

BOARD OF ADJUSTMENT
BOROUGH OF BERNARDSVILLE
Agenda – April 3, 2023
VIRTUAL ONLINE PUBLIC MEETING – 7:30 PM
ZOOM MEETING #560 191 9633 ZOOM CALL-IN #1-646-876-9923
<https://zoom.us/j/5601919633>

Until further notice, Board of Adjustment meetings are being held with participants at remote locations, connected by conferencing software provided by zoom.us. Members of the public are invited to attend and participate in live meetings either by using the Zoom client, which allows audio and video participation, or by phoning into a meeting for audio only participation.

TO JOIN A LIVE MEETING: Members of the public, council members, and other participants use the same procedure:

1. If you are joining from a smartphone or tablet, install the Zoom app using the App Store and join **meeting number 560 191 9633**. **A password is not required to join the meeting.**
2. If you are joining from a desktop or laptop computer with a web browser, open <https://zoom.us/j/5601919633>
3. If you are joining by phone, the phone-in number from the New York metro area is 1-**646-876-9923**.

In the alternative, if you cannot join the live meeting remotely for any reason you may contact Frank Mottola the Planning and Zoning Boards Administrative Officer at 908-636-7635 or via email at fmottola@bernardsvilleboro.org.

Attendees are admitted to meetings via the Zoom waiting room and microphones are muted until enabled by the host. Members of the public may participate in meetings at certain designated times as announced by the Board Chair. Members of the public will be allowed to address applicants and their experts, ask questions and/or make comments as appropriate once recognized to do so. Attendees may request to be heard by 'raising a hand', either physically or virtually, or by sending a chat message to the host using the Zoom client controls. Phone-in attendees can also 'raise a hand' by using *9 on their phone. Disruptive or inappropriate behavior by any meeting attendee may result in the audio and/or video muting of that attendee and/or their removal from the virtual online meeting room.

TIPS: Controls appear at the bottom of the Zoom window. Open MEETING PARTICIPANTS and CHAT. You can use these controls to attract attention, ask a question, or send a text message to other participants.

TO ACCESS APPLICATION DOCUMENTS: Documents for all applications to be heard online remotely are accessible via the Borough website at www.bernardsvilleboro.org, by clicking on the **BOARDS** tab and then selecting **Board of Adjustment**.

If you are unable to view these documents online, please contact Board Administrator Frank Mottola at 908-636-7635 or via email at fmottola@bernardsvilleboro.org. to make an appointment to view hard copies of the application documents.

Meeting recordings will be available the following day by contacting the Board Administrator.

1. **Adequate Meeting Notice Statement:** Chair Greenebaum.
2. **Oaths of Office:**
Regular Member Anthony Dello Russo (4-year term).
3. **Roll Call.**
4. **Minutes:** Review draft meeting minutes of 2/6/23.
5. **Communications:**
 - A. 3/17/23 Savas/Martin Post Hearing Brief. (re #9).
 - B. 3/27/23 L. Rago, Esq. letter to Hon. T. Caliguire. (re #9).

C. NJ DEP Mandatory Board Members' Stormwater Training: DEP Stormwater Training Webpage; 2023 Tier A Permit excerpts; BOA Training Compliance Log; and Training Videos Links Document (re #7A).

D. Final draft of 2022 Annual Report. (re #6B)

E. The New Jersey Planner, Jan/Feb 2023, Vol. 84, No. 1.

6. Old Business:

A. Continued Application #22-04 MADDALI – Bulk Variances for Detached 3-Car Garage for Single Family Residence at 10 Chapin Road, B: 3, L: 14.03, Zone: R-1-10; Received 6/16/22; Deemed incomplete 8/15/22; *Deemed complete and initially heard 2/6/23; Scheduled to be continued 4/3/23*

B. 2022 BOA Annual Report.

7. New Business:

A. NJ. DEP Mandatory Board Member Training for Tier A Municipalities.

B. Review 4/3/23 Bills List with Invoices (\$4,792.00).

8. Pending Applications:

A. BOA Application #22-03 MEGALLA-SCHEID – Bulk Variances for Detached Accessory Structures for Single Family Residence at 601 Mine Brook Road, B: 90, L: 10, Zone: R-2; Received 6/16/22; Deemed incomplete 8/15/22; *Awaiting supplemental application documents*.

B. BOA Application #22-06 GELB-O'CONNOR – Bulk Variance for Front Porch Addition to Single Family Residence at 62 Center Street Extension, B: 111, L: 32, Zone: R-5; Received 12/7/22; Deemed incomplete 2/2/23; *Waiver requests, completeness determination & public hearing scheduled for 4/17/23*.

C. BOA Application #22-07 ASSAAD – Bulk Variances for Residence, Pool & Patio Additions to Single Family Residence at 141 Campbell Road, B: 9, L: 7, Zone: R-1; Received 12/15/22; Deemed incomplete 2/2/23; *Waiver requests, completeness determination & public hearing scheduled for 5/1/23*.

D. BOA Application #23-01 UPTON PYNES REAL ESTATE, LLC – Preliminary & Final Major (7 lot) Subdivision w/ Use & Bulk Variances & Design Waivers; 67 Ravine Lake Road, B:10, L:23, Zone: R-1-10; Originally filed with Planning Board 10/24/22; Determined to be jurisdiction of and to be heard by Board of Adjustment; *Deemed incomplete 3/30/23; pending agency reviews*.

E. BOA Application #23-02– 51 BERNARDS AVE. ASSOCIATES, NJP – Minor (3 lot) Subdivision w/ Variances; 51 & 53 Bernards Avenue, B:112, L: 6 & 7, Zone: R-5; Originally filed with Planning Board 11/1/22; Determined to be jurisdiction of and to be heard by Board of Adjustment; *Pending new application to BOA with additional fee and escrow payments*.

9. Executive Session: L. Rago Status Update re: NJAW Fenwick Tank Denial Appeal Litigation.

10. Comments from Members.

11. Comments from Staff.

12. Adjournment: *(Next scheduled meeting – Monday, April 17 – 7:30 pm)*

