

May 8, 2024
Zoning Board of Adjustment Minutes
Township of Berkeley
627 Pinewald-Keswick Rd P.O. Box B Bayville, NJ 08721

6:30PM

SALUTE TO THE FLAG

Chairman Elliott called the May 8th Zoning Board of Adjustment meeting to order at 6:30PM and asked everyone to please rise for the flag salute and a moment of silence.

SUNSHINE ACT STATEMENT

Chairman Elliott announced: "This meeting was advertised in the Asbury Park Press and posted on the Township's bulletin board as required by the Open Public Meeting Act."

ROLL CALL

Present: Chairman Elliott, Mr. Gudaitis, Mr. McGrath, Mr. Morey, Mr. Sager, Mr. Stone, and Mrs. Walsh

Absent: Mr. Bombardier, Mr. Ferrara, and Mr. Hyland

Professionals Present from the Municipality: Alex Pavliv from Pavliv & Rihacek, LLC and Ernie Peters from Remington and Vernick Engineers

Professionals Absent from the Municipality: Melanie Adamson from Remington and Vernick Engineers

AGENDA

1. La Pierre, LLC – BOA#23-5996

Location: Tallwood Way Block 1409 Lot 3.06

Type of Application: Use Variance – New Vote

The vote for this application at the April 10th meeting was invalid. The third "no" vote was given by an alternate member and the vote was concluded. A re-vote was taken in the correct voting order.

On a motion to approve the use variance application by Mr. Gudaitis, seconded by Mr. Stone, the application was approved with a deed restriction of 48 and over.

Ayes: Mr. Morey, Chairman Elliott, Mr. Stone, Mr. Gudaitis, Mrs. Walsh, and Mr. Sager

Nays: Mr. McGrath

2. 170 Route 9 LLC – BOA#20-5877

Location: 170 Route 9 Block 837 Lot 6

Type of Application: Use Variance & Site Plan – Time Extension Request

After the use variance was granted by the Zoning Board in 2020, suits were filed against the proposal. These lawsuits took longer than expected due to COVID, and a time extension has been requested.

On a motion to approve the time extension request by Mr. Gudaitis, seconded by Mr. Stone, a one-year extension was granted.

3. Sunrise to Sunset Holdings LLC – BOA#23-6028

****carried from 4/10/24**

Location: Corner of Route 37 – Sunset Drive N & Prince Edward Avenue Block 1675 Lot 1,2,6-24

Type of Application: Use Variance and Preliminary/Final Major Subdivision

This application was carried to the June 12, 2024 Board of Adjustment meeting.

4. Gerald & Annmarie Coppola – BOA#24-6039

Location: 384 Roberts Avenue Block 1689.03 Lot 1

Type of Application: Expansion and Elevation of Single-Family Dwelling with "c" Variance Relief

The Board granted the variance for the raising and expansion of the existing Single-Family Home located on Block 1689.03 Lots 1 in the R-31.5 zone with a 10.1ft. front yard setback, 20ft required, to Bay View Ave. rear yard setback 1 ft to deck 10ft required subject to the following conditions: Applicant shall be granted a waiver from sidewalk requirements. Two of the sheds shall be removed. Roof runoff shall be discharged into stone trenches along the south and west property lines. Applicant shall provide the Board and its Engineer with permits which permitted the construction of the existing nonconforming sheds and stairs. Underneath the stairways shall remain open at all times. The existing fence shall be replaced with a 4 ft. gate.

On a motion by Chairman Elliott, seconded by Mr. Gudaitis, with everyone present in favor, the above application was opened for public discussion.

Hearing no one wishing to be heard, a motion to close to the public was entertained.

On a motion by Mr. Gudaitis, seconded by Mr. Stone, with all present in favor, the above application was closed for discussion.

On a motion to approve the variance application by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the application was approved with the conditions listed above.

5. Karen Brown – BOA#23-6010

Location: 72 Canterbury Lane Block 10.13 Lot 63

Type of Application: Construction of a 4 Season Room for a Single-Family Home with “c” Variance Relief

The applicant failed to notice; thus, the Board had no jurisdiction to hear the application. The applicant plans to revise plans and re-submit prior to scheduling a new hearing date.

6. Thomas & Patricia Iadarola – BOA#24-6041

Location: 224 North Bay Drive Block 1541 Lot 86

Type of Application: Construction of Single-Family Dwelling Addition with “c” Variance Relief

The Board approved the variance for the addition which encroaches on the combined side yard setback and accessory side yard setbacks on Block 1541 Lot 86 in the R-64 zone with combined side yard setback 18ft required, 16ft proposed to addition and accessory side yard setback of 3ft. proposed where 5ft. required (a/c unit and generator) subject to the following conditions: Applicant shall be granted a waiver from curb and sidewalk requirements. A waiver is hereby granted for a paver driveway. The a/c unit and generator shall be relocated to under the proposed overhang of the addition. Roof runoff from the addition shall be piped through the bulkhead and into the lagoon. The existing shed on site shall be removed.

On a motion by Chairman Elliott, seconded by Mr. Gudaitis, with everyone present in favor, the above application was opened for public discussion.

Hearing no one wishing to be heard, a motion to close to the public was entertained.

On a motion by Mr. Gudaitis, seconded by Mr. Stone, with all present in favor, the above application was closed for discussion.

On a motion to approve the variance application by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the application was approved with the conditions listed above.

RESOLUTIONS

1. Rudolph Rinderer – BOA#24-6048

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#24-6048 was approved.

Absent: Mr. Bombardier and Mr. Hyland

2. John & Victoria Marcsisin – BOA#23-6030

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#23-6030 was approved.

Absent: Mr. Bombardier and Mr. Hyland

3. La Pierre, LLC – BOA#23-5996

On a motion by Mr. Gudaitis, seconded by Mrs. Walsh, with all present in favor, the resolution for BOA#23-5996 was approved.

Absent: Mr. Bombardier and Mr. Hyland

4. Crystal Care Realty LLC – BOA#23-6014

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#23-6014 was approved.

Absent: Mr. Bombardier and Mr. Hyland

5. Terrence and Betty Easton – BOA#23-6037

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#23-6037 was approved.

Absent: Mr. Bombardier and Mr. Hyland

6. Kent Weiss – BOA#23-6036

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#23-6036 were approved.

Absent: Mr. Bombardier and Mr. Hyland

7. 221 Rosewood LLC – BOA#23-6035

On a motion by Mr. Gudaitis, seconded by Mr. Sager, with all present in favor, the resolution for BOA#23-6035 was approved.

Absent: Mr. Bombardier and Mr. Hyland

8. Jeffrey R. Jerman – BOA#23-6038

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#23-6038 was approved.

Absent: Mr. Bombardier and Mr. Hyland

9. Rudolph Rinderer – BOA#24-6042

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#24-6042 was approved.

Absent: Mr. Bombardier and Mr. Hyland

10. Christopher Krukovsky & Nicole Segalla – BOA#23-6032

On a motion by Mr. Gudaitis, seconded by Mr. Stone, with all present in favor, the resolution for BOA#23-6032 was approved.

Absent: Mr. Bombardier and Mr. Hyland

VOUCHERS

Alexander Pavliv, Esquire
Remington & Vernick
Linda Sullivan Hill

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the bills were approved.

MINUTES

On a motion by Mr. Gudaitis, seconded by Mr. Sager, with all present in favor, the April 10, 2024 meeting minutes were approved.

OPEN GENERAL PUBLIC FORUM

On a motion by Chairman Elliott, seconded by Mr. Gudaitis, with all present in favor, the meeting was open for general public comment.

Jim Sullivan, the owner of 218 Rosewood Drive, questioned the new vote for BOA#23-5996 (LaPierre, Inc). He disagreed with an apartment building being a positive addition to that neighborhood.

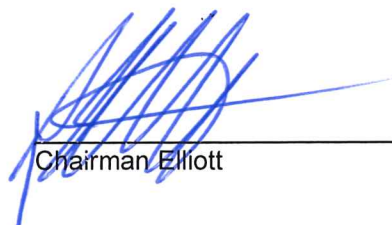
CLOSE GENERAL PUBLIC FORUM

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the meeting was closed for general public comment.

ADJOURNMENT

On a motion by Mr. Gudaitis, seconded by Mr. Stone, with all present in favor, the meeting was adjourned at 7:46PM.


Secretary Gudaitis


Chairman Elliott

Respectively Submitted
Gabrielle Napolitano, Board Secretary