTURES AND OTHER ITEMS 4560 sq. ft.
- TOTAL AREA OF EXISTING & PROPOSED BUILDINGS/STRUCTURES & OTHER ITEMS 4940 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>11.15</u> percent	15%	20%
Existing Other coverage (Item 4/sq.ft. of lot)	<u>14.90</u> percent	10%	10%
Total existing lot coverage (Item 7/sq. ft. of lot)	<u>26.06</u> percent	25%	30%
Proposed buildings/structures (Item 3/sq.ft. of lot)	<u>16.04</u> percent	15%	20%
Proposed Other coverage (Item 6/sq. ft. of lot)	<u>12.18</u> percent	10%	10%
Total proposed lot coverage (Item 8/sq. ft. of lot)	<u>28.22</u> percent	25%	30%

d. Accessory buildings/structures (if applicable): NA

(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? UNKNOWN (If yes, attach Resolution.)

7. Facts in support of petitioner's relief:
PROPOSED ADDITION IS TO THE REAR OF THE LOT IN FREE ACRES AND ADJUTS A HEAVILY WOODED LOT TO THE REAR THAT CANNOT BE DEVELOPED, AND WILL HAVE MINIMAL IMPACT ON THE NEIGHBORHOOD.

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
NA

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

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.

Caitlin Anderson
 Petitioner Signature
40 GREENBROOK ROAD
 Address
BERKELEY HEIGHTS NJ
908.405.6895
 Phone Cell Phone
CAITLIN.ANDERSON@37896MAIL.COM
 E-Mail Address



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

Application Date: 1/17/2023
 Application Number: ZA-23-25
 Permit Number: _____
 Project Number: _____
 Fee: \$0

Denial of Application

Date: 2/7/2023

To: ALAN LEONARD, AIA
 131 PASSAIC ST.
 NEW PROVIDENCE, NJ 07974

CC: APP TELE:(908) 464-0929
 APP EMAIL:IN.OIKEO@GMAIL.COM

RE: 40 GREENBROOK RD
 BLOCK: 2901 LOT: 1.85 QUAL: ZONE: R-20

DEAR ALAN LEONARD, AIA,

The property owner is proposing to construct a principal addition and renovations to their existing single family dwelling to consist of; dormer addition to the front, remove existing nonconforming detached garage, construct new attached garage. two story addition to the rear, with new covered porch. The driveway is to be modified to reduce "other" cover.

Section 6.1.1B. "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance requires a minimum 12' principal side yard setback, where 26.8' is existing and 5.8' is proposed to a new attached garage. (Note: a detached garage with a nonconforming side yard setback of 7'+/- is to be removed). Minimum principal rear yard setback required is 40', where 52' is existing and 25.5' is proposed to the new covered porch.

Building coverage allowed is 15% of the lot area, where 11.15% is existing and 16.04% is proposed. Other coverage allowed is 10% where nonconforming 14.90% is existing and 12.18% is proposed (Note: other coverage to be reduced in the existing driveway, however graphic representation of existing driveway and proposed driveway is unclear). Total lot coverage allowed is 25%, where nonconforming 26.06% is existing and 28.22% is proposed.

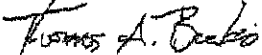
Existing nonconforming: lot area, lot depth, principal front yard setback, detached garage location (to be removed), other & total lot coverage, driveway off-set from property line.

Note: existing tree locations, size and species should be shown on the plan and development impact, if applicable.

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. Boeko - Zoning Officer

Free Acres Association, Inc.

210 Emerson Lane Berkeley Heights, New Jersey 07922

December 7, 2022

From: Tom Lisofsky, Building Coordinator
58 Appletree Row, Berkeley Heights, N.J., 07922
(570) 574-1736
FreeAcresBuildingCoordinator@gmail.com

To: Mr. Thomas Bocko, Berkeley Heights Zoning Officer / Tree Inspector
Mr. Joe Popolo, Berkeley Heights Construction Official
Berkeley Heights Township
29 Park Avenue
Berkeley Heights, NJ 07922

Re: 40 Greenbrook Road
Free Acres/Berkeley Heights, N.J., 07922

Dear Mr. Bocko, Mr. Popolo

Please be advised that the Free Acres Association has reviewed a Free Acres Building Application with respect to the above leasehold. The proposed work includes a two story addition to the existing house, a front dormer addition, and a rebuilt two-car garage.

The proposed plans and survey show that zoning variances would be required for side yard setback, rear yard setback, and lot coverage. These variances are based on the internal lot lines within Free Acres, which were laid out over 100 years ago and are approximate in nature. The side yard setback was reviewed extensively with the adjoining neighbors. Minor concerns about excess light shining onto the neighbor's property / house were addressed by the owner's of 40 Greenbrook agreeing to utilize lighting that will not shed extra light to adjacent properties. The rear yard variance has negligible impact to the community as beyond the rear lot line is Free Acres common land that is wooded / undeveloped.

The Association's Building Committee, comprised of the various and relevant committees of the Free Acres Association, has approved the proposed work, subject to any construction/environmental/public safety permit approvals required by Berkeley Heights Township. Additionally, due to the required variances, the Free Acres Constitution and Bylaws requires the application to be approved at a monthly community meeting. The plans were presented to the Free Acres community at our November 30th, 2022 meeting were approved by unanimous vote.

Thank you for your kind attention to this matter. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

Tom Lisofsky

Tom Lisofsky

Applicant ANDERSON

Application # _____

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
X	()	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.
X	()	Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas.
X	()	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.
X	()	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).
X	()	The use of local construction companies and products (i.e. local and sustainable woods) is recommended.
NA	()	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>
XX	()	Consider limiting impervious surfaces such as use of an open grid pavement system (at least 50% pervious).
NA	()	Consider reducing impervious cover to promote infiltration that captures and treats storm water runoff from rainfall.
(X)	()	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

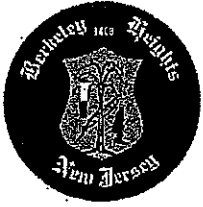
<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(X)	()	Consider providing natural daytime lighting as much as possible with skylights or solo tubes. Consider using triple-pane windows, with protection against sun damage.
(X)	()	Consider choosing energy-efficient light bulbs. Use solar lighting outdoors.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

Heating and Cooling Considerations

<u>Applicant</u>	<u>Reviewed</u>	<u>Item</u>
(X)	()	Consider Increasing amount of insulation by using 2 x 6 studs.
(X)	()	Consider installation programmable thermostats and attic fans to regulate heating and cooling.
(X)	()	Consider installation heat pumps to transfer energy heat and cold.
(X)	()	Consider use high efficiency boilers/furnaces.
(X)	()	Consider use light color roofing materials to limit heat absorbed by dark colored roofs. Consider tile or metal roofs.
(X)	()	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>
(X)	()	Consider use of low-flow shower heads.
(X)	()	Consider installing dual-flush toilets.
()	()	If there are any other sustainable building practices not mentioned before, that will be used in this project, please describe: _____ _____ _____



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

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: 2/10/2023

Block: 2901 Lot(s): 1.85 Address: 40 Greenbrook Rd (Free Acres) List: 762

Block Lot Owner Address Service

SEE ATTACHED LIST

(If applicable; this list does not include any additional properties in other municipalities)

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: 2/10/2023

Tax Assessor's Office

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

Date: 2-10-2023

Tax Collector

List 762

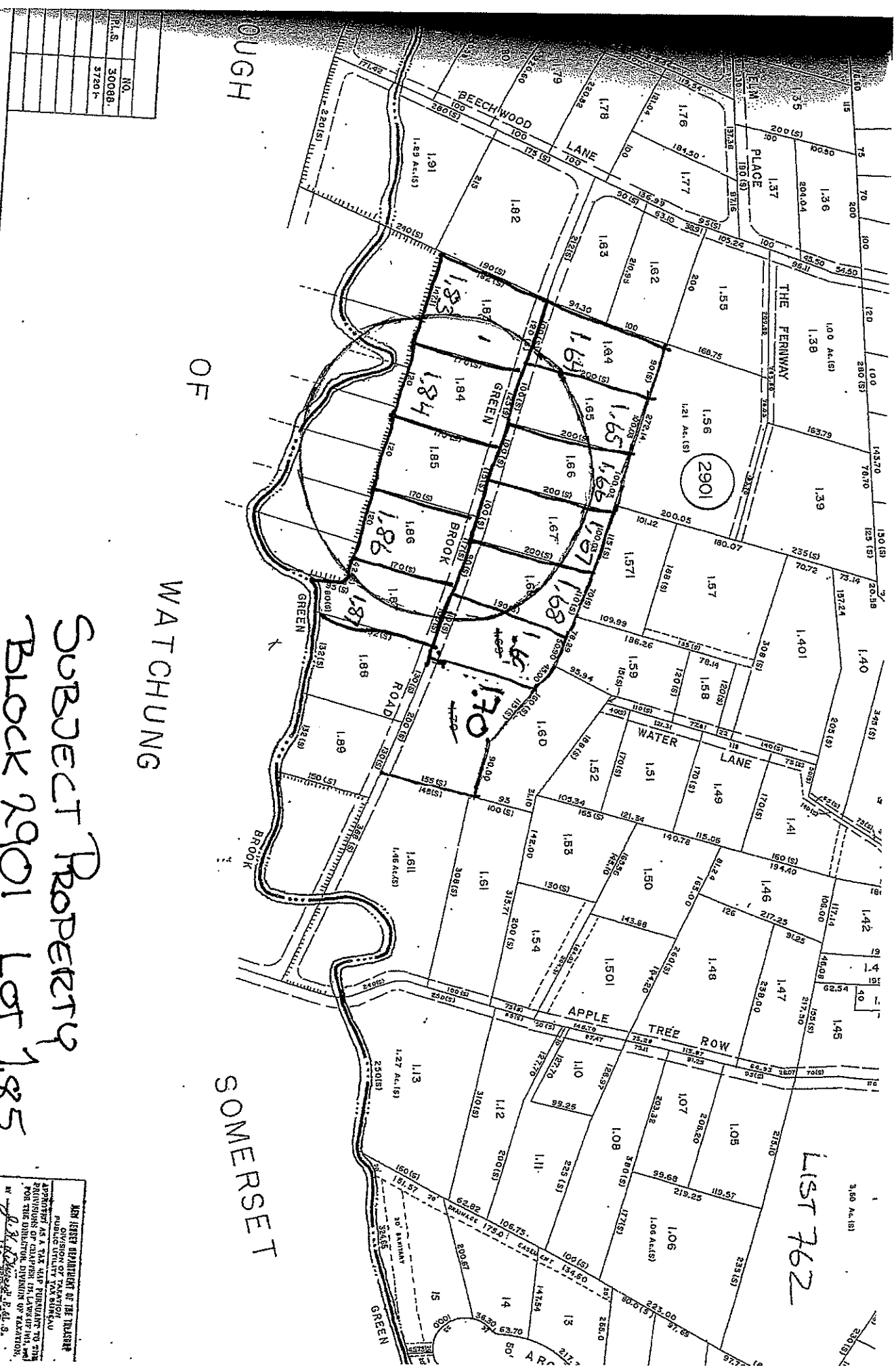
OWNER & ADDRESS REPORT

BERKELEY HEIGHTS

02/10/23 Page 1 of 1

CERTIFIED 200' LIST FOR BLOCK 2901 LOT 1.85 40 GREENBROOK ROAD
 IF APPLICABLE; LIST DOES NOT INCL ANY ADD PROPERTIES IN OTHER MUNICIPALITIES

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
2901	1.64		2	BROTMAN, BETSY C/O FREE ACRES ASSOC BERKELEY HEIGHTS, NJ 07922	23 GREENBROOK RD	
2901	1.65		2	SARDINA, JACK J. & ROSEMARIE C/O FREE ACRES ASSOC BERKELEY HEIGHTS, NJ 07922	27 GREENBROOK RD	1.66
2901	1.67		2	BANAV, PAVITRA NIRANJAN C/O FREE ACRES ASSOC. BERKELEY HEIGHTS, NJ 07922	47 GREENBROOK RD	
2901	1.68		2	MENCH, ROBERT J & HUANG, YING-HUI C/O FREE ACRES ASSOC. BERKELEY HEIGHTS, NJ 07922	51 GREENBROOK RD	
2901	1.70		2	TROTTERE, BRIAN E. & CHRISTINE E. C/O FREE ACRES ASSOC. BERKELEY HEIGHTS, NJ 07922	61 GREENBROOK RD	1.69
2901	1.83		2	RAO, MEERA C/O FREE ACRES ASSOC BERKELEY HEIGHTS, NJ 07922	24 GREENBROOK RD	
2901	1.84		15F	MILES, MARTIN & BETTY C/O FREE ACRES ASSOC BERKELEY HEIGHTS, NJ 07922	30 GREENBROOK RD	
2901	1.86		2	WAESCHLE, ROBERT M. & DENISE C/O FREE ACRES ASSOC BERKELEY HEIGHTS, NJ 07922	54 GREENBROOK RD	
2901	1.87		1	FREE ACRES ASSOCIATION C/O FREE ACRES ASSOC BERKELEY HEIGHTS, NJ 07922	70 GREENBROOK RD	



SUBJECT PROPERTY
 BLOCK 2901 Lot 1.85

NEW HERITAGE DEPARTMENT OF THE TREASURY
 PUBLIC NOTICE OF TAXATION
 APPROVED AS A TAX MAP FOR THE PURPOSES OF THE
 PROVISIONS OF CHAPTER 11, SUBSECTION 11.1 AND
 11.2 OF THE DISTRICT ACT, 1991
 BY *[Signature]* Director, Division of Taxation
 DATE: JUL - 1 1994

NO.	30088B
3720 P.	

LIST 762

BEECHWOOD LANE
 GREEN BROOK ROAD
 APPLE TREE ROW
 SOMERSET

OF
 WATCHUNG