

AGENDA

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

CONFERENCE & REGULAR MEETING

August 11, 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

Roll Call:

Adoption of Minutes:

July 14, 2016, Regular Meeting

Informal Review / Update:

App.#12-15: Anco Environmental Services, Inc., 40 Russo Place, Bl.1901, L. 40

Anco Environmental Services, Inc. ("Anco") is a company involved in oil tank removal and installation and also operates as a clean-up contractor. The property is also used for vehicle and equipment repair and as a storage yard for equipment. The fuel oil that is removed is retained in a tanker truck at 40 Russo Place and then sold. A company related to Anco is engaged in the cleaning and servicing of oil burners. The owner of the property was cited for noncompliance of Section 17.1.1 – "Use of land without receiving all required permits of approval." A zoning permit was not issued for the current use. The applicant is requesting approval to continue to operate its business – which is not an approved use – and would like to obtain all variances needed (including relief from Sections 17.1.1 "Prohibitions," Section 6.3.6A "Permitted Principal Uses," Section 6.3.6B "Permitted Accessory Uses," Section 6.1.1B "Schedule of General Regulations," Section 6.4.3A.6 "Nuisance Factors," Section 6.4.3B.26., and Section 6.4.3B.48.) There are also accessory structures – such as fuel tanks – on the property that do not comply with the required setbacks and/or permitted accessory Uses. (LI-Zone)

Informal Review of New Application:

App.#14-16:Dorothy Gallic, 10 Ralph Place, Block 2703, Lot 5 (R-20 Zone)

There are two single family residences on a single residential lot which is not allowed in Berkeley Heights. The applicant is seeking a determination that the use of the property is a valid, prior nonconforming use. Therefore the applicant is requesting the issuance of a certificate certifying that the use existed before the adoption of the ordinance which rendered the use nonconforming. In the alternative, a use variance is sought.

Application for Review:

App.#12-16: Iuri Oganezov, 238 Washington Street, Block 205, Lot 7 (R-10 Zone)

Proposed second story addition over the existing first story and new deck attached to the rear of the house. The addition would be an upwards expansion over the existing nonconforming first floor; as a result, the expansion will encroach into the required principal setbacks. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because 1) the principal front yard setback is less than the required 30'; 2) both side yard setbacks are less than required by ordinance and 3) combined side yards are less than the 30' required; 4) the maximum building coverage allowed is 20% while the existing coverage number is 29.16% and 30.16% is proposed; 5) the proposed deck does not conform to the 12' side yard requirement. Relief is also needed from Section 6.3.10 "Residential Garage Construction," item C. Nonconforming issues are lot area; lot width; principal front, side and combined side yard setbacks; building coverage, other coverage and total lot coverage.

Adjournment

Connie Valenti, Secretary