

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Conference Meeting

October 10, 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. Smith, Mr. Minkoff, Mr. Siburn, Mr. Delia and Mrs. Granholm. Mr. Miller, Mr. Boyer and Mr. Sullivan were absent. Mr. Barry Hoffman, substituting for Daniel Bernstein, Board Attorney, was also present.

Informal Review of New Applications:

App. #22-13: Robert & Carla McGlynn, 41 Hampton Drive, Block 3205, Lot 4 (R-20 Zone)

Proposed new front portico (6' x 6.5' in size) to be constructed over existing porch. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient front-yard setback and exceeding the allowed building coverage. Existing nonconforming conditions are lot width and lot area.

Carla McGlynn stated that they are proposing to replace the current overhang awning on their house with a portico. The portico will be 18" closer to the street and it will be open with columns. There is an existing concrete slab is 6' and that will stay the same. Only the overhang will be larger. Mrs. McGlynn further advised that in 2004 they put an extension on the house for which they obtained a variance for building coverage.

The application was deemed complete and scheduled for hearing on October 24, 2013. The applicant was instructed to send out the required notice.

App. #21-13: Andrew Knapp, 134 Twin Falls Road, Block 4502, Lot 17 (R-20 Zone)

Proposed second-story addition will not meet the required principal front-yard setbacks along both fronts of this corner lot. Relief is needed from Section 6.1.1B “Schedule of General Regulations.” Relief is also needed from Section 8.1.1B.1. which prohibits the expansion of a nonconforming structure.

Nonconforming conditions are lot area, lot depth, principal front-yard setback along both streets and size of existing shed (allowed: 100 sq. ft., existing 118 sq. ft.).

Andrew Knapp was present with his architect, Mike Relton. Mr. Knapp stated that they propose to construct a second story level and expand the first floor. There are several existing non-conformities but the main issue is the existing front yard setback. The existing footprint of the garage will remain the same and it will not be any closer to the property lines. All the construction is going up and out the back of the property. They intend to shorten the driveway and will be reducing the concrete by half. The addition will be built over the existing deck which is being removed.

With regard to the shed on the property, it was noted that it is oversized at 118 square feet. The applicant should provide the dimensions of the shed and the setbacks from the property lines.

The application was deemed complete and scheduled for hearing on October 24, 2013. The applicant was instructed to send out the required notice, to provide photos of what the neighbors will be looking at, the correct the numbers on the plans and drawings so that they match, and to provide details of what is being done with the driveway.

Correspondence

Discussion took place regarding the correspondence with respect to the green building standards. The Board will suggest an amendment to exempt certain homeowner projects and those need to be defined. This issue will be discussed with Mr. Bernstein at the next meeting of the Board.

Adoption of Resolutions:

App. #15-13: Alexander & Yelena Mishkevich, 80 Hillcrest Ave., Bl. 1714, Lot 16 (R-15 Zone)

Proposed principal addition consisting of attached two-car garage, new front entry and new deck. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for front-yard setback, principal rear yard setback, building coverage and total lot coverage. Additional relief is required from Section 8.1.1B1.&2. which prohibits expansion of a nonconforming structure and Section 3.1.8."Decks" due to deck height.

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

App.#19-13: Kevin & Eileen Granelli, 40 Bristol Court, Block 1503, Lot 16 (R-15 Zone)

Proposed one-story addition to rear of this single-family dwelling, second-story addition above existing garage, new covered deck and paver patio. Relief is needed from Section 6.1.1B. "Schedule of General Regulations" for exceeding the 15% limit on Building Coverage and the 25% limit on Total Coverage.

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

App. #17-13: AM Real Estate LLC (7-ELEVEN), 416 Springfield Avenue, Block 208, Lots 18 & 18.01 (DD-Zone)

Proposed installation of three free standing ground signs along the frontage of the two lots. These signs are not permitted in the Downtown Zone District. The subject of this application is the 7-Eleven franchise grocery store which received site plan waiver approval by the Berkeley Heights Planning Board (App. #SP-3-13: Mazzocchi Mortaruolo LLC) in May 2013.

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. Smith, Mr. Siburn, Mr. Delia and Mrs. Granholm voting in favor.

Approval of Minutes

September 26, 2013 Regular Meeting

A motion was made by Mr. Siburn, seconded by Mr. Delia, and carried by unanimous voice vote to adopt the minutes of the September 26, 2013 Regular Meeting as presented.

Adjournment:

A motion was made by Mr. Siburn, seconded by Mr. Smith, to adjourn the meeting. The voice vote was unanimous and the meeting was adjourned at 8:00 PM.

Regina Giardina, Secretary Pro Tem