

AGENDA
BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
REGULAR MEETING
September 22, 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:

September 8, 2016, Regular Meeting

Applications for Review:

CARRIED FROM JULY 14, 2016:

App.#13-16: Jeffrey Gold, 15 Overhill Way, Block 3505, Lot 8 (R-20 Zone)

Proposed new portico (approx. 8' x 6' in size) to be constructed over existing front porch. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient front yard setback. (Required setback: 50'; existing: 40.4'; proposed: 40.4')

App.#16-16: Joe Milmo, 101 Twin Falls Road, Block 4501, Lot 18 (R-20 Zone)

Proposed construction of second-story addition, new one-story addition, and new covered front porch requires relief from Section 6.1.1B "Schedule of General Regulations" for insufficient front, side and combined side yard setbacks. Nonconforming issues include lot area, lot width, principal front, side and combined side yard setbacks.

App.#15-16: Thomas and Barbara Pugliese, 6 Debbie Pl., Bl. 2402, L. 2.01 (R-15 Zone)

Relief is sought from the provisions of Articles 3.1 & 6.1, Sections 3.1.7A and B and 6.1.1.B. of the Zoning Ordinance so as to permit the installation of an in-ground swimming pool. The applicants are seeking side and rear yard setback variances for a sitting wall and pool walkway surround. Variances are also requested for exceeding the allowable "other" coverage limit of 10% and the "total coverage" limit of 25%. Nonconforming issues are existing "other" and "total lot coverage."

Informal Review / Update:

App.#12-15: Anco Environmental Services, Inc., 40 Russo Pl., Bl. 1901, L. 40 (LI-Zone)
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.

App.#3-16: Ruggero Scavina, Lenox & Rosehill Avenues, Block 401, Lots 3, 4, 5, 6, & 7
Application for site plan approval of a nursery and landscape business with associated bulk variances. A use variance for the nursery and landscape business was approved on May 26, 2016 and memorialized in a resolution which was adopted on June 23, 2016. The applicant is seeking variances for 1) insufficient front yard setback on Lenox Avenue, 2) exceeding the 25% maximum total coverage allowed, 3) exceeding the 10% maximum "other coverage" allowed, and 4) insufficient setback for accessory structures on Lenox Avenue. The applicant is also seeking such other and further relief or variances as may be requested or otherwise required at the time of the hearing along with any design waivers or exceptions from the Township requirements that may be necessary or requested by the applicant. (R-15 Zone)

Adjournment

Connie Valenti, Secretary