

RECEIVED

Application No. 18-20
Date of Filing 7/29/20

Application Fee _____
Escrow _____

JUL 29 2020

PLANNING / ZONING / ENGINEERING
APPLICATION TO ZONING BOARD FOR ADJUSTMENT, Berkeley Heights, NJ

NOTE: It is the responsibility of the applicant to specify in this application all requests for relief from any section of the ordinance that may be needed. Should any unspecified violation be found prior to or during the course of a public hearing, no such relief can be granted and the case cannot be permitted to proceed without re-advertising the notices. If the failure is not discovered by the Board until it commences its deliberation after closing the public hearing, the result may be a denial of the entire application, or the grant or recommendation that the variance be granted limited to the specific relief requested, which will result in the necessity for a re-application to obtain the remaining relief required.

In the matter of the petition of CIRACO CONSTRUCTION for relief from the strict application of
(applicant name)

the provisions of the Zoning Ordinance of the Township of Berkeley Heights.

Petitioner Name CIRACO CONSTRUCTION residing at 144 GARFIELD ST, BERKELEY HTS.

Telephone No. 908-531-7842, Fed.ID# (if applicable) 22-2047557

1. Petitioner is OWNER of property at 243 LINCOLN ST., Block 205, Lot 9
(owner or tenant etc.)

on the Tax Map located in the R-10 Zone.

2. The Petitioner is requesting to use the property in the following manner with the following variances required:
CONSTRUCT NEW SINGLE FAMILY HOME. VARIANCES REQUIRED: COMBINED SIDE YARD SETBACKS 27.5', WHERE 30' IS REQUIRED; REAR YARD SETBACK 28.5' WHERE 30' IS REQUIRED; BUILDING COVERAGE 22.1%, WHERE 20% IS MAX; OTHER COVERAGE 10.4%, WHERE 10% IS MAX; TOTAL COVERAGE 32.5%, WHERE 30% IS MAX.

3. Does the Application concern a request for Certificate of Nonconformity? NO

Does the Application concern a Use Variance? NO, and: a) Site Plan NO b) Subdivision NO

NOTE: If Application concerns site plan or subdivision, appropriate plans and additional forms must be filed with the Zoning Board of Adjustment as an additional part of the Application.

4. The proposed building/subdivision/use is contrary to Article 6.1 section 6.1.B of the Zoning Ordinance.

5. a. Description of the Property:

| | Required See Attached Schedule 6.1.B | Existing | Proposed | Variance Required: Y / N |
|------------------------|--------------------------------------|-----------------|-----------------|--------------------------|
| Lot Area (sq. ft.) | <u>10,000 SF</u> | <u>6,250 SF</u> | <u>6,250 SF</u> | <u>NO</u> |
| Lot Width | <u>100'</u> | <u>62.5'</u> | <u>62.5'</u> | <u>NO</u> |
| Lot Depth | <u>100'</u> | <u>100'</u> | <u>100'</u> | <u>NO</u> |
| Front Setback | <u>30'</u> | <u>-0-</u> | <u>30.5'</u> | <u>NO</u> |
| Side Setback | <u>12.5'</u> | <u>-0-</u> | <u>12.5'</u> | <u>NO</u> |
| Side Setback | <u>18.0'</u> | <u>-0-</u> | <u>15.0'</u> | <u>Y</u> |
| Combined side setbacks | <u>30'</u> | <u>-0-</u> | <u>27.5'</u> | <u>Y</u> |
| Rear Setback | <u>30'</u> | <u>-0-</u> | <u>28.5'</u> | <u>Y</u> |

EXISTING }
NON-CONFORMITY }

b. NOTE: DO NOT INCLUDE DECK IN THIS SECTION:

1-Area of existing structures (house, attached garage, covered porch) to remain -0- sq. ft.

2-Area of proposed structures (house, attached garage, covered porch) 1,379 sq. ft.

3- Total area to be occupied by structures 1,379 sq. ft.

4-Area of existing Accessory Items (detached garage, patio, driveways, walks, pool, shed) 629 sq. ft. To BE REMOVED

5-Area of proposed Accessory Items (detached garage, patio, driveway, walks, pool, shed) 649 sq. ft.

6-Total area to be occupied by Accessory Items 649 sq. ft.

7-TOTAL AREA OF EXISTING STRUCTURES AND ACCESSORY ITEMS 629 To BE REMOVED sq. ft.

8-TOTAL AREA OF EXISTING & PROPOSED STRUCTURES & ACCESSORY ITEMS 3,028 sq. ft.

c. Accessory structures (if applicable): N/A

(type: shed, deck pool, etc.)

Area proposed _____ square feet

Proposed Set Backs

Maximum height proposed _____ feet

Side _____ Side _____ Rear _____

| | <u>R-15/20 Zone</u> | <u>*R-10 Zone</u> |
|--|---------------------|-------------------|
| d. <u>Coverage</u> (from 5.b., Page 1) | 15% | 20% |
| Existing structures (Item 1/sq.ft. of lot) | - 0 - | |
| Existing accessory items (Item 4/sq.ft. of lot) | 10.1 | 10% |
| Total existing lot coverage | 10.1 | 25% |
| Total existing impervious (Item 1 + Item 4/sq. ft. of lot) | 10.1 | 25% |
| Proposed structures (Items 1 + 2/sq. ft. of lot) | 22.1 | 15% |
| Proposed accessory items (Items 4 + 5/sq. ft. of lot) | 10.4 | 10% |
| Total proposed lot coverage | 32.5 | 25% |
| Total proposed impervious (Items 1+2+4+5/sq. ft. of lot) | 32.5 | 25% |

6. Has there been a previous petition for relief involving the property? NO (if yes, attach Resolution.)

7. Facts in support of petitioner's relief:

HARDSHIP DUE TO PRE EXISTING, NON - CONFORMING LOT WIDTH OF 62.5', INSTEAD OF 100'

8. Set forth the particular Statute under which this Application is made (NJSA 40:55D-70)

a) Appeal _____ b) Interpretation _____ c) Hardship X d) Use _____

9. Has the Building or Zoning Department examined the plans for the proposed building and refused a building permit? YES If Yes, please attach the Zoning Officer's Denial letter.

10. If the property is not owner occupied, name the Lessee and Use of the existing building and premises VACANT LAND

If the property is not to be owner occupied, name the Lessee and the proposed Use of the building and premises. NEW SINGLE FAMILY HOME

11. Attach hereto and made a part hereof are the following:

- a) Complete set of plans of any proposed building alteration or extension, including all items set forth in instructions
- b) 200-foot radius map and copy of certified list (provided by the Township) of property owners within 200 feet
- c) Architectural plans or equivalent

I hereby certify that the above statements made by me and the statements contained in the papers submitted herewith are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Neil Conrad

Petitioner Signature
144 GARFIELD ST

Address
BERELEY HEIGHTS, NJ

Phone 908-531-7842
Cell Phone _____

E-Mail Address
NACIRACO@aol.com



Berkeley Heights Township
ZONING
29 PARK AVE
BERKELEY HEIGHTS, NJ 07922
908-464-2700, 2115
TBOCKO@BHTWP.COM

Application Date: 7/20/2020
Application Number: ZA-20-337
Permit Number:
Project Number:
Fee: \$0

Denial of Application

Date: 7/20/2020

To: CIRACO CONSTRUCTION
144 GARFIELD STREET
BERKELEY HEIGHTS, NJ 07922
CC: APP TELE:(908) 531-7842
APP EMAIL:NACIRACO@AOL.COM

RE: 243 LINCOLN STREET
BLOCK: 205 LOT: 9 QUAL: ZONE: R-10

DEAR CIRACO CONSTRUCTION,

Your request is hereby denied based upon the following requirements:

The applicant is proposing to construct a new single family dwelling on this vacant property. Section 6.1.1B "Schedule of General Regulations" of the Municipal Land Use Procedures Ordinance requires combined side yard setback of 30', where 27.5' is proposed. Minimum rear yard setback allowed is 30', where 28.5' is proposed. Coverage limits are exceeded with all three required limits; building at 20%, where 22.1% is proposed, other at 10%, where 10.4% is proposed and total at 30%, where 32.5% is proposed.

Note:

1. Architectural plans have not been submitted for review to determine single family dwelling and building height.
2. A 2 foot cantilevered fireplace (projection) is proposed on the west side of the building. The board should determine if the projection is subject to a side yard setback. As defined in part Section 2.1.1 Words and Terms Defined; Usage: in part.
"Setback: The minimum horizontal distance between the front, rear or side lot lines and closest part of the front, rear or side walls of a building or structure." This would reduce the western side yard setback from conforming 12.5' to nonconforming 10.5'.

Existing nonconforming: lot area, lot width

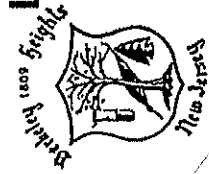
FEIMA Flood Zone Determination - Panel 16F Zone X

You have a right to appeal this determination to the Berkeley Heights Zoning Board of Adjustment. Please call Connie Valenti at 908-464-2700, ext. 2124.

The following comments were made during the denial process:

Sincerely,


THOMAS A. BOCKO, ZONING OFFICER



LIST OF PROPERTY OWNERS TO BE SERVED NOTICE TOWNSHIP OF BERKELEY HEIGHTS

29 PARK AVENUE
BERKELEY HEIGHTS, NEW JERSEY 07922

☆

PHONE: (908) 464-2700
FAX: (908) 464-8150

The following property owners shall be notified at least 10 days prior to the date set for hearing. The applicant shall clearly indicate the type of service, i.e., P.S. (Personal Service) or R.M.S. (Registered Mail Service) used to notify each owner. See instruction for method of service and filing of affidavit.

Application No.: _____ Date Requested: July 27, 2020

Block: 205 Lot(s): 9 Address: 243 LINCOLN ST

| <u>Block</u> | <u>Lot</u> | <u>Owner</u> | <u>Address</u> | <u>Service</u> |
|--------------|------------|--------------|----------------|----------------|
|--------------|------------|--------------|----------------|----------------|

SEE ATTACHED LIST

I certify that the above is an accurate and complete list of property owners and addresses as prepared from the most recent tax lists. The owners must be given notice pursuant to NJSA 40:55D-12.

Date: 07/27/2020 _____
Tax Assessor Robert W. Edgar *RS.*

I certify that no taxes, or assessments for local improvements, are due or delinquent on the subject property.

Date: 7-27-2020 _____
Tax Collector Heidi A. Flynn

BERKELEY HEIGHTS

OWNER & ADDRESS REPORT

CERTIFIED 200' LIST FOR BLOCK: 205 LOT: 9
243 LINCOLN ST

07/27/20 Page 1

| BLOCK | LOT | QUAL | CLA | PROPERTY OWNER | PROPERTY LOCATION | Add'l Lots |
|-------|------|------|-----|--|-----------------------|------------|
| 204 | 2 | | 2 | GONNELLI, BRIAN & LARA M. P.O. BOX 37 BERKELEY HEIGHTS NJ 07922 | 229 GARFIELD ST | |
| 204 | 3 | | 2 | WALLACE RICHARD J & ANDRYA N. 235 GARFIELD STREET BERKELEY HEIGHTS, NJ 07922 | 235 GARFIELD STREET | |
| 204 | 5 | | 2 | MELE, D. SCOTT & MELE, SUSAN 239 GARFIELD STREET BERKELEY HEIGHTS, N J 07922 | 239 GARFIELD ST | |
| 204 | 7 | | 2 | MULRANE, CHRISTOPHER P & SPERDUTO, T 245 GARFIELD ST BERKELEY HEIGHTS, NJ 07922 | 245 GARFIELD ST | |
| 204 | 8 | | 2 | SANTAMARIA, GINA 63 SUMMIT AVE BERKELEY HEIGHTS, NJ 07922 | 63 SUMMIT AVE | |
| 204 | 9 | | 2 | QUANDT, RICHARD T. & ANNETTE J. 75 SUMMIT AVENUE BERKELEY HEIGHTS, N J 07922 | 75 SUMMIT AVE | |
| 204 | 10 | | 2 | AMIANO DANIEL & MARIANNE 246 LINCOLN STREET BERKELEY HEIGHTS, N J 07922 | 246 LINCOLN ST | |
| 204 | 11 | | 2 | MELLUSI, GLENN & DENISE 238 LINCOLN STREET BERKELEY HEIGHTS, N J 07922 | 238 LINCOLN ST | |
| 204 | 12 | | 2 | ALELUJA, SANDRO & MARIA 232 LINCOLN ST BERKELEY HEIGHTS NJ 07922 | 232 LINCOLN ST | |
| 204 | 13 | | 1 | AMIANO ANTHONY & KATHY 236 LINCOLN STREET BERKELEY HEIGHTS, NJ 07922 | LINCOLN ST | |
| 205 | 1.03 | | 2 | FRESCO, JOSEPH & ROBIN 223 LINCOLN STREET BERKELEY HEIGHTS, NJ 07922 | 223 LINCOLN STREET | |
| 205 | 1.04 | | 2 | STEDMAN, JAMES 230 WASHINGTON STREET BERKELEY HEIGHTS, NJ 07922 | 230 WASHINGTON STREET | |
| 205 | 6 | | 2 | SIBURN, DAVID & JUDITH 234 WASHINGTON STREET BERKELEY HEIGHTS, NJ 07922 | 234 WASHINGTON STREET | |
| 205 | 6.01 | | 2 | WU, SHELDON WAM & MAGDALEN HOW WU 229 LINCOLN STREET BERKELEY HEIGHTS, N J 07922 | 229 LINCOLN ST | |
| 205 | 7 | | 2 | KRAL, LEONA 238 WASHINGTON STREET BERKELEY HEIGHTS, NJ 07922 | 238 WASHINGTON STREET | |
| 205 | 7.01 | | 2 | KOSHY, SHAJAN & MUKHERJEE, B 233 LINCOLN ST BERKELEY HEIGHTS, NJ 07922 | 233 LINCOLN ST | |
| 205 | 8 | | 2 | MOLL, EVAN C & SHARON S 1468 MARKLEY RD HED HILL, PA 18076 | 237 LINCOLN ST | |
| 205 | 10 | | 2 | SALTBROOK CORP./GEROW, DIANE M. 249 LINCOLN STREET BERKELEY HEIGHTS, NJ 07922 | 249 LINCOLN ST | |
| 205 | 11 | | 2 | CAPAROSO, LUCILLE C. & JAMES D. 83 SUMMIT AVENUE BERKELEY HEIGHTS, N. J. 07922 | 83 SUMMIT AVE | |

BERKELEY HEIGHTS

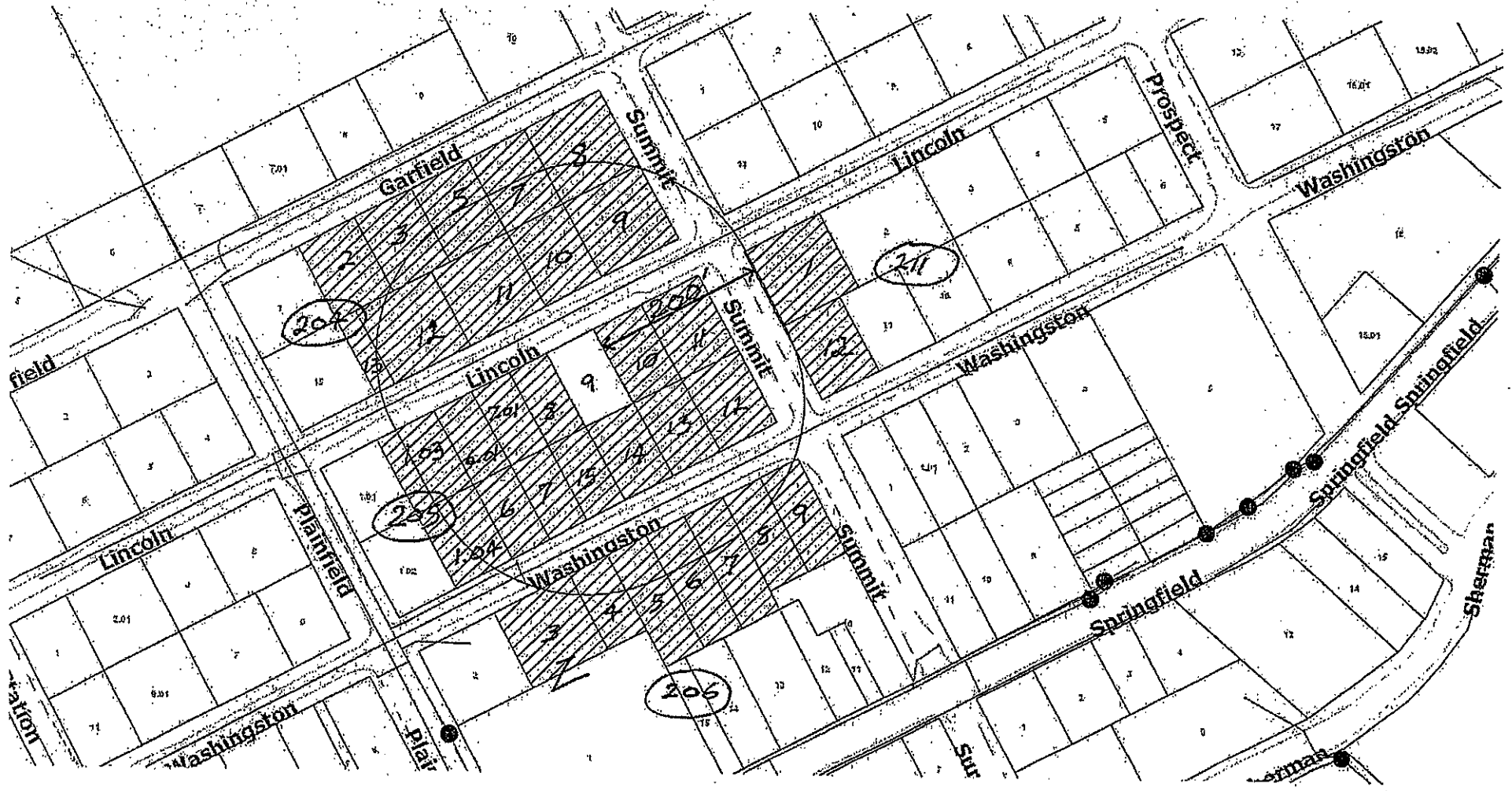
OWNER & ADDRESS REPORT

CERTIFIED 200' LIST FOR BLOCK: 205 LOT: 9
243 LINCOLN ST

07/27/20 Page 2

| BLOCK | LOT | QUAL | CLA | PROPERTY OWNER | PROPERTY LOCATION | Add'l Lots |
|-------|-----|------|-----|---|-----------------------|------------|
| 205 | 12 | | 2 | CAPAROSO, LUCILLE C. & JAMES D. 83 SUMMIT AVENUE BERKELEY HEIGHTS, NJ 07922 | 258 WASHINGTON STREET | |
| 205 | 13 | | 2 | DELIA, RONALD F. & ROBERT J. 254 WASHINGTON STREET BERKELEY HEIGHTS, NJ 07922 | 254 WASHINGTON STREET | |
| 205 | 14 | | 1 | CIRACO CONSTRUCTION CO 144 GARFIELD ST BERKELEY HEIGHTS, NJ 07922 | 246 WASHINGTON STREET | |
| 205 | 15 | | 2 | CARLUCCIO, RONALD & JOHANNA 242 WASHINGTON STREET BERKELEY HEIGHTS, N J 07922 | 242 WASHINGTON STREET | |

200' radius map
for
block 205 lot 9 (243 Lincoln St.)



TOWNSHIP OF BERKELEY HEIGHTS
PLANNING BOARD / ZONING BOARD OF ADJUSTMENT

SITE INSPECTION CONSENT FORM

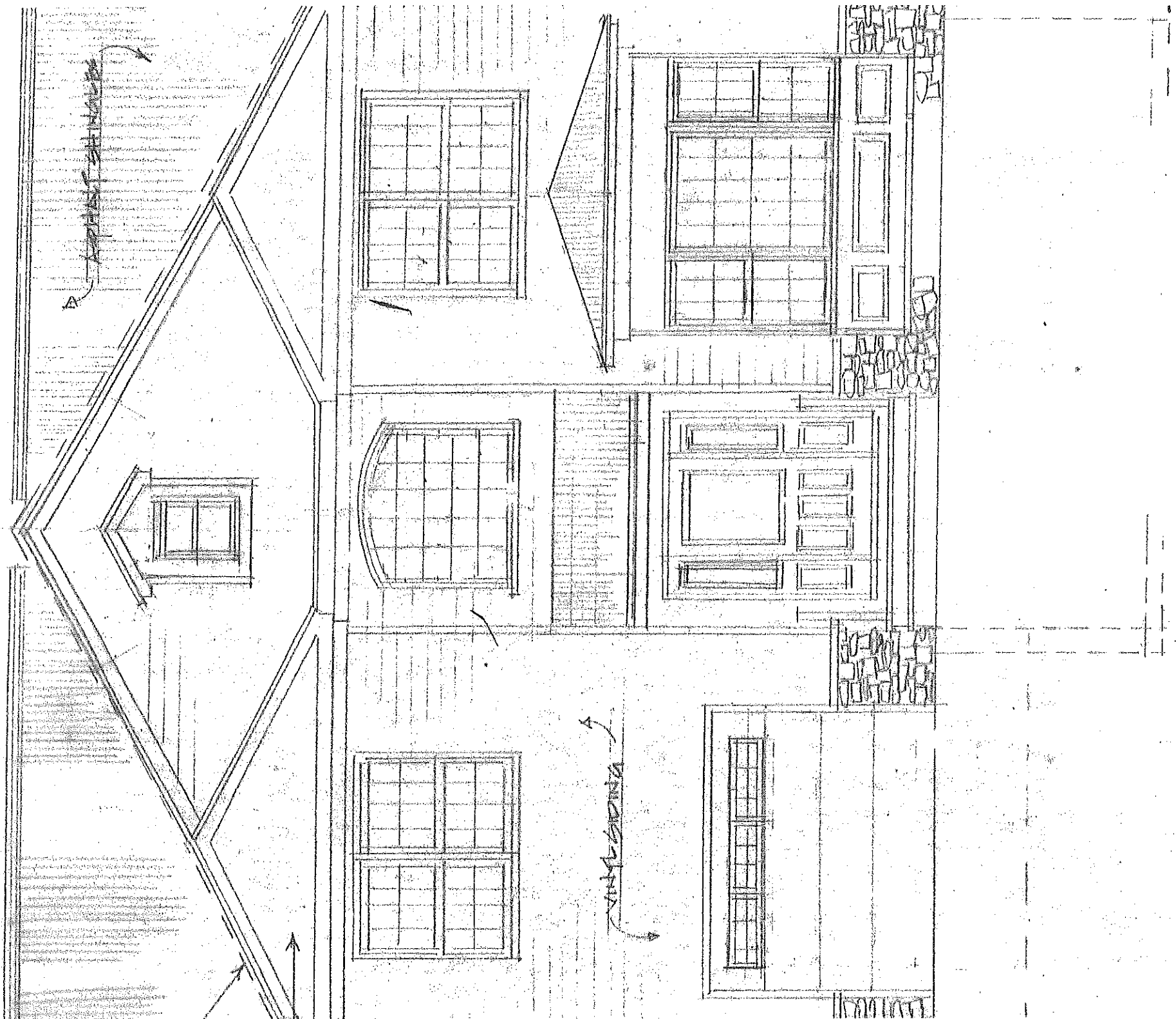
Applicant: CIRACO CONSTRUCTION Application No.: _____

Block: 205 Lot: 9

Street Address: 243 LINCOLN ST

I, NICK CIRACO (CIRACO CONSTRUCTION) the owner of the above property, hereby acknowledge that a site inspection may be scheduled with the Planning Board/Zoning Board of Adjustment for a mutually convenient date and time. I hereby authorize members of the Planning Board/Zoning Board of Adjustment and their representatives and consultants (or other designated officials) to enter onto the property which is the subject of this application at the time of any site inspections for the purpose of evaluating the application.

Signature: Nick Ciraco Date: 7/30/20



FRONT ELEVATION
SCALE 1/4" = 1'-0"

Township of Berkeley Heights

Township Official

General Construction and Design & Grounds and Landscaping Considerations

| <u>Applicant</u> | <u>Reviewed</u> | <u>Item</u> |
|------------------|-----------------|--|
| (N/A | () | Consider the orientation and design to maximize passive solar heat/cooling. For example, orient the building along its east-west axis to have a larger surface exposure to the south, and use deciduous vegetation to block the sun in the summer months and maximize light and heat in the winter months. |
| (X | () | Minimize disturbance to soils and vegetation. Use proper planning to protect vegetation during construction and prevent damage to surrounding areas. |
| (X | () | Create landscapes that use native plantings to limit the need for lawn chemicals and maintenance (mowing, trimming, watering). Consider using captured rainwater (rain barrel) or recycled grey water for irrigation. |
| (X | () | Recycle and/or salvage non-hazardous construction and demolition debris. |
| (X | () | Consider the use of renewable building materials and products. Consider choosing products with low VOCs and avoid products that contain hazardous chemicals (i.e. formaldehyde, cyanide). |
| (X | () | The use of local construction companies and products (i.e. local and sustainable woods) is recommended. |
| (N/A | () | Where practicable, place parking spaces in shaded areas and consider using paving materials with an SRI value >29 (this will reflect, not absorb solar heat). |

Storm Water Management Considerations

| <u>Applicant</u> | <u>Reviewed</u> | <u>Item</u> |
|------------------|-----------------|---|
| (X) | () | Consider limiting impervious surfaces such as use of an open grid pavement system (at least 50% pervious). |
| (X) | () | Consider reducing impervious cover to promote infiltration that captures and treats storm water runoff from rainfall. |
| (X) | () | Consider avoiding runoff to other properties by installing an underground cistern or rain garden. This will keep water on your own property and out of the sewer. |

Energy & Lighting Considerations

| <u>Applicant</u> | <u>Reviewed</u> | <u>Item</u> |
|------------------|-----------------|---|
| (X) | () | Consider providing natural daytime lighting as much as possible with skylights or solo tubes. Consider using triple-pane windows, with protection against sun damage. |
| (X) | () | Consider choosing energy-efficient light bulbs. Use solar lighting outdoors. |
| (X) | () | Consider use of motion sensor lighting where applicable. In commercial/industrial settings consider use of sensor controls. |
| (X) | () | Conserve energy, reduce electricity use and if possible incorporate renewable energy. |
| (X) | () | Consider choosing ENERGY STAR appliances. |

Heating and Cooling Considerations

| <u>Applicant</u> | <u>Reviewed</u> | <u>Item</u> |
|------------------|-----------------|--|
| (X) | () | Consider Increasing amount of insulation by using 2 x 6 studs. |
| (X) | () | Consider installation programmable thermostats and attic fans to regulate heating and cooling. |
| (X) | () | Consider installation heat pumps to transfer energy heat and cold. |
| (X) | () | Consider use high efficiency boilers/furnaces. |
| (X) | () | Consider use light color roofing materials to limit heat absorbed by dark colored roofs. Consider tile or metal roofs. |
| (X) | () | Consider use roofing material with a solar reflectance index (SRI) equal or greater than 78 for low roofs and 29 for steep-sloped roofs. |

Water Usage Considerations

| <u>Applicant</u> | <u>Reviewed</u> | <u>Item</u> |
|------------------|-----------------|---|
| (X) | () | Consider use of low-flow shower heads. |
| (X) | () | Consider installing dual-flush toilets. |
| N/A | () | If there are any other sustainable building practices not mentioned before, that will be used in this project, please describe: |
| | | _____ |
| | | _____ |
| | | _____ |