

**AGENDA**  
**BOARD OF ADJUSTMENT**  
**TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**  
**CONFERENCE MEETING**  
**SEPTEMBER 10, 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. Nappi, Mr. Delia and Mr. Sylvester

Mr. Bernstein, Board Attorney

**Oath of Public Officers – Newly Appointed Members**

Bruce Mustacchi – 1<sup>st</sup> Alternate – replacement of unexpired term to end 12/31/16

**Roll Call:**

**Informal Review of Submitted Application:**

**App.#17-15: Thomas Altomare, 36 Ferndale Drive, Block 801, Lot 4 (R-15 Zone)**

Proposed deck 16' x 21.6' with stairs to grade does not conform to principal rear yard setback requirement of 40'. In addition, the proposed deck does not conform to height restrictions. The existing deck will be removed. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for the setbacks and Section 3.1.8 "Decks" for the height. Nonconforming issues include principal rear yard setback for the house, principal rear yard setback for the existing deck and height of the existing deck.

**App.#19-15: Maurizio Voi & Dee Shen, 35 Rogers Ave., Block 2704, Lot 4.02 (R-20 Zone)**

Proposed in-ground pool, pool surround, waterfall and pool equipment to be located in the rear yard. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because "other" coverage, which is currently nonconforming at 11.02% (compared with 10% permitted), would increase to 16.59%. The permitted "total" lot coverage of 25% would also be exceeded (Existing: 25.28% and currently nonconforming; Proposed: 30.78%).

**App.#20-15: Urmalena & Neil Sternberg, 18 Hamilton Ave., Bl. 1103, Lot 4 (R-15 Zone)**

Proposed standby generator ("accessory structure") to be located in the side yard. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the proposed location of the generator is 8' from the side property line whereby a side setback of 10' is required. Since there are existing nonconforming "other" coverage and "total" coverage issues, the slight increase due to the generator results in variance requests for "other" and "total" lot coverage. Nonconforming issues are combined principal side yard setback, lot width, existing other coverage and existing total lot coverage.

**Informal Review of Submitted Applications (continued):**

**App.#21-15: Tal & Etya Novik, 17 Briarwood Drive, Block 801, Lot 18 (R-15 Zone)**

Proposed addition to a single-family dwelling in order to expand the existing one-car garage to a two-car garage (13' x 23'). Also, a new roof will be constructed to cover the existing front porch (8' x 12'). Relief is needed from Section 6.1.1B "Schedule of General Regulations" because a principal front-yard setback of 50' is required, while the existing setback is 44.90,' and the proposed setback to the covered front porch roof would be 44.' The required principal side-yard setback is a minimum of 12', while the existing is 13.36' and the proposed side-yard setback to the new garage is proposed at 6' and the proposed front-yard setback is 46.59.' Nonconforming issues are lot area and principal front-yard setback.

**Adoption of Resolutions:**

**App.#10-15: Elizabeth & Horacio Marcos, 124 Rutgers Avenue, Block 1704, Lot 6**

Proposed principal one-story addition to a house on a corner lot. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the addition will not meet the setback requirements along Central Street, an unimproved paper street. Existing nonconforming issues are: setbacks from Rutgers Avenue and Central Street as well as lot width. (R-15 Zone)

**App.#15-15: Donna Posner-Aflalo, 54 Berkshire Drive, Block 3503, Lot 12 (R-20 Zone)**

Portico (4' x 7') over existing front porch encroaches into principal front yard setback. (The required front yard setback is 50'. The house without the portico has a nonconforming setback of 40.3'. The portico setback is 36.3'.) The applicant is also proposing to build a shed that is larger than the 100 sq. feet allowed by ordinance. (Proposed shed size: 150 sq. ft.) Also the addition of the shed increases "other" coverage to 14.20% (existing: 13.34%; allowed: 10%). Relief is needed from Sections 6.1.1B and 6.3.1B.4 of the Land Use Ordinance. Existing nonconforming issues are: lot area, lot width, principal front yard setback, existing "other" coverage, driveway location.

**Adoption of Resolutions (continued):**

**App.#14-15: Dave & Ruth DeBang, 41 Hamilton Avenue, Block 1108, Lot 4 (R-15 Zone)**

Proposed principal second story addition over the first floor of single family home located on the corner of Hamilton Ave. and College Ave., an unimproved or paper street. The project includes interior renovations to the first floor and a roof overhang over the existing front steps. Variances are needed because the existing house has insufficient front yard setbacks, lot depth, and lot area. According to Section 8.1.1B of the land use ordinance, no nonconforming single family dwelling and no single family dwelling on a nonconforming lot may be enlarged, extended or increased. Relief is also needed from Section 6.1.1B "Schedule of General Regulations" to allow the insufficient setbacks. The existing principal front yard setback along Hamilton Avenue is 14.81' (proposed addition: 14.81'; required: 50') and the existing principal front yard setback along College Avenue is 15.74'; (proposed addition: 29'; required: 50').

**App.#26-14: Ramesh & Sheela Raman, 61 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. The proposal would require variances for many nonconforming issues including insufficient rear yard setback, "other coverage," the proposed driveway, the building overhang, not adhering to ordinance requiring an enclosed garage, construction materials being used for the driveway, non-conforming lot width, and any other variances as required.

**Adoption of Minutes:**

July 23, 2015

**Adjournment:**

Connie Valenti, Secretary