

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Conference Meeting
June 12, 2014

The Regular 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. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn and Mr. Delia. Mr. Sullivan and Mr. Henry were absent. Mr. Daniel Bernstein, Board Attorney, was also present.

Informal Review of Submitted Applications:

App.#17-14: Victoria DiSanto, 564 Snyder Avenue, Bl. 2301, Lot 35 (R-15 Zone)

Proposed second-story addition requires a variance for a principal front-yard setback of 44.0' where 50' is required. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for the setback and Section 8.1.1B.1 for the expansion of a nonconforming structure. Nonconforming issues are existing principal front-yard setback and a driveway that is less than 5 feet from the property line.

Victoria DiSanto, applicant, stated that she is proposing an addition to her home above the garage and den. She needs a variance because the house – which has been there for approximately 60 years -- is 40.5' from the street instead of the required 50'. The second-story addition will also not meet the front setback requirement. The addition will not change the footprint of the house; the addition is to the second-floor only.

Chairman Bussiculo asked Ms. DiSanto to bring additional photographs with views from the neighboring properties to the next meeting.

There were some questions as to which numbers should appear on the application to reflect the front setback: the 40.5' which is the correct number to use to reflect the front setback of the existing house or 44' which will be the front setback of the second-story addition. It was decided that both numbers can be shown on the application with the proper labeling.

The Board explained to Ms. DiSanto that all sides and all building materials will have to match. It was confirmed that because the addition is going straight up, no tree removal is necessary. Also, there would be no drainage issues because impervious coverage is not changing.

It was noted that the driveway is located too close to the property line – less than the required 5 feet. This was stated in the Denial Letter. The applicant was instructed to mention this in the Legal Notice to the neighbors. The applicant was reminded to mention the two variances in her Legal Notice: 1) the variance for insufficient front-yard setback and 2) the variance for the existing driveway located less than 5 feet off the property line.

The application was deemed complete and scheduled for public hearing on June 26, 2014.

Adoption of Resolution:

App.#16-14: Rosemary Sica & Jill Steidel, 106 Baker Avenue, Bl. 903, Lot 12

Proposed in-ground pool with a stamped concrete patio surround results in exceeding the maximum “other” and “total” lot coverage limits. As a result, relief is needed from Section 6.1.1B “Schedule of General Regulations.” A variance is also being sought for an existing shed which is located 1.5 feet from the rear property line, where 10’ is required. Nonconforming issues are lot depth and an existing fence along southeast side property line which is located off of the subject property. Also Variance Case No. 13-03 established a principal front-yard setback of 25’, a rear-yard setback of 34’ and building coverage of 16.3%. A new house was constructed as a result of the variance approval. (R-15 Zone)

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

Adoption of Minutes:

May 22, 2014

A motion was made by Mr. Smith, seconded by Mr. Miller, and carried by unanimous voice vote to adopt the minutes of the May 22, 2014, Regular Meeting as presented.

Adjournment:

A motion was made and seconded to adjourn the meeting . The voice vote was unanimous and the meeting was adjourned at 7:45 PM.

Connie Valenti, Secretary