

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
REORGANIZATION & CONFERENCE MEETING
JANUARY 14, 2016 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

Oath of Public Officers – Newly Appointed Members

Robert Miller -- 4-year term to end 12/31/2019

Roll Call:

Reorganization:

Election of Regina Giardina as Temporary Chairperson

Election of Board Chairman

Election of Board Vice Chairman

Designation of and Adoption of Resolutions:

Meeting Dates

Official Newspapers

Secretarial Services

Secretary

Escrow Official

Court Reporter

2015 Zoning Board of Adjustment Annual Report

Executive Session:

Discussion of RFP's – Board of Adjustment Attorney

Designation of and Adoption of Resolution:

Board Attorney

Informal Review of New Application:

App.#1-16: Ronnie & Emilie Nieves, 25 Liberty Ave., Block 2004, Lot 2 (R-15 Zone)

The application #32-14 for additions to the house was approved by the Board of Adjustment on May 28, 2015, and memorialized by Resolution on July 23, 2015. A new application is being submitted due to a change in plans which calls for demolishing the existing house and constructing a new home on the lot. Variances are needed for a) insufficient front yard setbacks on both Wardle and Liberty Avenues (corner lot); b) rear yard setback; c) building coverage and d) total lot coverage. Nonconforming issues include lot area and lot depth.

App.#26-15: New York SMSA Limited Partnership d/b/a Verizon Wireless, 200 Connell Drive, Block 4301, Lot 1.011 (OR-B Zone)

Applicant is seeking to construct a wireless communications facility on the roof of the office building located at 200 Connell Drive. The facility will consist of twelve panel antennas arranged in three arrays of four antennas each. Two of the arrays will be placed behind stealth screening, and the third array will be mounted to an existing penthouse and painted to match the color of the penthouse façade. A use variance is requested, as wireless communications facilities are not permitted in the OR-B Zone. In addition, a height variance is requested to permit the antenna and equipment screening to extend to seventy feet, which is the same height as the existing rooftop penthouse. (The OR-B Zone has a height limitation of fifty-five feet, and the roof of the building is already at a height of fifty-nine feet.)

Adoption of Resolutions:

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.

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.

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.

Adoption of Minutes:

December 10, 2015

Adjournment:

Connie Valenti, Secretary