

**BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY
29 Park Avenue
Berkeley Heights, NJ 07922**

**AGENDA
Regular Meeting
February 28, 2019 @ 7:30 PM**

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINELAW 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. Siburn, Mr. Boyer, Mr. Nappi, Mr. Delia, Mr. Mustacchi, Mr. Ringwood, Mr. Sylvester and Mr. Coviello

Mr. Warner, Board Attorney and
Mr. Bernstein, Acting Board Attorney

Roll Call:

Adoption of Minutes:

January 31, 2019 Regular Meeting
February 14, 2019 Conference Meeting

Adoption of Resolutions:

Resolution in Recognition of Service

Daniel S. Bernstein, Esq.

App.#22-18: 18 Sayre St LLC, 32 Roosevelt Ave., Block 1301, Lot 22 (R-15 Zone)

Proposed renovation of an existing single-family residence, one of two single family detached dwellings on the same lot. The applicant is seeking to renovate the fireplace, lower the existing basement floor area and add a deck. In 2017 a Certificate of Prior Non-Conforming Use and Structures was issued by the Board of Adjustment by resolution (Case No. 17-17) for the two dwellings on one lot. The resolution prohibits any expansion of the structures without a variance from the Board of Adjustment; the applicant is now requesting a variance pursuant to N.J.S.A. 40:55D-70d(2), commonly known as a d (2) variance--expansion of a non-conforming use and structure.

Applications for Review:

App.#2-19: Christopher Sparrer, 23 Springfield Avenue, Bl. 401, L. 58 (R-15 Zone)

The applicant is proposing a two-story principal addition, a deck replacement, and interior renovations. This single-family home is located on a corner lot (Delmore Ave. and Springfield Ave.). A variance is needed for insufficient principal front-yard setback from Delmore Ave.; existing house is nonconforming. The proposed deck also requires a variance for insufficient setback from Delmore Ave. The project will result in a slight increase in the lot coverage levels. (Existing "other" coverage and "total" lot coverage already exceed the 10% and 25% maximum percentages allowed.) Nonconforming issues are lot area, lot width, principal front-yard setback along Delmore Ave., accessory structures (detached garage) not permitted in the front yard, accessory structure setback from Delmore Ave., existing "other" and "total" lot coverage.

App.#1-19: John V. Leo, Jr., 43 Forest Avenue, Block 508, Lot 14 (R-15 Zone)

The applicant is seeking to construct a second story over the entire first story of this single-family home. A bump-out addition to the rear of the garage (approx. 23 sq. ft.) and a new covered front porch are also proposed. Relief is needed from Section 6.1.1B. "Schedule of General Regulations" for insufficient principal front-yard setback and combined side-yard setback. (The existing house is nonconforming.) In addition, Section 8.1.1B.1 prohibits the expansion of a nonconforming structure. Nonconforming issues are lot area, lot width, principal front-yard setback, and combined side-yard setbacks.

App.#4-19: Gerald & Rebecca Nappi, 46 Lawrence Dr., Bl. 804, L. 34 (R-15 Zone)

Proposed construction of an inground pool with pool surround and patio and installation of a storage shed. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the proposed shed location does not meet the required setback requirements. In addition, the proposed pool, pool surround, patio and shed result in exceeding the 10% limit for "other" lot coverage and the 25% limit for "total" lot coverage.

For Discussion:

Draft dated 2/14/2019 of the Zoning Board of Adjustment Rules and Regulations

Correspondence:

Memo dated 2/19/2019 from Thomas Bocko, Zoning Officer, to the Zoning Board of Adjustment concerning the Primrose School parking lease agreement

Adjournment:

Connie Valenti, Secretary