

**AGENDA**  
**BOARD OF ADJUSTMENT**  
**TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**  
**CONFERENCE & REGULAR MEETING**  
**NOVEMBER 14, 2013**

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINELAW and proper notice has been given to the Courier; also, the Agenda has 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 substantially past 10:30 PM.

**Members:** Mr. Bussiculo, Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Minkoff,  
Mr. Siburn, Mr. Sullivan, Mr. Delia and Mrs. Granholm

Mr. Bernstein, Board Attorney

**Roll Call:**

**Applications for Review:**

**App. #23-13: Michael & Kristin Cacicedo, 21 Willow Way, Block 1005, Lot 3 (R-15 Zone)**

Proposed principal addition results in Building Coverage being exceeded. As a result, relief is needed from Section 6.1.1B "Schedule of General Regulations." Also, existing nonconforming conditions are lot area, lot width and west side yard setback.

**App. #24-13 Kim & Michael Vapenik, 96 Baker Avenue, Block 903, Lot 11 (R-15 Zone)**

Proposed principal addition over existing garage does not comply with front yard setback requirements. The plan calls for sidewalks to be added and the existing driveway widened by 2'. As a result, "other coverage" would increase from 14.27% to 15.98% (vs. 10% allowed in the R-15 Zone) and "total lot coverage" from 34.10% to 35.80% (vs. 25% allowed). Relief is needed from Section 6.1.1B, "Schedule of General Regulations" and Section 8.1.1B.1 and 8.1.1B.2 "Nonconforming Buildings and Uses." Other existing nonconforming conditions are lot area, lot width, lot depth, shed location, shed size, driveway location, and fence location. "Building," "other," and "total lot" coverages are exceeded with existing conditions.

**App. #25-13 David Warde, 12 Elm Place, Block 2901, Lot 1,76 (R-20 Zone)**

Proposed residential storage shed 10' x 12' x 10' high would add 120 sq. ft. of "other" coverage to the existing nonconforming "other" coverage. (Allowed "other" coverage: 10%, existing: 10.13%; proposed: 10.78%) The requested location of the shed (7.5' from the property line) does not conform to the required rear yard accessory setback of 15.' Relief is needed from Section 6.1.1B "Schedule of General Regulations" and Section 6.3.1B.4. "Permitted Accessory Uses" because the shed size of 120 sq. ft. exceeds the 100 sq. ft. allowed. Existing nonconforming issues pertaining to this property are lot area, principal front yard setback and existing "other" coverage.

**CARRIED FROM OCTOBER 24, 2013:**

**App. #14-13: The Lusardi Group, 50 Industrial Road, Block 1301, Lot 14.01 (LI Zone)**

Applicant is seeking conditional use approval to park its tractor trailer moving trucks overnight at the rear of the property. Since all conditions of the conditional use will not be met, Zoning Board approval is required. (Tractor trailers are not allowed under Section 7.1.5.K.7. of the ordinance.) The applicant is also proposing to create a parking area in the front yard for staff and customers which is not permitted in the LI Zone. The new parking area would result in "other coverage" and "combined coverage" limits being exceeded. Finally, the application includes a free-standing sign in the front yard (not permitted as per Section 5.4.3.).

**Adoption of Resolutions:**

**App.#20-13: William L. Gorski, 23 Roosevelt Avenue, Block 1302, Lot 3 (R-15 Zone)**

Sheds on property do not conform to Section 6.3.1.B.4. which limits the total area of the sheds to 100 square feet.

**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.).

**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.

**Adoption of Minutes:**

October 24, 2013

**Adjournment:**

Connie Valenti/Secretary