

# **TOWNSHIP OF BERNARDS** **PLANNING BOARD**

## **REGULAR MEETING AGENDA** *REVISED*

Warren Craft Meeting Room  
September 21, 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 Planning Board 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.** July 20, 2021 – Regular Session
- 6. COMPLETENESS AND PUBLIC HEARING**
  - A.** [Moreira, F./Araujo, S.](#); Block 704, Lot 2; 37 Parkview Avenue; Conditional Use; PB21-004
- 7. COMMENTS FROM MEMBERS** (5-minute limit per member)
- 8. COMMENTS FROM STAFF**
- 9. ADJOURN**

09/17/2021dskpjd

**TOWNSHIP OF BERNARDS  
2021 PLANNING BOARD APPLICATION**

RECEIVED

JUL 26 2021

PLANNING/ZONING BOARD

- ☐ Minor Subdivision  
☐ Major Subdivision - Preliminary  
☐ Major Subdivision - Final  
☒ Conditional Use

- ☐ Site Plan - Preliminary  
☐ Site Plan - Final  
☐ Informal Review  
☐ Other (specify): \_\_\_\_\_

1. **APPLICANT:** Fernando Moreira and Sonia Araujo  
Address: 37 Parkview Avenue, Basking Ridge, NJ 07920  
Phone: (home) N/A (work) (201) 410-7754 (mobile) (973) 868-1540  
Email (will be used for official notifications): fdmoreira99@gmail.com araujosonia@gmail.com
2. **OWNER** (if different from applicant): Same as applicants  
Address: Same as above  
Phone: Same as above Email (will be used for official notifications): Same as above
3. **ATTORNEY:** None  
Address: N/A  
Phone: N/A Email (will be used for official notifications): N/A
4. **OTHER PROFESSIONALS** (Engineer, Architect, etc. Attach additional sheet if necessary):  
Name: Kitchens and Bathrooms by Billy T/A Vasilios Maglaras Profession: General Contractor  
Address: 40 Harter Road, Morristown, NJ 07960  
Phone: (973) 223-1845 Email (will be used for official notifications): billy.maglaras@gmail.com  
*See additional sheet at the end of this application for other professionals*
5. **PROPERTY INFORMATION:** Block(s): 704 Lot(s): 2 Zone: \_\_\_\_\_  
Street Address: 37 Parkview Ave, Basking Ridge, NJ 07920 Total Area (square feet/acres): Dwelling: 3157 sq. ft. Property: 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 ☐ Yes (if yes, explain and attach copy) \_\_\_\_\_



9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST: The house at 37 Park View is a single family residence, with 2 floors. The residence has 1 existing apartment on the lower level/basement of the residence. The apartment has a kitchen, living room, one bedroom, one bathroom, laundry area and private entrance. The apartment will be occupied by the mother of an owner and principal occupant (ie Sonia Araujo) of the residence. A request for conditional use approval of the existing apartment is made to the Board.

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.): The Owner-applicants are filing this application pursuant to Subsection 21-12.4 of the Revised General Ordinances of the Township of Bernards 1984 and Ord. # 1429 5-29-2001, amended, to make a request of the Planning Board for conditional use approval of the existing apartment described in item #9 above.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION: To the best of our knowledge, the existing apartment meets all applicable requirements for conditional use approval. The apartment currently measures 750 sq. ft. and there are no plans to increase the apartment's total floor area. The total floor area of the residence is 3157 sq. ft. which includes 650 sq. ft. from a near complete office/rec room converted from a previous garage into living space for the residence's principal occupant.

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN): The apartment only occupies 23% of the residence's total floor area and will be occupied by the owner's mother.

**APPLICANT(S) SIGN HERE:**

I/we, Sonia Araujo and Fernando Moreira 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 26 day of JULY, 2021.

[Signature]  
Notary  
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

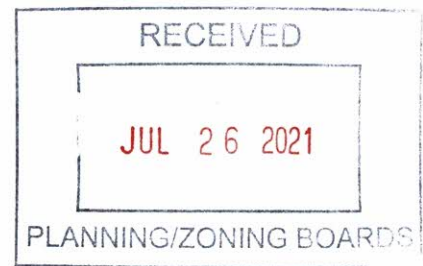
RECEIVED

JUL 26 2021

PLANNING/ZONING BOARDS



Fernando Moreira  
Sonia Araujo  
37 Parkview Avenue  
Basking Ridge, New Jersey 07920  
[fdmoreira99@gmail.com](mailto:fdmoreira99@gmail.com)  
[araujosoniao@gmail.com](mailto:araujosoniao@gmail.com)  
(973) 868-1540  
(201) 410-7754



July 20, 2021

Cyndi Kiefer  
Secretary to the Planning Board and Zoning Board of Adjustment  
277 South Maple Avenue  
Basking Ridge, New Jersey 07920

Dear Ms. Kiefer,

On November 6<sup>th</sup>, 2020, we, the undersigned, purchased the single-family residence at 37 Parkview Ave., Basking Ridge, NJ 07920. The residence has an existing apartment located on the lower level/basement of the residence with a kitchen, a living room, one bedroom, one bathroom, a laundry area, and a private entrance (please refer to the pictures and floor plan drawings submitted as part of the application accompanying this statement). The apartment was built by the prior owner of the residence without the required zoning permits. Accordingly, we are filing an application to make a request of the Planning Board for conditional use approval of this existing apartment so that it can be legalized for occupancy.

We understand that Subsection 21-12.3 of the *Revised General Ordinances of the Township of Bernards* 1984 [Ord. #585, § 405A] sets forth specific requirements for an apartment within a single-family residence that have to be met in order for the Planning Board to approve an application for a conditional use approval. To the best of our knowledge and that of our architect and general contractor (see the application form for information regarding these professionals), the apartment referenced in the preceding paragraph is in full compliance with the requirements for the particular use as set forth below:

1. There is only one apartment in the single-family residence and it is located on the lower level/basement of the principal building.
2. The existing apartment occupies less than 25% of the total floor area of the residence (i.e., the principal building). The apartment currently measures 750 square feet. The total floor area of the residence is 3,157 square feet, which includes 650 square feet from a near-complete office/recreation room that has been converted from a previous garage into additional living space for the residence's principal occupants (i.e., please refer to the lower level "man-cave" in the floor plan drawings submitted as part of the application accompanying this statement -- this conversion under permit number 20210486 is nearly complete). Therefore, the existing apartment only occupies approximately 23% of the total floor area of the residence. The apartment's total floor area/footprint will not be increased. In fact, once we are permitted to undertake construction inside the apartment,

the small laundry area will be converted into an open-air covered entryway, further reducing the apartment's total floor area to 665 square feet.

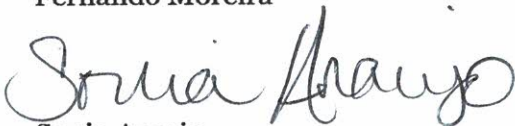
3. There is adequate parking available for all occupants of the principal residential use and the apartment in the residence's existing driveway. For details regarding the driveway, please refer to the copy of the property survey submitted as part of the application accompanying this statement.
4. The exterior appearance of the principal structure will not be substantially altered or its appearance as a single-family residence changed. The application to the Planning Board is for conditional use approval of an *existing* apartment and, therefore, the exterior of the residence will not be affected.
5. To the best of our knowledge, the size of the existing apartment conforms to FHA minimum unit size by bedroom count.
6. The occupant of the apartment will be limited to the mother (i.e., Francelina Araujo) of one of the owners and principal occupants (i.e., Sonia Araujo) of the single-family residence.
7. If the premises are granted approval for conditional use, the owners will certify annually, on a form provided by the Zoning Official, that the conditions for the conditional use are still being satisfied.

Thank you for your consideration.

Sincerely,



Fernando Moreira



Sonia Araujo