

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
CONFERENCE & REGULAR MEETING
OCTOBER 9, 2014 7:30 pm

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. Siburn,
Mr. Sullivan, Mr. Henry, and Mr. Delia

Mr. Bernstein, Board Attorney

Roll Call:

Application for Review:

--CARRIED FROM SEPTEMBER 11, 2014, WITHOUT FURTHER NOTICE:

App.#24-14: Berkeley Square, L.L.C., 240-264 Springfield Ave., Bl. 801, Lots 23 & 24

Proposed amendment of the previous site plan and land use approval to include 2 reserved off-street parking spaces and request an off-street parking variance for 1 space. Applicant requests approval of the amendment to the site plan, variance relief from the standards regulating: 1) maximum other coverage; 2) the number, location, size and design of off-street parking spaces where 1 additional space is needed and where 2 reserved spaces are proposed near Springfield Avenue in the front of the building; and 3) the permitted uses in the R-15 zone where residential uses are permitted and the pre-school, its access, off-street parking and other uses accessory to the non-permitted or conditionally permitted pre-school and retail stores are proposed; together with all other relief in the form of variances, interpretations, appeals, waivers or exceptions in the strict application of the provisions of the Land Use Procedures Ordinance, and other relief, which may arise during the course of the hearings in this application, necessary to realize the development as set forth more specifically in the application for development on file, as may be amended, including during the application, and available for inspection in connection herewith.

New Applications for Informal Review:

App.#26-14: Ramesh & Sheela Raman, Kuntz Avenue, Block 301, Lot 18 (R-15 Zone)

Proposed construction of a single-family dwelling located on a vacant corner lot fronting Kuntz Avenue and Camptown Drive. Relief is needed from Section 6.1.1B "Schedule of General Regulations" due to an insufficient rear yard setback and "other" coverage which exceeds the maximum allowed. Variances are also needed for a) the proposed driveway which would be 3.5 ft. off of the side property line (required: 5 ft. according to Section 11.1.7A); b) a proposed boardwalk along the driveway, which would be an accessory structure that is prohibited in the front yard by Section 3.1.1B.4. The plan indicates that the boardwalk would be constructed immediately adjacent to or on the shared side property line with Bl. 301, L. 19; c) the "Building Overhang" depicted on the plans as a carport which is a prohibited use as per Section 6.3.1E.1; d) not adhering to Section 6.3.10A. Residential Garage Construction because an enclosed garage is not proposed; e) constructing the driveway with stone material while a paved driveway is required by ordinance; f) non-conforming lot width.

New Applications for Informal Review (Continued):

App.#28-14: Edward Koch, 170 Killarney Drive, Block 3505, Lot 35 (R-20 Zone)

Proposed inground pool with an at grade surrounding paver patio, waterfall feature and a raised patio (15' x 15' x 4' high) at the exit slider doors from the rear of the house. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because 1) the accessory rear yard setback is proposed to be less than the required 15' and 2) the proposed side yard setback is less than the required 12'. Also, the proposed "other" and "total" lot coverages will exceed the maximum permitted coverages of 10% and 25%, respectively. The at grade pool surround will be constructed with a permeable paver system and was therefore not counted in the calculation of "other" coverage. Nonconforming issues are lot depth, lot area, principal front yard setback and existing building coverage.

Applications for Review:

--CARRIED FROM SEPTEMBER 11, 2014, WITHOUT FURTHER NOTICE:

App.#25-14: 369 Springfield Avenue Associates, LLC, 369 Springfield Ave., Bl.208, L.21

Applicant is requesting approval of proposed changes to the exterior elevation of an existing one-story commercial building by adding a "mansard seam roof section" (approx.. 200' long x 14' high) with new lit signage. Relief is needed from Section 10.1.2A which requires Board approval of site plan; Section 5.9.6 which prohibits signs placed on the second or higher story, Article 5.11 which prohibits roof signs, Section 5.4.2DD3 because the proposed area of the signs exceeds the allowed 10% of the first-story wall surface. (DD-Zone)

--CARRIED FROM SEPTEMBER 11, 2014, WITHOUT FURTHER NOTICE:

App.#11-14: 174 Snyder Ave. BH, LLC, 174 Snyder Avenue, Block 801, Lot 50 (R-15 Zone)

Seeking a d(1) use variance for a two-story residential dwelling built in 1910 and located in the R-15 single family zone which has been operating as a four-family home. The applicant and owner of the property would like to undertake interior improvements, most notably a relocation of the existing laundry facilities from the interior living area on the second floor to the attic area above the second floor units. Other changes include new exterior windows and removal of the existing Bilco door. The existing shed and garbage enclosure will be relocated to comply with the setback requirements or removed entirely. Relief is also needed from Section 8.1.1B.1 "Expanding a nonconforming use" due to the interior expansion into the existing attic space for use as a utility room. Existing nonconforming issues are principal use; principal front-yard setback; existing "other" coverage of 22.44%, which includes the 800 sq. ft. stone driveway (allowed: 10%); and existing shed (which encroaches into the rear-yard setback).

App.#27-14: The County of Union, The Union County Improvement Authority (UCIA) and Center Management Group LLC, 40 Watchung Way, Block 4002, Lot 15, Block 3401, Lot 50, Block 3303, Lots 1.01 and 1.04 (OL-Zone)

Request to continue existing services at Runnells Specialized Hospital with private operator contrary to OL Zone which requires a "governmental use."

Adoption of Resolutions:

App.#25-14: 369 Springfield Avenue Associates, LLC, 369 Springfield Ave., Bl.208, L.21
Resolution deeming the application of 369 Springfield Avenue Associates, LLC incomplete

App.#24-14: Berkeley Square, L.L.C., 240-264 Springfield Ave., Bl. 801, Lots 23 & 24
Proposed amendment of the previous site plan and land use approval to include 2 reserved off-street parking spaces and request an off-street parking variance for 1 space. Applicant requests approval of the amendment to the site plan, variance relief from the standards regulating: 1) maximum other coverage; 2) the number, location, size and design of off-street parking spaces where 1 additional space is needed and where 2 reserved spaces are proposed near Springfield Avenue in the front of the building; and 3) the permitted uses in the R-15 zone where residential uses are permitted and the pre-school, its access, off-street parking and other uses accessory to the non-permitted or conditionally permitted pre-school and retail stores are proposed; together with all other relief in the form of variances, interpretations, appeals, waivers or exceptions in the strict application of the provisions of the Land Use Procedures Ordinance, and other relief, which may arise during the course of the hearings in this application, necessary to realize the development as set forth more specifically in the application for development on file, as may be amended, including during the application, and available for inspection in connection herewith.

Adoption of Minutes:

August 14, 2014 Regular Meeting
August 28, 2014 Special Meeting
September 11, 2014 Regular Meeting

Adjournment:

Connie Valenti, Secretary