

TOWNSHIP OF BERNARDS **ZONING BOARD OF ADJUSTMENT**

REGULAR MEETING AGENDA

Warren Craft Meeting Room

March 9, 2022

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.** February 9, 2022 – Regular Session
- 6. APPROVAL OF RESOLUTIONS**
 - A.** Birkhold, A./Kostinas, L.; Block 3901, Lot 58; 33 Springhouse Lane; ZB21-033 (approved)
 - B.** Heymann, F./Chiclana, M.; Block 2905, Lot 1; 24 Woodstone Road; ZB21-034 (approved)
 - C.** Fetchko, Michael E. & Amy H.; Block 1204, Lot 11; 103 Washington Avenue; ZB21-035 (approved)
 - D.** B3 Church Street LLC; Block 7501, Lot 15; 15 Church Street; ZB21-036 (approved)
- 7. COMPLETENESS AND PUBLIC HEARINGS**
 - A.** [Nash, David & Michelle](#); Block 7901, Lot 8; 61 Archgate Road; Bulk Variance; ZB21-037
 - B.** [Bhatia, K./Shah-Bhatia, N.](#); Block 11201, Lot 23; 11 Parkwood Lane; Bulk Variance; ZB21-038
 - C.** [Yochum, Geoffrey G. & Michelle A.](#); Block 6701, Lot 17; 58 Penwood Road; Bulk Variance; ZB22-001
 - D.** [Maloney, Karl & Sharon](#); Block 9501, Lot 29; 109 Woodman Lane; Bulk Variance; ZB22-003
- 8. COMMENTS FROM MEMBERS**
- 9. COMMENTS FROM STAFF**
- 10. ADJOURN**

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TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION

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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: DAVID and MICHELLE NASH

Address: 61 ARCHGATE Road BASKING RIDGE, NV 07920

Phone: (home) _____ (work) _____ (mobile) 908 377-5892 (MN)

Email (will be used for official notifications): mem582@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, NV 07820

Phone: 908 204 9527 Email (will be used for official notifications): jbootha1c@gmail.com

5. PROPERTY INFORMATION: Block(s): 7901 Lot(s): 8 Zone: R-4

Street Address: 61 ARCHGATE Road Total Area (square feet/acres): 40,012 sf / .92 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?

[✓] No [] Yes (if yes, explain) _____

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

the existing 40,012 st property contains the following structures

a) two story, four bedroom residence of 2608 sf

b) a 96 sf shed

The proposed addition provides an open front porch of 12' by 23'-4" (280 sf)

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

*Variance relief is sought from the following ord. sec. 21-15.1(d)1, Table 501
Specifically, to permit a front yard setback of 68.8', where a min. of 75'
is required, and 72.7' exists.*

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

see attached

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

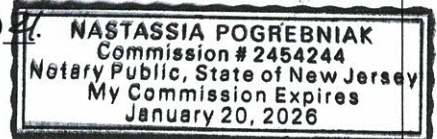
APPLICANT(S) SIGN HERE:

I/we, Michelle Nash and David Nash 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): Michelle Nash and David Nash

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

Nys
Notary Nastassia Pogrebniak



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 _____

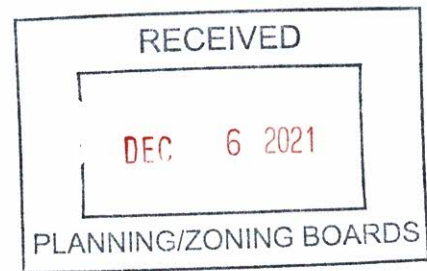
11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION:

1. Modest nature of proposed improvement

The proposed one story open porch is small in scale, and will be an aesthetic amenity on the front of the house. It requires a single variance, as all other zoning criteria are satisfied.

2. Lack of conforming alternatives for a front porch

The available area at the front of the house is limited. While most of the proposed porch conforms to the front yard setback, a portion extends to 68.8'. This dimension is about 4' closer than the existing closest point at the front (portico at 72.7').



TOWNSHIP OF BERNARDS
2021 ZONING BOARD OF ADJUSTMENT APPLICATION

<input checked="" type="checkbox"/> Bulk or Dimensional ("c") Variance <input type="checkbox"/> Use ("d") Variance <input type="checkbox"/> Conditional Use ("d") Variance <input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance <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): _____
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1. APPLICANT _____ Kshitij Bhatia and Niyati Shah-Bhatia _____

Address: _____ 11 Parkwood Ln, Basking Ridge, NJ 07920 _____

Phone: (home) _____ (work) _____ (mobile) _____ (917) 609-6530 _____

Email (will be used for official notifications): _____ kbhatia00@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: Jeff Egarian _____ Profession: Engineer _____

Address: _____ 271 Route 46W Suite G208 Fairfield, NJ 07004 _____

Phone: (973) 898-1401 _____ Email (will be used for official notifications): jeffegarian@djegarian.com _____

5. PROPERTY INFORMATION: Block(s): 11201 _____ Lot(s): 23 _____ Zone: R-1 _____

Street Address: 11 Parkwood Ln Basking Ridge NJ 07920 Total Area (square feet/acres): 2.1 acre _____

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 [x] Yes (if yes, explain) 25' wide access easement in the rear of the property (shown on the survey).

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

Single family home in a 2.1 acre lot in R-1 zone. Property owners plan to build an in-ground pool in the rear yard. _____

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

Seeking relief from Ordinance 21-18.1 "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: _____

No confirming location due to the orientation of the building at the rear of the subject property. Proposed location near the dwelling allows better access, is safer for monitoring children and creates less disturbance (to impervious and tree cover). The pool is not detrimental to neighbors and is in line with the character of the neighborhood. _____

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

APPLICANT(S) SIGN HERE:

I/we, Kshitij Bhatia _____ and Niyati Shah-Bhatia _____ 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): Kshitij Bhatia and Niyati Shah

Sworn and subscribed before me, this 9th day of DECEMBER, 2021.

[Signature]
Notary CYNTHIA KIEFER

Notary Public - New Jersey
Commission #2442187

OWNERS 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
<input type="checkbox"/> Conditional Use ("d") Variance
<input type="checkbox"/> Floor Area Ratio, Density, or Height ("d") Variance
<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: GEOFF AND MICHELLE YOCUM

Address: 58 PENWOOD Road BASKING RIDGE, NJ 07920
Phone: (home) _____ (work) _____ (mobile) 908 313-5127 (6Y)
Email (will be used for official notifications): macheh@gmail.com
gyochum@gmail.com

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

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PLANNING/ZONING BOARDS

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, NJ 07920
Phone: 908 304-3782 Email (will be used for official notifications): jonbootharc@gmail.com

5. PROPERTY INFORMATION: Block(s): 6701 Lot(s): 17 Zone: R-4
Street Address: 58 PENWOOD Road Total Area (square feet/acres): 40,649 sq ft
.93 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?
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[☒] No [☐] Yes (if yes, explain) _____

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

The existing 10,649 sq property contains the following structures:
a) a 2 story, 5 br residence at 3459 st, b) a swimming pool and related sheds.
The proposed addition provides an expanded kitchen.

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

Variance relief is sought from the following ord. section:
Sec. 21-15.1(d)1, Table 501 (Ch 21 attach 7) Specifically, to permit lot coverage
of 16.24% where a maximum of 15% is allowed, and 15.57% exists.

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, Geoffrey Yochum and Michelle Yochum 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 8th day of January, 2022

Bo Marjory See
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

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PLANNING/ZONING BOARDS

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

The existing 40,649 sf property contains the following structures:

two story, five bedroom residence of sf

swimming pool, with associated sheds

The proposed addition provides an expanded kitchen

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS:

Variance relief is sought from the following ordinance section:

21-15.1(d)1, Table 501 (Ch 21 attachment 7)

Specifically, Lot Coverage:

To permit 16.24%, where a maximum of 15% is allowed, and 15.57% exists

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

1. Modest nature of proposed improvement

The proposed one story addition (268 sf) is small in scale.

2. Effective buffering of residence from adjoining neighbors

The residence is visually screened from neighboring residences, with a dense evergreen buffer around perimeter of property.

TOWNSHIP OF BERNARDS
2020 ZONING BOARD OF ADJUSTMENT APPLICATION

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

1. APPLICANT: Kari Maloney + Sharon Maloney
Address: 109 Woodman Ln Basking Ridge NJ 07920
Phone: (home) _____ (work) _____ (mobile) 908-763-8660
Email (will be used for official notifications): adudeck@ppas.com / tajdds@gmail.com

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

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

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):
Name: G. Glodde + Associates **Profession:** Professional Engineer
Address: PO Box 449 Oak Ridge NJ 07438
Phone: 973-697-9247 **Email (will be used for official notifications):** gregv@rydtconsulting.com

5. PROPERTY INFORMATION: Block(s): 9501 Lot(s): 29 Zone: PRD-5 or PUD5
Street Address: 109 Woodman Ln **Total Area (square feet/acres):** 2.02

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:

Residential / Residential inground pool + pool cabana.

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

Ordinance section # 21.18.1, pool is required to be behind line of left side property owner. (adjoining lot)

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

Residential Property, the homeowner to the left sits much further back, so due to this drainage we are unable to comply

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

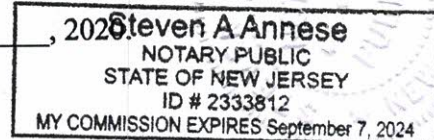
APPLICANT(S) SIGN HERE:

I/we, Karl Maloney and Sharon Maloney 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 7th day of November, 2020

[Signature]
Notary



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