

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
REGULAR MEETING
DECEMBER 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, Mr. Sylvester and Mr. Mustacchi

Mr. Bernstein, Board Attorney

Roll Call:

Applications for Review:

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

Application for a certificate of pre-existing nonconforming use for a four-family residence was denied by the Board in February 2015, and the application for a use variance for a four-family residence was denied at the April 9, 2015, Board of Adjustment meeting. A d-variance for three apartments (two one-bedroom apartments and one two-bedroom apartment) within the existing structure was approved on April 9, 2015, and memorialized by resolution on June 11, 2015. The resolution required that the Applicant submit a plot plan and revised architectural plans and appear at a public hearing on public notice for Board consideration of the plans.

CARRIED FROM OCTOBER 22, 2015, WITHOUT FURTHER NOTICE:

App.#18-15: Ondina Purcell, 685 Mountain Avenue, Block 2006, Lot 30, (R-15 Zone)

Proposed principal addition consisting of an attached one-car garage (12 ft. x 27ft.) and new living space (9 ft. x 12 ft.). Also proposing to enclose the existing covered porch. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the proposed addition will result in insufficient side yard and combined side yard setbacks.

App.#25-15: Alan & Linda Quayle, 60 Evergreen Drive, Block 2202, Lot 2 (R-15 Zone)

Applicant is proposing to construct a second story addition over the existing first floor of this single family dwelling. Also proposing a new portico to cover the front porch. The existing house is nonconforming as to principal front yard setback and lot area. Relief is needed from Section 6.1.1B "Schedule of General Regulations" which requires a principal front yard setback of 50' where 41.12' is existing and 37.12' is proposed to the new portico over the front porch and 41.12' is proposed to the new second story addition. Relief is also needed from Section 8.1.1B "Nonconforming Buildings" which prohibits a nonconforming structure from being enlarged, extended or increased.

Applications for Review (continued):

App.#27-15: Peter Bruno, 9 Gregory Court, Block 4201, Lot 2.01 (R-20 Zone)

Construction of new deck to replace existing deck. Relief is needed from Section 6.1.1B. "Schedule of General Regulations" because the new deck will encroach into the required rear yard setback. In addition, the deck (or portion thereof) which does not comply with the rear yard setback requirements may not exceed 4 ft. above the ground level and may not exceed 400 sq. ft. in accordance with Section 3.1.8 "Decks." The proposed deck will exceed the 4 ft. height limit and the size limitation described in Section 3.1.8. Nonconforming issues are existing "other" coverage and total lot coverage.

App.#28-15: Mr. & Mrs. Mark Collins, 43 Riverbend Road, Block 504, Lot 81 (R-15 Zone)

Proposed second story addition over a portion of the existing first floor of this split level house. A new bedroom and bathroom will be added with additional interior renovations. A new deck is also proposed. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the existing house has a front yard setback of 44 ft. (vs. 50 ft. required) and the setback to the proposed second story addition would be 46.7 ft. Relief is also needed from Section 8.1.1B.1.: "No nonconforming single family dwelling and no single family dwelling on a nonconforming lot may be enlarged, extended or increased unless said enlargement by itself conforms with all requirements of the zoning ordinance." Nonconforming issues are lot area, lot width, lot depth, and principal front yard setback.

CARRIED FROM NOVEMBER 12, 2015, WITHOUT FURTHER NOTICE:

App.#9-15: 569 Springfield Avenue, LLC, 569 Springfield Ave., Bl. 610, L. 8 (HB-3 Zone)

The applicant appeared before the Board earlier this year but put the application on hold to develop a revised plan. The new proposal is for preliminary and final site plan approval of 7 residential 2-story townhouse units, split between two buildings. (The existing single family dwelling will be demolished.) Relief is needed from Section 6.3.3(A)(4)(c) relating to an increase in density and Section 11.1.2B relating to parking spaces (14 spaces proposed compared with 16 required). A bulk variance under Section 6.1.1B is also needed due to insufficient rear yard setback (of the rear set of townhomes).

Adoption of Resolutions:

App.#24-15: Neil Hemann, 347 Park Avenue, Block 1005, Lot 7 (R-15 Zone)

Proposed installation of a residential storage shed not in conformance with the required rear yard accessory setback of 10 feet. Relief is needed from Section 6.1.1B "Schedule of General Regulations." Other nonconforming issues were addressed in variance case No. 20-81.

App.#16-15: Remax Integrity, 501A Springfield Avenue, Bl. 206, L. 1 (DD Zone)

Proposed new ground sign, 2' x 2' x 52" high off the ground. The carved PVC sign will contain the company name and logo. Relief is needed from Section 5.4.2.DD of the ordinance which allows for façade signs only and prohibits ground signs. On July 16, 2013, the business was issued zoning approval to install one façade sign, a window sign and a message sign on each of the two existing ground signs located at the entry drives to the complex. All of these signs have been installed.

Adoption of Minutes:

November 12, 2015

Adjournment:

Connie Valenti, Secretary