

TOWNSHIP OF BERNARDS **ZONING BOARD OF ADJUSTMENT**

REGULAR MEETING AGENDA v2

Warren Craft Meeting Room
January 6, 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 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. OATH OF OFFICE**
 - Lisamarie Baumann, Regular Member, four-year term expiring 12/31/24
 - Jeanmarie Genirs, Regular Member, four-year term expiring 12/31/24
 - Joseph Pavlosky, Alternate #1, two-year term, expiring 12/31/22
 - Rakesh Agarwal, Alternate #2, two-year term, expiring 12/31/21
 - Continuing Members: Breslin, Cambria, Kraus, Pochtar, Tancredi
- 5. ROLL CALL**
- 6. REORGANIZATION MEETING**
- 7. APPROVAL OF MINUTES**
 - A.** December 9, 2020 – Regular Session
- 8. APPROVAL OF RESOLUTIONS**
 - A.** Porcelli, Joseph J.; Block 709, Lot 5; 19 Southard Place; ZB20-019 (approved)
 - B.** Boyle, Joseph A. & Jennifer H.; Block 1002, Lot 16; 60 Walnut Circle; ZB20-022 (approved)
 - C.** Cohen, David/Patel-Cohen, Mital; Block 202, Lot 16; 154 Old Farm Road; ZB20-018 (approved)
 - D.** Raymond, Michael/Staub, Stacy A.; Block 1104, Lot 17; 22 Monroe Place; ZB20-023 (approved)
- 9. PUBLIC HEARING**
 - A.** Silver Living LLC; Block 1607, Lot 2; 14 North Maple Avenue; Bulk Variances; ZB20-015
(continued from 11/04/2020) – To be carried to 03/03/2021 at the Applicant’s request
- 10. COMPLETENESS AND PUBLIC HEARING**
 - A.** [Reilly, Peter & Bernadette](#); Block 5701, Lot 47; 48 Lyons Place; Bulk Variance; ZB20-024
 - B.** [Khoshaba, Ursula](#); Block 302, Lot 4; 44 Old Farm Road; Bulk Variance; ZB20-025
- 11. COMMENTS FROM MEMBERS**
- 12. COMMENTS FROM STAFF**
- 13. ADJOURN**

12/22/2020
FINAL

TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION

RECEIVED

NOV 23 2020

☒ Bulk or Dimensional ("c") Variance

☐ Use ("d") Variance

☐ Conditional Use ("d") Variance

☐ Floor Area Ratio, Density, or Height ("d") Variance

☐ Site Plan - Preliminary / Final

☐ Appeal of Zoning Officer's Decision

☐ Interpretation of Zoning Ordinance

☐ Minor Subdivision

☐ Major Subdivision - Preliminary / Final

☐ Other (specify):

TOWNSHIP ZONING BOARDS

1. APPLICANT: Peter + Bernadette Reilly

Address: 48 Lyons Place Basking Ridge, NJ 07920

Phone: (home) 908.340.4155 (work) _____ (mobile) 201.248.0910

Email (will be used for official notifications): bernadettercilly@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: Angelo Onello III, PE Profession: Engineer

Address: 5 Beechnut Street Hillsdale, NJ 07642

Phone: 201.774.1444 Email (will be used for official notifications): angelo@onelloeng.com

5. PROPERTY INFORMATION: Block(s): 5701 Lot(s): 47 Zone: R-4

Street Address: 48 Lyons Place Total Area (square feet/acres): 1.58

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: _____

1.58 acres tax zone R4
single family house and we want a pool

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

Construct a pool that is not behind the rear property line of the adjacent property.

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

No conforming location available on the property

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

APPLICANT(S) SIGN HERE:

I/we, Peter Reilly and Bernadette Reilly 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): Bernadette Reilly and [Signature]

Sworn and subscribed before me, this 23 day of NOV, 2020

[Signature]
CYNTHIA KIEFER
Notary Public - New Jersey
Commission #2442187
Expires 01/10/24

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
2020 ZONING BOARD OF ADJUSTMENT APPLICATION

RECEIVED

DEC 4 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: Ursula Khoshaba

Address: 44 Old Farm Road, Basking Ridge, New Jersey 07920

Phone: (home) _____ (work) _____ (mobile) (201) 650-5217

Email (will be used for official notifications): ukosh@aol.com

2. OWNER (if different from applicant): Same as Applicant

Address: _____

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

3. ATTORNEY: Frederick B. Zelley / Bisogno, Loeffler & Zelley, L.L.C.

Address: 88 South Finley Avenue, P.O. Box 408, Basking Ridge, New Jersey 07920

Phone: (908) 766-6666 Email (will be used for official notifications): fzelley@baskingridgelaw.com

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

Name: David E. Fantina Profession: Professional Engineer

Address: 15 Sunset Drive, Bernardsville, New Jersey 07924

Phone: (908) 696-9598 Email (will be used for official notifications): dfantina@fantinaengineering.com

5. PROPERTY INFORMATION: Block(s): 302 Lot(s): 5 Zone: R-1

Street Address: 44 Old Farm Road, Basking Ridge Total Area (square feet/acres): 145,054sf/3.33ac

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) _____

The following preexisting bulk non-conformities exist: Lot width (250' required / 230.40' exists) _____

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

[X] No [] Yes (if yes, explain and attach copy) _____

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

The subject property, a 3.33 acre lot in the R-1 (3 acre) Zone, hosts a single family residence. The Applicant wishes to install a 924 sf in-ground swimming pool. As part of the project, applicant is installing a pergola over the dining area, a pavilion roof over the existing kitchen, and a garden wall with flower trellis, which require no relief.

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

Ordinance § 21-18.1. Area. (In all cases the pool shall be located behind the rear building line of existing residential structures on adjoining lots.)

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

Due to the subject property's location, and the orientation of the houses on adjoining lots 6 and 7, it is impossible for the Applicant to comply. The front of the house on adjoining lot 7 faces the subject property, as does the side of the house on lot 6, so there is no location on the subject property to install the pool and comply with locating same behind the rear building lines of the existing structures on the adjoining lots.

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

APPLICANT(S) SIGN HERE:

I/we, Ursula Khoshaba and _____ hereby depose and says that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): Ursula Khoshaba and _____

Sworn and subscribed before me, this 4 day of December, 2020.

Frederick B. Zelley
Notary An Attorney at Law of the
State of New Jersey

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 _____, 2019.

Notary