

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

April 27, 2023

The Regular Meeting of the Board of Adjustment was called to order at 7:30 PM.

It was confirmed that the meeting was being held in conformance with all regulations of the Open Public Meetings Act. Adequate notice of this meeting has been posted on the Township website and sent to the newspaper of record. The Agenda has been posted on the Township website and bulletin board at the Municipal Building 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.

Roll Call:

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

Adoption of Minutes:

March 23, 2023 Regular Meeting

A motion was made by Mr. Sincaglia, seconded by Mr. Pereda, and carried 6-0 to adopt the minutes of the March 23, 2023 Regular Meeting as presented.

Adoption of Resolutions:

App.#23-0001: Nakul Pandit & Radhika Karajgi, 6 Maple Ave., Bl. 902, Lot 1.02

Proposed installation of an outdoor patio, 20' x 12' at grade, off the rear door of the house. Relief is needed from Section 6.1.1B. for exceeding the 25% maximum permitted total lot coverage. Existing nonconforming issues were addressed in minor subdivision approval granted by the Planning Board through resolution adopted December 9, 2020. (R-15 Zone)

Ms. Wolfe reviewed the Resolution.

A motion was made by Mr. Ringwood, seconded by Mr. Delia, to adopt the above Resolution. The roll call vote was 5-0 with Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sincaglia and Ms. West-Augustin voting in favor.

Application for Review:

App.#23-0002: Tom & Michelle Whited, 131 Timber Dr., Bl. 2202, L. 8 (R-15 Zone)

Proposed installation of an in-ground pool (14' x 28') with pool patio, water feature wall, retaining wall, and pool equipment pad. This is a corner lot with street frontage on Timber and Evergreen Drives. Variances are needed for exceeding the maximum permitted 10% "other" coverage and 25% "total" lot coverage. Relief is also needed for insufficient setback to the proposed water feature wall and new patio in the rear yard. The ordinance prohibits accessory structures in the front yard. The proposed pool equipment pad and the pool patio are located in the front yard along Evergreen Drive. Existing nonconforming issues are lot area, lot depth, principal front-yard setbacks on both Timber & Evergreen Drives, and other coverage.

Ms. Wolfe confirmed that the notice provided is sufficient.

Tom Whited, applicant, was sworn and stated that he and his wife want to install an in-ground pool in their yard.

Jason Werner, EverClear Pools, was sworn and stated that he is the owner of the pool company that will be installing the pool. Mr. Werner reviewed the plans for the 14' x 28' pool and the variances that will be required.

In response to questions from the Board, Mr. Whited stated that the deck was existing at the time he purchased the home. Mr. Werner stated that the location of the pool equipment was chosen mainly for aesthetic purposes. Mr. Whited stated that the existing fence will be replaced with a 5' vinyl fence, two trees will be removed, and all lighting will have no spillage on to the neighbors' properties.

Discussion took place regarding the amount of coverage and how it can be reduced. It was suggested that a pervious material be used for the patio and the applicant agreed to the use of trex decking material.

Open to Public

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

Ms. Wolfe reviewed the application and conditions of approval,

A motion was made by Mr. Delia, seconded by Mr. Ringwood, with respect to App.#23-0002: Tom & Michelle Whited, 131 Timber Dr., Bl. 2202, L. 8 (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 6-0 with Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Pereda, Mr. Sincaglia and Ms. West-Augustin voting in favor and none opposed.

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.

Adjournment:

A motion was made by Mr. Pereda, seconded by Mr. Ringwood, to adjourn the meeting. The voice vote was unanimous, and the meeting was adjourned at 8:02 PM.

Regina Giardina, Secretary Pro Tem