

**BOARD OF ADJUSTMENT
TOWNSHIP OF BERKELEY HEIGHTS
Berkeley Heights, NJ 07922**

**REVISED AGENDA
Virtual Online Public Meeting
March 25, 2021 @ 7:30 PM**

NOTE: Due to the COVID-19 outbreak, meetings are being conducted using the Zoom virtual meeting service, a cloud platform for video and audio conferencing across mobile devices, desktops, and telephones.

TO JOIN A LIVE MEETING:

1. If you are joining from a smartphone or tablet, install the Zoom app using the App store and join meeting number 357-574-7364 (and Password: 360071).
2. If you are joining from a desktop or laptop computer with a web browser, open <https://zoom.us/j/3575747364> --You may need to DOWNLOAD & RUN ZOOM first
Meeting ID: 357-574-7364
Password: 360071
3. You may join the meeting using AUDIO or AUDIO & VIDEO.
4. If only joining audio by phone, call: 1-929-205-6099, then provide meeting ID: 357-574-7364#

Members of the public are invited to watch the meeting and participate (optional) using Zoom. Your microphone will be off (muted) by the host of the meeting. If you wish to participate in the public comment portion of the meeting, you must follow the instructions below:

1. Controls appear at the bottom of the Zoom window. Use the "chat" function to send a typewritten message to the "host" of the meeting which should include only a) your first and last name and b) your home address.
2. When you hear your name announced during the public comment portion of the meeting, you may address the Board with your objections or comments.
3. When you are finished speaking, your microphone will be muted to allow others an opportunity to speak.

Members of the public who lack the ability to access the meeting or need assistance may contact Connie Valenti, Board Secretary, at 908-464-2700, Ext. 2124 or 908-963-3454 (cell) or by email at cvalenti@bhtwp.com.

Adequate Meeting Notice:

This meeting is being held electronically via the Zoom virtual meeting service and will be conducted in conformance with all regulations of the SUNSHINE LAW. Proper notice has been posted on the Township website and sent to the newspaper of record. The Agenda for the meeting has been posted on the Township website and the bulletin board of Town Hall. Instructions for public participation in the meetings has 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 substantially past 10:30 PM.

Members: Mr. Sullivan, Mr. Siburn, Mr. Ringwood, Mr. Nappi, Mr. Delia, Mr. Coviello,
Mr. Sylvester, and Mr. Pereda

Mr. Warner, Board Attorney

Roll Call

Presentation

Presentation by Richard Leister, Environmental Commission, on the Sustainable Land Use Pledge Resolution adopted by the Township Council on February 16, 2021

Consideration of Resolution

Resolution memorializing the action taken by the Board on March 25, 2021 with regard to the Sustainable Land Use Pledge Resolution referenced above

Adoption of Minutes:

February 25, 2021

Adoption of Resolutions:

App.#27-20: Jon Fehleison & Christal McElroy, 20 Rosegate Ct., Bl. 3201, L. 47.02

Proposed deck expansion, roof structure over a portion of existing deck, pergolas over deck areas, outdoor kitchen and exterior fireplace on raised deck. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient rear yard setback and exceeding the maximum permitted building and total lot coverage percentages. (R-15)

App. #1-21: Cyr & Alejandra Ryan, 65 Sycamore Ave., Bl. 2303, L.11 (R-15 Zone)

Proposed addition consisting of a new second story over a portion of the first story, new foyer and covered front porch, new addition in rear with covered patio, walkways and patios. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for insufficient front-yard, side-yard, and combined side-yard setbacks. A variance is also needed for exceeding the permitted maximum other and total lot coverage percentages of 10% and 25%, respectively.

App.#33-20: Miguel Ortega, Jr. & Osdaymi Rodriguez, 669 Mountain Ave., Block 2006, Lot 28 (R-15 Zone)

Proposed inground pool with pool surround, patio, and walkway leading from existing patio to the pool. A temporary storage container (6' x 4') is also proposed. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for exceeding the 10% other coverage permitted.

App.#34-20: Michael Doherty, 298 Emerson Lane, Bl. 2901, L. 1.27 (R-20 Zone)

Proposed new deck to be added to existing deck with stairs to grade. Variances are needed for insufficient rear yard setback and for the height of the deck.

Adoption of Resolutions (continued):

App.#2-21: Daniel Brown, 156 Briarwood Dr. E., Block 1401, Lot 24 (R-15 Zone)

Proposed principal addition over existing garage and new two-story addition behind the garage. A variance is needed for insufficient rear-yard setback.

App.#32-20: Rominnella Associates, LLC, 33 Liberty Ave., Bl. 2004, L. 1

The applicant is proposing to demolish the existing single family dwelling and construct a new single family home on this corner lot with frontages on Liberty Ave. and along unimproved Burgmiller Ave. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the proposed front-yard setback from Liberty Avenue will be less than the 50 ft. required. In addition, the proposed rear yard setback will not meet the 40 ft. requirement. A variance will also be needed for exceeding the 15% maximum building coverage allowed. (R-15 Zone)

Applications for Review:

Please Note:

Documents in support of the applications may be found on the Zoning Board of Adjustment (ZBOA) page of the Township Website at:

<https://www.berkeleyheights.gov/227/Zoning-Board-of-Adjustment>

Scroll down to **Applications** and click on **Current/Pending Applications**.

App.#4-21: Lou & Mary Mastria, 94 Briarwood Dr.E., Block 803, Lot 14 (R-15 Zone)

Proposed above ground pool (24' round x 52" high) on a corner lot with frontage on Briarwood Dr. E. and Ridgewood Place. Relief is needed from Section 3.1.1.B.4 which prohibits pools in the front yard. The proposed pool would be located in the required front-yard setback from Ridgewood Place, and therefore also requires relief from Section 6.1.1B for insufficient front yard setback. A variance from Section 3.1.7 is also needed for the 52" height of the pool. Existing nonconforming issues are lot area, lot width, principal front yard setbacks for both street fronts, principal side yard setback, shed location, and building coverage.

Applications for Review (continued):

App.#5-21: Stuart Rosenthal, 18 Magnum Court, Block 601, Lot 1.03 (R-15 Zone)

The homeowner is proposing to remove the existing pool surround and sidewalk leading to the driveway and reconstruct both. The project will also include a new deck at first floor level (8' 4" off grade) to be constructed across the rear of the house, a retaining wall, and new fencing. A 'paper' street at the rear of the property makes a portion of the rear yard technically a front yard and results in the need for two variances related to the location of the pool deck in the front yard. A variance is also needed for exceeding the maximum height allowed for a deck. All existing lot coverage percentages are nonconforming (building, other and total lot coverage). The location of an existing shed is also nonconforming.

App. #3-21: Steven Newman, 75 Lincoln St., Block 103, Lot 1 (R-10 Zone)

The applicant is proposing to enlarge an existing pool patio surround, construct a firepit sitting area, and add sidewalks from the dwelling to the pool area. This is a 200-ft.-deep through lot with street frontage on improved Lincoln Street and unimproved Washington Street. Relief is needed from Section 6.1.1B "Schedule of General Regulations" for exceeding the 10% maximum allowed other coverage percentage. (Existing other coverage is nonconforming.)

Adjournment

Connie Valenti, Secretary