

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

**REVISED AGENDA
Public Meeting
May 25, 2023 @ 7:30 PM**

- Meeting will be held IN-PERSON and livestreamed via Zoom.
- To view the meeting via Zoom, use the link: <https://zoom.us/j/3575747364>
- If you need to enter a meeting ID, it is 357-574-7364
- If you need to enter a Passcode or Password, it is 360071

Adequate Meeting Notice: This meeting is 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.

Supporting Documents: Documents in support of the applications may be found on the Zoning Board of Adjustment 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**.

Members: Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood,
Mr. Sylvester, Mr. Pereda, Mr. Sincaglia, and Ms. West-Augustin

Roll Call:

Correspondence:

Letter dated May 23, 2023 from Robert F. Simon, Esq., Herold Law, advising that the Applicant, Berkeley Heights 713 Realty, LLC, is withdrawing the application, without prejudice.

Adoption of Minutes:

April 27, 2023 Regular Meeting

Adoption of Resolution:**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.

Application for Review:**App#23-0003: Matt & Caitlin Anderson, 40 Greenbrook Rd., Bl. 2901, L. 1.85**

Proposed renovation project to consist of a dormer addition to the front, removal of the existing, nonconforming detached garage, construction of a new attached garage, and two-story addition to the rear with new covered porch. Relief is needed from Section 6.1.1B for insufficient side and rear-yard setbacks and for exceeding the 15% maximum permitted building coverage, 10% other coverage, and 25% total lot coverage percentages. (The driveway will be reduced in size so that existing other coverage of 14.90% will decrease to 12.18%.) Existing nonconforming issues are lot area, lot depth, principal front-yard setback, detached garage location, other coverage, total lot coverage, and driveway location. (R-20 Zone)

Withdrawal of Application:

The applicant has withdrawn the following application scheduled for May 25, 2023 and will not be proceeding at this time:

**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) use 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.

Adjournment