

# **MINUTES**

## **BOARD OF ADJUSTMENT**

### **TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**

Regular Meeting

January 26, 2023

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. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, Mr. Sincaglia, and Ms. West-Augustin. Ms. Amanda Wolfe, Board Attorney, was also present.

#### **Adoption of Minutes:**

January 5, 2023 Reorganization Meeting

A motion was made by Mr. Pereda, seconded by Mr. Sylvester, and carried 7-0 to adopt the minutes of the January 5, 2023 Reorganization Meeting as presented.

#### **Consideration of Resolution:**

Resolution designating Harbor Consultants Inc. as Zoning Board of Adjustment Conflict Planner for 2023.

Ms. Wolfe reviewed the Resolution.

A motion was made by Mr. Ringwood, seconded by Mr. Coviello, to adopt the above Resolution. The roll call vote was 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, Mr. Sincaglia, and Ms. West-Augustin voting in favor.

**Applications for Review:**

**App#22-0019: Philip Maccarelli, 95 Oakland Street, Block 1715, Lot 34 (R-15 Zone)**

Proposed construction of a new portico requiring relief from Section 6.1.1B. “Schedule of General Regulations” for encroachment into the required 50-ft. front-yard setback.

Ms. Wolfe confirmed that the notice provided is sufficient.

Phillip Maccarelli, applicant, was sworn. Mr. Maccarelli stated that they are in the process of renovating their home. Everything is conforming except for the portico which encroaches on the front yard setback by 5’.

In response to questions from the Board, Mr. Maccarelli stated that the purpose of the portico is to improve the aesthetics of the home and to provide cover for visitors and packages.

**Open to Public**

The hearing was opened to the public for questions and comments. There were no members of the public who had questions or comments.

Ms. Wolfe reviewed the application and conditions of approval.

A motion was made by Mr. Sylvester, seconded by Mr. Ringwood, with respect to App.#22-0019: Philip Maccarelli, 95 Oakland Street, Block 1715, Lot 34 (R-15 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 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda and Mr. Sincaglia voting in favor and none opposed.

**Request for Extension of Approval:**

**App.#22-0021: 389-391 Springfield Avenue, Block 208, Lot 20 (DD-Zone)**

The applicant is requesting extension of approvals granted for App.#17-20 and App.#17-20A. A 2-year extension is needed for completion of the addition and an additional 2-year extension of the temporary parking conditions in accordance with the terms and conditions of the prior resolutions.

August Santore, attorney for the applicant, stated that the approvals for this project have expired, the applicant is close to being done, anticipates starting the next stage in the next few weeks and expects completion in 18-20 months. The applicant is requesting a two-year extension.

R.J. Galasso, member of the applicant LLC, was sworn.

In response to questions from the Board, Mr. Galasso stated that only the 3-bedroom COAH unit is still available and they are interviewing applicants for that unit. There are seven office spaces and four of them have been rented.

Mr. Galasso stated that the applicant has started the work on the detention basins for the parking deck, replaced the pavers, and the clock is working. They are awaiting delivery of the steel to start the parking deck repairs. Discussions have been held with the neighbor about parking and there are no issues.

Discussion took place and it was suggested that the applicant provide the Board with a progress report after 18 months and that the property be kept in a clean and safe condition.

Ms. Wolfe reviewed the request for extension and conditions of approval.

A motion was made by Mr. Coviello, seconded by Mr. Sincaglia, with respect to App.#22-0021: 389-391 Springfield Avenue, Block 208, Lot 20 (DD-Zone) to approve the two-year extension of approvals, and to adopt a Resolution memorializing the approval, subject to the conditions discussed and subject to the standard conditions set forth in the Resolution of Memorialization. The roll call vote was 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, and Mr. Sincaglia voting in favor and none opposed.

**Adjournment:**

A motion was made by Mr. Coviello, seconded by Mr. Pereda, to adjourn the meeting. The voice vote was unanimous, and the meeting was adjourned at 8:01 PM.

Regina Giardina, Secretary Pro Tem