

TOWNSHIP OF BERNARDS **ZONING BOARD OF ADJUSTMENT**

REGULAR MEETING AGENDA v2

Warren Craft Meeting Room
February 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 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. January 6, 2021 – Regular Session
 - B. January 6, 2021 – Reorganization Session
- 6. APPROVAL OF RESOLUTIONS**
 - A. Reilly, Peter & Bernadette: Block 5701, Lot 47; 48 Lyons Place; ZB20-024 (approved)
 - B. Khoshaba, Ursula; Block 302, Lot 5; 44 Old Farm Road; ZB20-025 (approved)
- 7. RESOLUTION OF DISMISSAL – without prejudice**
 - A. Keith, John D. & Gloria E./Keith Living Trust; Block 4101, Lot 12; 34 Eton Place; ZB20-026
- 8. COMPLETENESS HEARING**
 - A. Verizon Corporate Services Group Inc.; Block 803, Lots 2, 3, 5, 6, 23; 300 North Maple Avenue; Preliminary/Final Site Plan, Variances, Design Waivers; ZB21-001
 - B. Braemar Partners; Block 8201, Lots 22, & 23; 3066-3074 Valley Road; Preliminary/Final Major Site Plan, D-3 Conditional Variance, Bulk Variances; ZB20-027
- 9. COMPLETENESS AND PUBLIC HEARING**
 - A. [Rossi, Patrick & Nesa](#); Block 2701, Lot 3; 14 Culberson Road; Bulk Variances; ZB21-003
 - B. [Maschhoff, Andrew & Anita](#); Block 3704, Lot 1.06; 31 Clairvaux Court; Bulk Variances; ZB21-004
- 10. PUBLIC HEARING**
 - A. [Shaw, Adriane](#); Block 3301, Lot 3; 490 South Maple Avenue; Minor Subdivision, d-2 Variance, Bulk Variance; ZB20-021
- 11. COMMENTS FROM MEMBERS**
- 12. COMMENTS FROM STAFF**
- 13. ADJOURN**

**TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION**

RECEIVED

JAN 12 2021

- | | |
|--|--|
| <input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance | <input type="checkbox"/> Appeal of Zoning |
| <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: Nesa and Patrick Rossi
Address: 14 Culberson Rd, Basking Ridge, NJ 07920
Phone: (home) — (work) — (mobile) 973-219-6906
Email (will be used for official notifications): nesa.rossi@gmail.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: Scott Lynn Profession: Engineer
Address: P.O. Box 792 Rocky Hill, NJ 08553
Phone: 908-359-0989 Email (will be used for official notifications): slynneng@yahoo.com

5. PROPERTY INFORMATION: Block(s): 2701 Lot(s): 3 Zone: R-6
Street Address: 14 Culberson Rd, Basking Ridge Total Area (square feet/acres): 43,154

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: _____

The property, a .991 acre lot in the R-6 zone hosts a single family residence. We wish to install an in ground swimming pool with surrounding patio and pavilion over one side of the patio.

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

The proposed request exceeds the maximum allowable lot coverage.
- ordinance section no. 21-15.1(d) + table 501

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

We are currently at 17.3% lot coverage and the maximum allowable lot coverage is 18%. This doesn't allow us to add any additional square footage.

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

APPLICANT(S) SIGN HERE:

I/we, Nesa Rossi and Patrick Rossi 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): Nesa Rossi and Patrick Rossi

Sworn and subscribed before me, this 7 day of January, 2021

[Signature]
Notary

RHONDA S. HAMMONDS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 8/30/2025

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

JAN 13 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: Andrew & Anita Maschhoff
Address: 31 Clairvaux Court, Basking Ridge, NJ
Phone: (home) _____ (work) _____ (mobile) (516) 232-5509 (Andrew)
Email (will be used for official notifications): andy.maschhoff@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: Larry Butynski (Cross River Design, Inc.) **Profession:** Landscape Architect
Address: 1473 Rt. 22 East, Annandale, NJ 08801
Phone: (908) 236-9291 (x-15) **Email (will be used for official notifications):** LButynski@crossriverdesign.com

5. PROPERTY INFORMATION: Block(s): 3704 Lot(s): 1.06 Zone: R-4
Street Address: 31 Clairvaux Court **Total Area (square feet/acres):** 43,600 SF / 1.001 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) _____

the rear building lines of existing residential structures on adjacent properties which

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: Residential lot located at 31 Clairvaux Court, Basking Ridge. (Block 3704-Lot 1.00). Applicant is seeking to locate a swimming pool closer to the residence than ordinance allows and is seeking lot coverage relief to provide hardscape adjacent to the pool for circulation and seating. Also to address site topography that requires walls.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.): Section 21-18 Applicant is seeking relief from the portion of the Ordinance that states: "In all cases the pool shall be located behind the rear building line of existing residential structures on adjoining lots" By this ordinance the pool would be forced to the very back of the property.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: Swimming pool placement as per plan (near the house). This allows better access for the applicant and also greatly reduces the impact and visibility of the pool from adjacent properties. Also Section 21-3.1 regarding lot coverage. Keeping the pool closer to the house reduces impervious coverage.

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

APPLICANT(S) SIGN HERE:

I/we, Andrew Maschhoff and Avita Maschhoff 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): [Signature] and [Signature]

Sworn and subscribed before me, this 5th day of October, 2020.

[Signature]
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, Andrew & Avita Maschhoff the owner(s) of the property described in this application,

hereby authorize [Signature] 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): [Signature] and [Signature]

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

Notary

RECEIVED

OCT 13 2020

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

PLANNING/ZONING BOARDS

- | | |
|--|--|
| <input type="checkbox"/> Bulk or Dimensional ("c") Variance | <input type="checkbox"/> Appeal of Zoning Officer's Decision |
| <input checked="" type="checkbox"/> Use ("d") Variance | <input type="checkbox"/> Interpretation of Zoning Ordinance |
| <input type="checkbox"/> Conditional Use ("d") Variance | <input checked="" 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:

ADRIANE SHAW

Address:

16 FREDERICK COURT, BASKING RIDGE, NJ 07920

Phone: (home)

908 672-7512

(work)

(mobile)

908 672 7512

Email (will be used for official notifications):

santore.law@gmail.com

2. OWNER (if different from applicant):

Address:

Phone:

Email (will be used for official notifications):

lbams@att.net

3. ATTORNEY:

August N. Santore, Jr.

Address:

143 SUMMIT AVE., BERKELEY HTS, NJ 07922

Phone:

908 665-8004

Email (will be used for official notifications):

santore.law@gmail.com

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

Name:

Murphy & Hollows Associates, LLC

Profession:

ENGINEER

Address:

192 CENTRAL AVE., STIRLING, NJ 07980

Phone:

908 580 1255

Email (will be used for official notifications):

murphyhollows@gmail.com

5. PROPERTY INFORMATION:

Block(s):

3301

Lot(s):

3

Zone:

R-4

Street Address:

490 S. MAPLE AVENUE

Total Area (square feet/acres):

5.19 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) PRE-EXISTING NON-CONFORMITY FOR APARTMENT USE ABOVE BARN THAT HAS BEEN IN USE FOR OVER 50 YEARS.

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:

EXISTING property is a large parcel that has areas of wooded and undergrowth present. There is an existing dwelling and improvements on the property including a barn with an apartment. A new lot is proposed in a nearly 100% conforming proposition with the exception of a pre-existing non-conforming set back for

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

"D" VARIANCE - USE FOR THE APARTMENT IN THE EXISTING IMPROVEMENTS. NO VARIANCES ON THE SUBDIVISION OTHER THAN NOTATION OF PRE-EXISTING NON-CONFORMING FRONT YARD SETBACK ON DWELLING TO REMAIN.

The front yard of the dwelling to remain.

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

This is a minor subdivision which is in compliance with ordinance. This will promote uniform development in character and scale with the surrounding homes. The pre-existing barn apartment pre-dates the familial ownership of this property which was acquired with

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN): The apartment in 1969 by applicant's parents.

APPLICANT(S) SIGN HERE:

I/we, Adriane Shaw and _____ 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): Adriane Shaw and _____

Sworn and subscribed before me, this 12th day of OCTOBER, 2020.

Notary Angela D. Santoro Jr.
ATTORNEY AT LAW OF NJ

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 _____