

**BOARD OF ADJUSTMENT
BOROUGH OF BERNARDSVILLE
Agenda – September 20, 2021**

**VIRTUAL ONLINE PUBLIC MEETING – 7:30 PM
ZOOM MEETING #560 191 9633 ZOOM CALL-IN #1-646-876-9923
<https://zoom.us/j/5601919633>**

For the duration of the Coronavirus Health Emergency, Borough Hall is closed to the public and meetings are 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 PARTICPANTS 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.boroughofbernardsville.org by clicking on the **VIEW BOARD OF ADJUSTMENT & PLANNING BOARD APPLICATIONS** tab.

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 Notice/Emergency Protocols Meetings Statement:** Chair Greenebaum.
2. **Roll Call.**
3. **Meeting Minutes:** Review draft minutes of 8/16/21 meeting.
[Eligible to vote: Members Carton, English, Greenebaum, Kramer, Sailliard and McDowell].
4. **Communications:**
 - A. 9/9/21 F. Mottola email to A. Ochs, Esq., re conditions for continuance of application #19-09 Ochs.
 - B. 9/10/21 N. O'Brien letter to BOA re transmittal of alternate tank location drawings w/ findings and conclusions (re #5).

C. 9/17/21 D. Amerikaner, Esq. letter to BOA re disposition of application #20-01 NJAW – Fenwick Tank (re #5).

5. **Old Business:** Continued Application #20-01 NJ AMERICAN WATER CO., INC. – Fenwick Tower –Preliminary and Final Major Site Plan with Conditional Use & Bulk Variances for replacement water tank at Mendham Road; B: 5, L: 5, Zone: R-1; Deemed complete & hearing commenced on 11/16/20, also heard on 3/1, 4/5, 5/17, 6/21 & 8/2/21; Decision deadline extended to 9/30/21; Scheduled to be continued 9/20/21.

[Eligible to vote: Carton, English, Greenebaum, Kramer, Sailliard, McDowell and Slocum.]

6. **New Business:** Review 9/20/21 Bills List w/ Invoices (\$2,161.63).

7. **Pending Applications:**

A. Application #21-07 SCOTT – Bulk Variances for Driveway and Patio Expansions at 371 Claremont Road B: 6, L: 10, Zone: R-1-10; Received 5/10/21; Deemed incomplete 6/29/21; Waiver requests denied & deemed incomplete 8/16/21; New waiver requests, completeness determination & hearing scheduled for 10/4/21.

B. Continued Application #20-07 BANK OF AMERICA (ATM) – Amended Site Plan w/ Dimensional Variances; 37 Morristown Rd.; B:125, L:8, Zone: C-1; Rec'd 8/12/20; Previously heard 11/2 & 12/7/20 and 2/16 & 4/5/21; Decision deadline extended to and scheduled to be continued 10/18/21.

[Eligible to vote: Carton, English, Greenebaum, Kramer, McDowell, Sailliard, Sedlak and Slocum.]

C. Continued Application #21-06 GREGORY – Bulk Variances for New Detached Barn on Single Family Residential Lot at 130 Chapin Road, B: 3, L: 7, Zone: R-1; Received 4/29/21; Deemed complete and initially heard 9 /7/21; Scheduled to be continued 10/18/21.

[Eligible to vote: Carton, English, Greenebaum, Kramer, McDowell, Slocum and Traynor.]

D. Continued Application #19-09 OCHS – Bulk variances for residential addition and retaining wall; 180 Round Top Road, B: 81, L: 24, Zone: R-1A; Received 9/24/19; Decision required by 2/29/20. Previously heard 12/2/19 & 11/16/20; Decision deadline extended to 12/31/21; Scheduled to be continued 11/15/21.

[Eligible to vote: Greenebaum, Sailliard, Kramer, Traynor, McDowell and Slocum.]

E. Application #21-08 INCARNATO – Bulk Variances for In-ground Pool w/ Patio & Detached Shed at 7 Oak Place, B: 46, L: 17, Zone: R-2; Received 7/15/21; Deemed incomplete 9/12/21, hearing date T.B.D.

F. Application #21-09 LIOI – Bulk Variances for New Single Family Residence w/ attached garage at 19 Bodnar Street, B: 42, L: 6, Zone: R-5; Received 7/16/21; Deemed incomplete 9/16/21, hearing date T.B.D.

G. Application #21-10 LEE – Bulk Variances for New Single Family Residence w/ attached garage at 20 Pfizer Road, B: 17, L: 3, Zone: R-1; Received 7/20/21; Deemed **complete** 9/16/21; Decision required by 1/14/22; Tentatively scheduled to be heard 11/1/21.

H. Application #21-11 VIGNEAULT – Bulk Variances for (existing) In-ground Pool at 31 Garibaldi Street, B: 113, L: 10, Zone: R-5; Received 8/25/21; Pending completeness review.

8. **Executive Session:** As required.

9. **Comments from Members.**

10. Comments from Staff.

11. Adjournment: *(Next scheduled meeting: Monday, 10/4/21 – 7:30 pm.)*