

TOWNSHIP OF BERNARDS **ZONING BOARD OF ADJUSTMENT**

REGULAR MEETING AGENDA v3

Warren Craft Meeting Room

November 3, 2021

7:30 PM

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. 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 Zoning Board of Adjustment web page. Please note that all questions/comments must be made in person.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. OPEN PUBLIC MEETING STATEMENT**
- 4. OATH OF OFFICE** – Michael Dolgonos, Alternate 2
- 5. ROLL CALL**
- 6. ELECTION OF BOARD OFFICERS**
- 7. APPROVAL OF MINUTES**
 - A.** October 6, 2021 – Regular Session
- 8. COMPLETENESS HEARING**
 - A.** Finley Real Estate LLC; Block 1801, Lot 1; 55 South Finley Avenue; Preliminary/Final Major Site Plan, Bulk Variances; ZB21-031
- 9. MODIFICATION OF CONDITION**
 - A.** Lincoln Avenue Gospel Hall; Block 8903, Lot 36; 3265 Valley Road; Extension of Time to Sign Plans; ZB20-006A
 - B.** Verizon Corporate Services Group, Inc.; Block 803, Lots 2, 3, 5, 6, 23; 300 North Maple Avenue; Extension of Time to Sign Plans; ZB21-001A
- 10. PUBLIC HEARING – CARRY TO 12/08/2021 WITH NO FURTHER NOTICE**
 - A.** Baston 95, LLC; Block 704, Lot 1.01; 95 Morristown Road; Preliminary/Final Site Plan, Use Variance, Bulk Variances; ZB21-015
- 11. COMPLETENESS AND PUBLIC HEARING**
 - A.** Ferrier, Graham & Carrie; Block 401, Lot 15; 107 Childs Road; Bulk Variances; ZB21-027
 - B.** Marchelli, F.& Basile, L.; Block 3801, Lot 18; 35 Normandy Court; Bulk Variance; ZB21-026
 - C.** Haley, Andrew & Kimberly; Block 4002, Lot 3; 5 Dawn Drive; Bulk Variance; ZB21-029
- 12. 2020 ANNUAL REPORT AND RECOMMENDATIONS**
- 13. COMMENTS FROM MEMBERS**
- 14. COMMENTS FROM STAFF**
- 15. ADJOURN**

10/27/2021 dssw

TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION

RECEIVED

SEP - 2 2021

- | | |
|--|--|
| <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: GRAHAM AND CARRIE FERRIER
Address: 107 CHILDS ROAD
BASKING RIDGE, NEW JERSEY 07920
Phone: (home) _____ (work) _____ (mobile) 973 885-6164 (CF)
Email (will be used for official notifications): GAFFERRIER@GMAIL.COM
CARRIEFERRIER18@GMAIL.COM

2. OWNER (if different from applicant): _____
Address: _____
Phone: _____ Email (will be used for official notifications): _____

3. ATTORNEY: _____
Address: _____
Phone: _____ Email (will be used for official notifications): _____

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):
Name: JONATHAN E. BOOTH Profession: ARCHITECT
Address: 33 BULLION ROAD BASKING RIDGE, New Jersey 07920
Phone: 908 304 3782 Email (will be used for official notifications): JONBOOTHARC@GMAIL.COM

5. PROPERTY INFORMATION: Block(s): 401 Lot(s): 15 Zone: R-1
Street Address: 107 CHILDS ROAD Total Area (square feet/acres): 28,798 sq ft / 0.66 ac

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?
02/06/19 Bernards Township Zoning Board of Adjustment Page 1 of 2

[✓] No [] Yes (if yes, explain) _____

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

see attached

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

see attached

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

see attached

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

APPLICANT(S) SIGN HERE:

I/we, Graham Ferrier and Carrie Ferrier 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): _____ and _____

Sworn and subscribed before me, this 26 day of August, 2021.

Notary

James F. Sullivan

James F. Sullivan - Attorney at Law - State of NY

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,

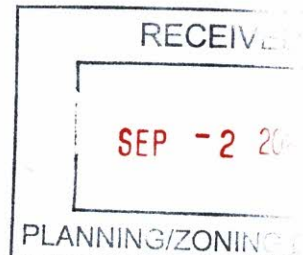
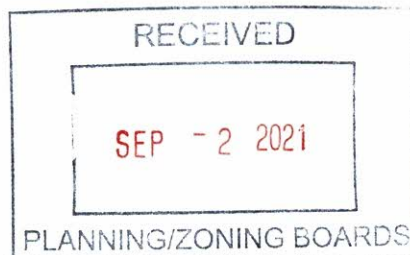
hereby authorize _____ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____, 20__.

Notary

Ferrier



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

The existing 28,798 sf property contains the following structures:

one and two story, three bedroom residence of 1468 sf

one story, 558 sf barn

The proposed addition provides a family room on the first floor, and relocates the master suite to a second floor addition. The project also addresses several remodeling items, including new roofing, siding and windows.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS:

Variance relief is sought from the following ordinance sections: 21-11.2, 21-15.1(d)1, Table 501

Applicants seek permission to construct one and two story additions of 1108 sf, resulting in the following variances:

1. Front Yard Setback
To allow 38.67' where min of 100' is required, and 39.67' exists
2. Rear Yard Setback
To allow 60.0' where min of 100' is required, and 59.0' exists
2. Lot Coverage:
To permit 18.81%% where a maximum of 15% is allowed, and 17.32% exists

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

1. Hardship due to Size of Lot

The property is severely undersized relative to the R-1 zone criteria, i.e. 28,798 sf where a min of 130,680 sf is required. Accordingly, there is no available building envelope. Due to its small size, the property is nonconforming with regard to R-1 lot coverage, at 17.32% where a max of 15% is allowed.

2. Hardship due to Location of the Structure

There are no options for a conforming addition to the existing residence. The existing principal residence is nonconforming with regard to front yard (38.67') and rear yard (59.0'), where a min setback of 100' is required. The proposed additions utilize the physical center of the property.

3. Practical Considerations

The existing residence (1468 sf) is small. The proposed addition will provide a more practical room layout. When completed, this will be a modest 2576 sf home, commensurate with other homes in the neighborhood.

4. Context of Neighborhood

This neighborhood, the early Childs farm community, has a novel character. The properties, and the homes, are unique and varied in size and layout. Several of the homes have similar nonconforming characteristics as the subject property. For example, there are front yard setbacks less than the proposed.

5. Historic Integrity

The owners appreciate the historic significance of the home. Aesthetically, the addition takes its cues from the existing home with regard to material, detail, and proportion. The project will improve and update the exterior finishes and ultimately enhances the viability of this home.

TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION

RECEIVED

SEP 1 2021

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: FEDERICO MARCHELLI & WCLIANA BASILE MARCHELLI

Address: 35 Normandy Ct, Basking Ridge, NJ, 07920

Phone: (home) _____ (work) _____ (mobile) 908-342-3431

Email (will be used for official notifications): basile1@gmail.com

2. OWNER (if different from applicant): _____

Address: _____

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

3. ATTORNEY: _____

Address: _____

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

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

Name: Mark J. Mantyla Profession: Engineer & L.S.

Address: 139 West Mountain Rd, Sparta, NJ, 07871

Phone: 973-222-6986 Email (will be used for official notifications): markjm@ptd.net

5. PROPERTY INFORMATION: Block(s): 3801 Lot(s): 18 Zone: _____

Street Address: 35 Normandy Ct Total Area (square feet/acres): 40437

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: _____

Approx 1 acre residential lot
request permit for inground pool, patio & fence

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

cul de sac lot - cannot locate pool behind rear building lines of
(Ordinance 21-18.1) dwellings on adjoining lots ~~at~~ because of
the nature/shape of the lot

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

Hardship due to location on cul de sac
cannot be located behind rear line of neighbor property
~~at~~ 40 Normandy Ct

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

APPLICANT(S) SIGN HERE:

I/we, Federico Marchelli and Wanda Basile ~~Marchelli~~ 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): _____ and _____

Sworn and subscribed before me, this 30th day of August, 2021

Manjusree
Notary

MANJUSREE R. REVURI
NOTARY PUBLIC OF NEW JERSEY
ID # 50001769
My Commission Expires 8/13/2024

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 _____, 20__.

Notary

TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION

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

1. APPLICANT: AJ Haley

Address: 121 South St. Unit 2, Jersey City, NJ 07307

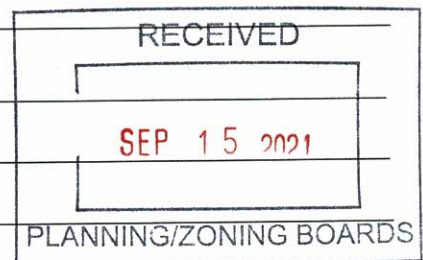
Phone: (home) (412) 951-5097 (work) N/A (mobile) (412) 951-5097

Email (will be used for official notifications): ajh273@gmail.com

2. OWNER (if different from applicant): _____

Address: _____

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



3. ATTORNEY: _____

Address: _____

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

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

Name: Gregory Ralph Profession: Architect

Address: 1924 US Hwy 22 East Bound Brook, NJ 08805

Phone: _____ Email (will be used for official notifications): greg@gralpharchitect.com

5. PROPERTY INFORMATION: Block(s): 4002 Lot(s): 3 Zone: R-4

Street Address: 5 Dawn Basking Ridge, NJ 07920 Total Area (square feet/acres): 40,427sqft

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? _____

[x] No [] Yes (if yes, explain) _____

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

Requesting a C Variance for max lot coverage. We currently have an existing non conformity. The existing non conformity is .5%/6246sqft over the Ordinance's 15%/6064sqft. We are proposing an increase in lot coverage to 17.2%/6960sqft.

Block 4002, Lot 3, Zone R-4

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

The requested variance is for Max Lot Coverage. We have an existing non conformity that requires a Variance. The ordinance max lot coverage is 15%/6064sqft, the existing coverage is 15.5%/6246sqft, we are proposing 17.2%/6960sqft.

21 Attachment 7 Table 501 Ordinance Info Location.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: Andrew & Kim are currently building their dream home. They would like to remain residence of Basking Ridge. This Variance approval would help them achieve their goal.

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

APPLICANT(S) SIGN HERE:

I/we, AJ Haley and Kim Haley 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): *A.J. Haley* and *Kimberly Haley*

Sworn and subscribed before me, this 30 day of August, 2021

Michael Nenna

Notary

MICHAEL NENNA
NOTARY PUBLIC OF NEW JERSEY
Commission # 50164884
My Commission Expires 7/9/2026

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 _____, 20__.

Notary