

BOARD OF ADJUSTMENT
BOROUGH OF BERNARDSVILLE
Minutes – June 20, 2023
VIRTUAL ONLINE MEETING

1. Statement of Adequate Meeting Notice: Read by Chair Greenebaum at 7:47 pm.

2. Roll Call.

Present – Members Greenebaum, Kramer, McDowell, Sailliard, Traynor, Melillo and Slocum.

Absent – Members Dello Russo, Loeffler and Sedlak.

Board professionals present: Attorney Louis P. Rago.

3. Approval of Minutes: Review of draft minutes of 5/15/23 meeting.

Upon review, a motion to approve the minutes as presented was made by Mr. Traynor and seconded by Mr. Sailliard.

Voice vote:

All eligible members voted in the affirmative.

4. Communications: NJ Planner, March/April 2023, VOL 84, No. 2.

Chair Greenebaum mentioned the article on Municipal Regulation of Special Occasion Events on Preserved Farms as being of interest.

5. Old Business:

A. Continued 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 complete and previously heard 5/1/23; Scheduled to be continued 6/20/23; 5/18/23 email from S. Assaad to F. Mottola requested hearing postponement to 9/18/23.

Chair Greenebaum announced that this application will be continued at the 9/18/23 meeting with no further notice to the public required, as requested by the applicant.

B. Review/finalize revisions to BOA By-Laws.

There were no comments by members of the Board or its professionals on the latest draft that was prepared by Mr. Rago. Mr. Mottola suggested that the Board may wish to consider amending ARTICLE IV – ORDER OF BUSINESS to reflect the order currently followed by the Board in its meetings. The Board agreed that Article IV should be so amended. The Chair asked that the category of *Additional Agenda Items* be added after *New Business*, with subheadings of *Pending Applications* and *Comments by Members / Staff*. The Chair further asked that the category of *Determination of Completeness* with the subheading, *Requests for Waivers* be added as item 1.b) in ARTICLE VI - PROCEDURE OF HEARINGS. Mr. Melillo requested that the revision dates be noted somewhere in the By-Laws. Mr. Mottola said he would make the foregoing requested revisions to finalize the By-Laws.

A motion to adopt the By-Laws as amended to June 20, 2023 was made by Mr. Traynor and seconded by Mr. Slocum.

Roll call vote:

All members voted in the affirmative.

6. **New Business:** Review 6/20/23 Bills List with Invoices: Upon review, a motion to pay the listed invoices in the amount of **\$1,096.00** was made by Mr. McDowell and seconded by Mr. Sailliard.

Roll call vote:

All members voted in the affirmative.

7. **Pending Applications:** The Chair noted the following applications and their status:

A. 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 formal withdrawal letter.

B. 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; Awaiting applicant's request for hearing.

C. 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.

D. Application #23-03 – WEBBER – CONDITIONAL USE Variance for Professional Home Office at 2 Mullens Lane, B: 63, L: 13, Zone: R-4; Received 5/22/23; Pending completeness review.

8. **Executive Session:** None.

9. **Comments from Members:** Chair Greenebaum noted and Mr. Rago affirmed that in the NJAW appeal litigation matter, the BPU has extended the date by which it will render its decision from June 15, 2023 to July 31, 2023.

10. **Comments from Staff:** Mr. Rago confirmed that the next meeting date will be Monday, July 17th

11. **Adjournment:** Motion to adjourn: Mr. McDowell. Second: Mr. Slocum.
Chair Greenebaum adjourned the meeting at 8:07 pm.

Respectfully submitted,



Frank Mottola,
Planning & Zoning Boards
Administrative Officer

Keywords: Assaad-141-Campbell-continued-By-Laws-NJAW-appeal-litigation-BPU,