

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Conference Meeting

February 14, 2013

The Conference 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. Bussiculo, Mr. Minkoff, Mr. Siburn and Mr. Delia. Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Sullivan and Mrs. Granholm were absent. Mr. Barry Hoffman substituting for Daniel Bernstein, Board Attorney, was also present.

Informal Review of New Applications:

App. #1-13: Sharon & Wilhelm Fischer, 50 Twin Falls Road, Block 4502, Lot 28 (R-20 Zone)

Proposed principal addition does not conform to front-yard setback requirements (required: 50'; proposed: 42.5'). The following are pre-existing, nonconforming conditions: front-yard setback (existing house), lot width, principal side-yard setback, accessory structure (a shed with additional "lean to" roofed area abutting the shed) that does not conform to side-yard setback requirements, and existing driveway less than the required 5' off the side property line.

Mr. and Mrs. Fischer stated that they are proposing an addition to their house which will include removal of the old porch and addition of one story for a bedroom and bathroom. A 50' front-yard setback is required and with the addition the setback will be 42.5'.

Discussion took place regarding the front-yard setback. The existing is 40.3' and that will remain after the addition. The applicant was instructed to amend the application to correct the setback.

In response to questions regarding the shed, Mr. Fischer stated that it is a pre-fab shed mounted on cinderblocks. There are two trees that would be affected if the shed was moved. The applicant was instructed to provide dimensions and details of the shed at the hearing. Also, the driveway relief being sought should be included in the notice.

The application was deemed complete and scheduled for hearing on February 28, 2013. The applicant was instructed to send out the required notice and to bring photographs of the property to the hearing.

App. #2-13: Mario LoPresti, 120 Roland Road (Murray Hill), Block 4802, Lot 11 (R-20 Zone)

Proposed project to develop the backyard with an in-ground swimming pool, paver patios, pergola, playset area, outdoor kitchen and fireplace would result in "Other Coverage" exceeding the 10% allowed. The existing shed, which does not conform to location requirements, will be relocated to a conforming location. The existing driveway is less than the required 5' off the side property line.

Mario and Kristie LoPresti stated that they are proposing to put in a pool, patio with outdoor kitchen and fireplace and a playset in their backyard. They are over on other coverage but under on total coverage.

Mr. Bussiculo asked Mr. Hoffman if there are any restrictions in the Township ordinance regarding the outdoor kitchen and fireplace. Mr. Hoffman will research that issue.

Mr. LoPresti stated that the existing shed is being relocated and will be 12' from the property line. The shed is 12 x 8, pre-assembled and on blocks and is approximately 8' high. The applicant was instructed to provide dimensions and details of the shed at the hearing.

A question was raised regarding the location of the pool equipment. The applicant was instructed to bring photos of the neighboring properties and the view from those properties. Also, the driveway relief being sought should be included in the notice and the applicant should speak to the zoning officer to verify that the numbers on the application are correct.

The application was deemed complete and scheduled for hearing on February 28, 2013. The applicant was instructed to send out the required notice and to bring photographs of the property to the hearing.

Adoption of Resolutions:

**App. #24-12: Stephen & Kimberly Blancuzzi, 218 Princeton Avenue,
Bl.1709, Lot 3**

Approval for a proposed second-story addition and portico were granted by the Board of Adjustment on December 13, 2012. Homeowners are now requesting modification of this approval, which required that the shed be relocated from its current location to 40' off the rear property line due to the lot being a *through* lot. (The rear property abuts a paper street, Yale Avenue.) The request now being considered would modify the approval to retain the shed at its current location, which is 10' off the rear property line. (R-15 Zone)

A motion was made by Mr. Siburn, seconded by Mr. Delia, to adopt the above Resolution. The voice vote was unanimous with Mr. Bussiculo, Mr. Minkoff, Mr. Siburn and Mr. Delia voting in favor.

Approval of Minutes

January 24, 2013 Regular Meeting
January 28, 2013 Special Meeting

A motion was made by Mr. Delia, seconded by Mr. Minkoff, and carried by unanimous voice vote to adopt the minutes of the January 24, 2013 Regular Meeting and the minutes of the January 28, 2013 Special Meeting as presented.

Adjournment:

A motion was made by Mr. Delia, seconded by Mr. Siburn, to adjourn the meeting. The voice vote was unanimous and the meeting was adjourned at 8:10 PM.

Regina Giardina, Secretary Pro Tem