

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

December 8, 2022

The Regular Meeting of the Board of Adjustment was called to order at 7:30 PM via Zoom virtual meeting service.

It was confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted on the Township website. The Agenda for the meeting, as well as instructions for public participation in the meeting, have also 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 significantly past 10:30 PM.

Roll Call:

Members present were Mr. Sullivan, Mr. Delia, Mr. Ringwood, Mr. Sylvester and Mr. Sincaglia. Ms. Amanda Wolfe, Board Attorney, was also present.

Adoption of Minutes:

November 17, 2022

A motion was made by Mr. Ringwood, seconded by Mr. Sincaglia, and carried 5-0 to adopt the minutes of the November 17, 2022 Regular Meeting as presented.

Proclamation: Gerald Nappi, Board of Adjustment Member from 2014-2022

Mr. Sullivan read a proclamation recognizing and thanking Mr. Nappi for his service to the Board of Adjustment and to the community of Berkeley Heights. Board members expressed their appreciation for Mr. Nappi's contribution to the Board.

Applications for Review:

App.#22-0016: Berkeley Heights 713 Realty, LLC, 713 Plainfield Ave., Bl. 3102, L. 33 (R-20 Zone)

Proposed expansion of an existing service station use to allow expanded hours of operation, sale of diesel fuel, sale of ice, and installation of an ATM inside the existing building. The applicant is requesting a d(2) variance to permit the expansion of a pre-existing, nonconforming use and the modification of previously imposed conditions of approval related to permitted hours and days of operation in the resolution adopted by the Board of Adjustment on May 28, 2020.

Mr. Sullivan announced that the application has been carried to February 23, 2023 with no further notice required.

App.#22-0016: Thomas & Lindsay Pugliese, 16 Crest Circle, Bl. 4903, L.19 (R-20 Zone)

The proposed project consists of a one-story addition to the back of the house with deck and landing to newly expanded patio and second-story addition over a portion of the first story. Variances are needed for exceeding the maximum permitted other coverage of 10% and insufficient rear-yard setback. Existing nonconforming issues are lot area, rear-yard setback, other coverage, and shed location.

Ms. Wolfe confirmed that the notice provided is sufficient.

Thomas and Lindsay Pugliese, applicants, were sworn. Mrs. Pugliese stated that they wish to expand the size of their home to meet the needs of their growing family.

James Ramentol, architect, was sworn and accepted as an expert witness. Mr. Ramentol presented the plans for the proposed addition and indicated the proposed renovations on the first floor and second floor plans. He further presented Exhibit A-1 – photographs of the views of the applicant's house and adjoining neighbors' properties. Mr. Ramentol reviewed the variances being requested for rear yard setback and other coverage and discussed the location of the existing shed which the applicants would like to have remain. Mr. Ramentol stated that the drainage would be subject to review and approval of the Township Engineer.

In response to questions from the Board, Mr. Ramentol stated that the tree in front of the shed would have to be removed if the shed is relocated, the post office address of the home is New Providence, but the taxes are paid to Berkeley Heights, and the location of the driveway is a pre-existing nonconforming condition.

Open to Public

The hearing was opened to the public for questions and comments.

Dorothy Coviello, 12 Crest Circle, asked about the easement on which the shed is located and stated that it is a sanitary easement connected to the refreshment stand at the high school.

Mr. Sullivan advised that the easement is 15' wide and the proposed project will have no impact on the storm water or the neighboring properties.

In response to further questions from the Board, Mr. Ramentol stated that the exterior materials will match the existing home and the applicants will comply with the requirement for a hold harmless agreement with respect to the location of the shed.

Ms. Wolfe reviewed the application and conditions of approval.

A motion was made by Mr. Ringwood, seconded by Mr. Delia, with respect to App.#22-0016: Thomas & Lindsay Pugliese, 16 Crest Circle, Bl. 4903, L.19 (R-20 Zone) to approve the application with requested variances, subject to the conditions discussed and subject to the standard conditions that shall be set forth in a Resolution of Memorialization to be adopted by the Board. The roll call vote was 5-0 with Mr. Sullivan, Mr. Delia, Mr. Ringwood, Mr. Sylvester and Mr. Sincaglia voting in favor and none opposed.

Adjournment:

A motion was made by Mr. Ringwood, seconded by Mr. Delia, to adjourn the meeting. The voice vote was unanimous, and the meeting was adjourned at 8:15 PM.

Regina Giardina, Secretary Pro Tem