

TOWNSHIP OF BERNARDS **ZONING BOARD OF ADJUSTMENT**

REGULAR MEETING AGENDA v3

Warren Craft Meeting Room

September 8, 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. ROLL CALL**
- 5. APPROVAL OF MINUTES**
 - A. August 4, 2021 – Regular Meeting
- 6. APPROVAL OF RESOLUTIONS**
 - A. Caesar, Albert & Stephanie; Block 5302, Lot 3; 24 Post Terrace; ZB21-022 (approved)
 - B. Weisfelner, B./Jackson, R.; Block 9501, Lot 37; 22 High Meadow Road; ZB21-019 (approved)
 - C. Fabian, Matthew & Michelle; Block 6902, Lot 14; 20 Addison Drive; ZB21-021 (approved)
 - D. Verb, G./Williams-Verb, C.; Block 11501, Lots 11 & 12; 33 Long Road; ZB21-024 (approved)
 - E. Utz, John W.; Block 11102, Lot 3; 33 Rickey Lane; ZB19-001 (withdrawn)
 - F. Pyramid Healthcare Inc.; Block 2401, Lot 4; 170 Mt. Airy Road; ZB21-025 (withdrawn)
- 7. PUBLIC HEARING** (continued from 06/09/2021)
 - A. [Kenken LLC](#); Block 1805, Lot 42; 1 Brownlee Place; Preliminary/Final Site Plan, Use, Floor-Area-Ratio, Bulk Variances; ZB21-014
- 8. DISCUSSION OF THE 2020 ANNUAL REPORT AND RECOMMENDATIONS**
- 9. COMMENTS FROM MEMBERS**
- 10. COMMENTS FROM STAFF**
- 11. ADJOURN**

08/26/2021 dssw

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

- 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):

1. APPLICANT: Kenken LLC

Address: 1 Brownlee Place, Basking Ridge, NJ 07920

Phone: (home) _____ (work) 908-766-4630 (mobile) 973-632-0490

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

2. OWNER (if different from applicant): _____

Address: _____

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

3. ATTORNEY: Jason R. Rittie, Esq.

Address: Einhorn Barbarito - 165 East Main Street, Denville, New Jersey 07834

Phone: 973-586-4944 Email (will be used for official notifications): jrirtie@einhornlawyers.com

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

Name: Kenneth J. Fox, AIA PP Profession: Architect/ Planner

Address: 546 State Route 10 West Ledgewood, NJ 07852

Phone: 973-970-9355 Email (will be used for official notifications): kfox@foxarch.com

5. PROPERTY INFORMATION: Block(s): 1805 Lot(s): 42 Zone: B-1

Street Address: 1 Brownlee Place Total Area (square feet/acres): 13,008.5 / 0.29 +/-

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) _____

At this time, Applicant is not aware of any additional approvals, variances and/or additional waivers, deviations, or exceptions; provided, however, Applicant requests that the Application be deemed amended to include and the Board grant any additional approvals, variances, deviations, exceptions or waivers determined to be necessary in the review and processing of this Application, whether requested by the Board or otherwise. If necessary, Applicant also requests a waiver of the Township's requirement for a Developer's Agreement due to the limited nature of this Application.

The variances, waivers, deviations and/or exceptions requested by the Application can be granted by the Board without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance. As will be demonstrated at the time of the Public Hearing, Applicant's subject property is uniquely situated in its size, shape and location, and the site has existing non-conforming structures with mixed uses. Applicant's proposed second story addition can be accommodated by the lot size and existing site conditions, and will have no substantial impact on the surrounding properties or neighbors. As will also be demonstrated at the time of the Public Hearing, the proposed addition and site improvements on the subject property will not have a negative impact on the zoning, surrounding areas, or public welfare. Applicant's proposed use of the subject property and buildings will not substantially impair the intent and purpose of the Zone Plan and the Zoning Ordinance. At the time of the Public Hearing, the variance relief sought by the Applicant can and will be justified pursuant to N.J.S.A. 40:55D-70(d)(4) and N.J.S.A. 40:55D-70(c)(1) and/or (2). As will also be demonstrated at the time of the Public Hearing, Applicant's proposed variances will provide a substantial benefit to the public and the benefit derived from the proposed variances will substantially outweigh any detriment (if any) sustained as a result of the granting of the relief sought. The granting of the relief sought will not have any substantial detriment to the surrounding area, nor will there be any substantial detriment to the public welfare.

The waivers being requested, as noted with the Application, can be waived by the Board due to the limited nature of the Application and/or several items are either not applicable or unnecessary in light of the limited relief being sought by the Applicant.

Except for Somerset County Planning Board, Applicant is not aware, at this time, of any other approvals which are required from other governmental or quasi-governmental entities.

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Kenken LLC

One Brownlee Place

Basking Ridge, NJ 07920

9. Description of the existing property and the proposal / request:

Existing property contains 2 principal buildings. The front building is a 2 story framed building containing a salon. No work is to be done to this building.

The rear building is a 1 story framed building containing an unoccupied retail space. Proposed 2nd floor addition and façade renovations. Raise the height – add second floor addition. Add thin stone façade and detailing to give building a historic colonial look.