

**AGENDA**  
**BOARD OF ADJUSTMENT**  
**TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**  
**REGULAR MEETING**  
**MARCH 26, 2015 7:30 pm**

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINE LAW 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. Sullivan, Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn,  
Mr. Henry, Mr. Nappi, Mr. Delia and Mr. Sylvester

Mr. Bernstein, Board Attorney

**Roll Call:**

**Applications for Review:**

**App.#6-15: Brian Vincent, 253 Emerson Lane, Block 2801, Lot 68 (R-20 Zone)**

Applicant is proposing to widen the existing driveway and install a residential storage shed on the lot. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the maximum "Other" Coverage and Total Lot Coverage ratios are exceeded and the location of the shed would not comply with the accessory building rear yard and side yard setback requirements. There are also many nonconforming issues which were addressed in a previous resolution of approval granted by the Board of Adjustment in 2005 when the house was built.

**App.#5-15: Rominnella Associates LLC, 27 Washington Ave, Bl.1802, L.2 (R-15 Zone)**

Applicant is proposing to demolish the existing single family dwelling and construct a new single family house on the lot. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the front yard setback will be less than the 50 ft. required, and the rear yard setback will be less than the 40 ft. required. Lot depth is a nonconforming issue.

**App.#4-14: Berkeley Heights Realty, Inc., (Enrite gas station), 525 Springfield Ave., Block 611, Lot 7 (HB-3 Zone)**

Application for preliminary and final site plan approval with variances for a canopy over the gas station pumps and a kiosk as added accessory structures to the site. The applicant appeared before the Board in 2013 (App.#26-12: Ilya Shlakman), and a Certificate of Prior Nonconforming Status of the gasoline service station and repair garage was granted by the Board of Adjustment.

**Adoption of Resolutions:**

**Settlement of Litigation - App.#28-14: Edward Koch, 170 Killarney Dr., Bl. 3505, L. 35**

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.

**App.#26-14: Ramesh & Sheela Raman, 61 Kuntz Ave., 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.

**Adoption of Minutes:**

March 12, 2015

**Adjournment:**

Connie Valenti, Secretary