

TOWNSHIP OF BERNARDS **ZONING BOARD OF ADJUSTMENT**

REGULAR MEETING AGENDA v3

Warren Craft Meeting Room

November 4, 2020

This meeting will be held in person in the Warren Craft Meeting Room. In addition, the public will be able to view the meeting live on Optimum/Cablevision TV – Channel 15 and Verizon FIOS TV – Channel 35 and the meeting will also be streamed live for those interested in watching on their computers. The link will be available at 7:30 PM by clicking on the “Watch the Meeting Live” icon on the Bernards Township homepage. During the meeting, questions and/or comments from the public will be accepted **only** during the public questions and /or comments periods of the meeting. Those questions/comments may be offered in person at the hearing or by calling 908-202-6426. Please use Google “Duo” for your call. You will be required to provide your name and address and be sworn in prior to making comments.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. OPEN PUBLIC MEETING STATEMENT**
- 4. ROLL CALL**
- 5. APPROVAL OF MINUTES**
 - A.** October 7, 2020 – Regular Session
- 6. APPROVAL OF RESOLUTIONS**
 - A.** A. Sposato Realty Company Inc. & Sposato Realty LP; Block 1608, Lots 10.02 & 11; 31 & 35 East Craig Street; Bulk Variances; ZB20-016 (approved)
- 7. RESOLUTION** – For the Township of Bernards Zoning Board of Adjustment to Adopt Emergency Remote Meeting Protocols, Procedures and Requirements for Public Participation at Remote Meetings
- 8. COMPLETENESS AND PUBLIC HEARING**
 - A.** [Clarke, Seldon T. & Mary Louise](#); Block 304, Lot 2; 35 Old Farm Road; Bulk Variance; ZB20-020
- 9. PUBLIC HEARING** (*Application to be carried to 01/06/2021*)
 - A.** Silver Living LLC; Block 1607, Lot 2; 14 North Maple Avenue; Bulk Variances; ZB20-015
- 10. COMMENTS FROM MEMBERS**
- 11. COMMENTS FROM STAFF**
- 12. ADJOURN**

11/04/2020v3 dssw

**TOWNSHIP OF BERNARDS
2020 ZONING BOARD OF ADJUSTMENT APPLICATION**

RECEIVED

OCT - 8 2020

PLANNING/ZONING BOARDS

- | | |
|------------------------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance | <input type="checkbox"/> Appeal of Zoning Officer's Decision |
| <input type="checkbox"/> Use ("d") Variance | <input type="checkbox"/> Interpretation of Zoning Ordinance |
| <input type="checkbox"/> Conditional Use ("d") Variance | <input type="checkbox"/> Minor Subdivision |
| <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance | <input type="checkbox"/> Major Subdivision - Preliminary / Final |
| <input type="checkbox"/> Site Plan - Preliminary / Final | <input type="checkbox"/> Other (specify): |

1. APPLICANT: Mary Lou and Seldon T. Clarke

Address: 35 Old Farm Rd Basking Ridge N.J 07920

Phone: (home) NA (work) NA (mobile) 201-259-5788

Email (will be used for official notifications): mlclarke@mac.com

2. OWNER (if different from applicant): N/A

Address: _____

Phone: _____ Email (will be used for official notifications): _____

3. ATTORNEY: N/A

Address: _____

Phone: _____ Email (will be used for official notifications): _____

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):

Name: Dan Encin (Mendham Design) Profession: Architect

Address: 23 East Main St. Mendham, NJ 07945

Phone: 973-543-0956 Email (will be used for official notifications): dan.encin@mendhamdesign.com

5. PROPERTY INFORMATION: Block(s): 304 Lot(s): 2 Zone: R1

Street Address: 35 Old Farm Rd Basking Ridge, NJ 07920 Total Area (square feet/acres): 3.031 acres

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain or attach Board resolution) _____

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No ☐ Yes (if yes, explain) _____

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?

[☒] No [] Yes (if yes, explain) _____

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: _____

Residential Home - * See Attachment marked as # 9

Requesting variance to add mudroom, new two story garage with bedroom above and additional 6 feet extension of existing den.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):

Requesting variance relief from building set back requirement related to Bernards Township Zone 2 Stream Buffer.

Ordinance Section 21-14.4.C.2. a.4 * See Attachment - ETI

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: _____

Current set back requirements are from middle of stream to the middle of our house which prevent us from expanding footprint without a variance. Existing garage is structurally unsafe and needs to be replaced.

Home is in need of mudroom for animals

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):

APPLICANT(S) SIGN HERE:

I/we, Mary Ann Clark and [Signature] hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): Mary Ann Clark and [Signature]

Sworn and subscribed before me, this 23 day of September, 2020.

Notary _____

ANTHONY PINTO

Notary Public

State of New Jersey

My Commission Expires May 16, 2022

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

I/we, _____ the owner(s) of the property described in this application,

hereby authorize _____ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 2020.

Notary _____

#9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL REQUEST:

9

Our application to Bernard's Township is for variance relief from the building setback requirement related to the Bernard's Township Zone 2 Stream Buffer. The Bernard's Township ordinance section 21-14.4.C.2.a.4. states that "No minimum required yard may extend into the Zone 2 (Stream Buffer) more than half the distance between the outer boundaries of Zone One and Zone Two". The proposed addition requires a building setback variance from the midpoint of Stream Buffer Zone 2 equal to 79.0 ft., where 100 ft. is required.

