

**BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS
Berkeley Heights, NJ 07922**

**AGENDA
Virtual Online Public Meeting
January 28, 2021 @ 7:30 PM**

NOTE: Due to the COVID-19 outbreak, meetings are being conducted using the Zoom virtual meeting service, a cloud platform for video and audio conferencing across mobile devices, desktops, and telephones.

TO JOIN A LIVE MEETING:

1. If you are joining from a smartphone or tablet, install the Zoom app using the App store and join meeting number 357-574-7364 (and Password: 360071).
2. If you are joining from a desktop or laptop computer with a web browser, open <https://zoom.us/j/3575747364> --You may need to DOWNLOAD & RUN ZOOM first
Meeting ID: 357-574-7364
Password: 360071
3. You may join the meeting using AUDIO or AUDIO & VIDEO.
4. If only joining audio by phone, call: 1-929-205-6099, then provide meeting ID: 357-574-7364#

Members of the public are invited to watch the meeting and participate (optional) using Zoom. Your microphone will be off (muted) by the host of the meeting. If you wish to participate in the public comment portion of the meeting, you must follow the instructions below:

1. Controls appear at the bottom of the Zoom window. Use the "chat" function to send a typewritten message to the "host" of the meeting which should include only a) your first and last name and b) your home address.
2. When you hear your name announced during the public comment portion of the meeting, you may address the Board with your objections or comments.
3. When you are finished speaking, your microphone will be muted to allow others an opportunity to speak.

Members of the public who lack the ability to access the meeting or need assistance may contact Connie Valenti, Board Secretary, at 908-464-2700, Ext. 2124 or 908-963-3454 (cell) or by email at cvalenti@bhtwp.com.

Adequate Meeting Notice:

This meeting is being held electronically via the Zoom virtual meeting service and will be conducted in conformance with all regulations of the SUNSHINE LAW. Proper notice has been posted on the Township website and sent to the newspaper of record. The Agenda for the meeting has been posted on the Township website and the bulletin board of Town Hall. Instructions for public participation in the meetings has been posted on the Township website and sent to the newspaper of record. 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. Siburn, Mr. Ringwood, Mr. Nappi, Mr. Delia, Mr. Coviello, Mr. Sylvester, and Mr. Pereda

Mr. Warner, Board Attorney

Roll Call

Adoption of Minutes:

January 7, 2021

Adoption of Resolutions:

App.#26-20: Keyvan Gharehtapeh, 129 Hamilton Ave., Block 1106, Lot 8.02

Proposed installation of an in-ground swimming pool with pool surround and fencing to be located in the rear yard. Variances are needed for exceeding the maximum other and total lot coverage percentages permitted. Existing nonconforming issues are lot width, principal side- and combined side yard setbacks, other coverage, and existing shed location. (R-15 Zone)

App.#18-20: Ciraco Construction, 243 Lincoln Street, Block 205, Lot 9 (R-10 Zone)

Proposed construction of a new, single-family dwelling on this vacant property. Relief is needed from Section 6.1.1B. "Schedule of General Regulations" for insufficient rear-yard setback and combined side-yard setbacks. (The ordinance requires a 30 ft. rear-yard setback and combined side-yard setbacks totaling 30 ft.) Variances are also needed for exceeding the maximum 20% building coverage allowed, the maximum 10% "other" lot coverage allowed and the maximum 30% total lot coverage allowed.

App.#25-20: Jose Rodriguez, 307 McMane Ave., Block 4601, Lot 18 (R-20 Zone)

Proposed construction of a second story addition, side entry foyer, and expansion of the garage into space occupied by an existing enclosed porch. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient front yard setbacks along both street fronts (corner lot), insufficient principal rear yard setback, and exceeding the maximum permitted building and total lot coverage percentages. A variance is also needed from Section 3.1.3 "Fences & Walls" for exceeding maximum allowed fence height. Existing nonconforming issues are lot area, lot depth, principal front yard setback along both street fronts, principal rear yard setback, building, other and total lot coverage, driveway location.

Applications for Review:

Please Note:

Documents in support of the applications may be found on the Zoning Board of Adjustment page of the Township Website at:

<https://www.berkeleyheights.gov/227/Zoning-Board-of-Adjustment>

Scroll down to **Applications** and click on **Current/Pending Applications**.

CARRIED FROM DECEMBER 10, 2020 WITH NO FURTHER NOTICE REQUIRED:

App 28-20: Jason Liu, 182 Briarwood Dr. E., Block 1401, Lot 20 (R-15 Zone)

Proposed installation of a back-up generator. A variance is needed because 1) accessory structures must be at least 10 ft. from a side property line, whereas the proposed generator would be 4.9 ft. from the side property line, and 2) the existing other and total lot coverage numbers are nonconforming, and the proposed generator would result in a slight increase in the percentages. Nonconforming issues are lot area, principal side- and combined side yard setbacks, pool and appurtenances side yard setbacks, existing other and total lot coverage.

CARRIED FROM DECEMBER 10, 2020 WITH NO FURTHER NOTICE REQUIRED:

App.#27-20: Jon Fehleison & Christal McElroy, 20 Rosegate Ct., Bl. 3201, L. 47.02

Proposed deck expansion, roof structure over a portion of existing deck, pergolas over deck areas, outdoor kitchen and exterior fireplace on raised deck. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient rear yard setback and exceeding the maximum permitted building and total lot coverage percentages. Existing nonconforming issues are deck rear yard setback, other coverage and total coverage. (R-15 Zone)

App.#29-20: Paul Genua, 36 Hampton Drive, Block 3204, Lot 13 (R-20 Zone)

Proposed 3-season room (12' x 24') over an existing deck. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for exceeding the 15% maximum building and the 25% maximum total lot coverage percentages allowed. Existing nonconforming conditions are lot area, lot depth, principal front and side yard setbacks.

App.#30-20: Cory Rotkel, 174 Maple Avenue, Block 1501, Lot 13 (R-15 Zone)

Proposed installation of an above-ground pool (15' x 26' x 52" high). Relief is needed from Section 6.1.1B "Schedule of General Regulations" for exceeding the 10% maximum other and 25% maximum total lot coverage percentages allowed. A variance is also needed as the 52" height of the proposed pool would exceed the 48" limit (as per Section 3.7.7D "Swimming and Wading Pools"). Nonconforming conditions are lot area, existing other coverage, driveway too close to the side property line.

Applications for Review (continued):

App.#31-20: Roger Walker, 47 Summit Road, Block 4901, Lot 3 (R-20 Zone)

Proposed installation of gas backup house generator to be located in the northeastern side yard. Relief is needed from Section 6.1.1B. "Schedule of General Regulations" because the location of the generator would not meet the minimum setback requirements.

Adjournment

Connie Valenti, Secretary