

MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

April 23, 2026

The Regular Meeting of the Board of Adjustment was called to order at 7:00 PM.

It was confirmed that the meeting was being held in conformance with all regulations of the Open Public Meetings Act. Adequate notice of this meeting has been posted on the Township website and sent to the newspaper of record. The Agenda has been posted on the Township website and bulletin board at the Municipal Building at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

Roll Call:

Members present were Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Deegan, Ms. West-Augustin and Mr. Smith. William Robertson, Acting Board Attorney, was also present.

Adoption of Minutes:

March 26, 2026 Regular Meeting

A motion was made by Mr. Deegan, seconded by Mr. Delia, and carried 5-0-2 (Abstain-Mr. Sullivan, Mr. Sylvester) to adopt the minutes of the March 26, 2026 Regular Meeting as presented.

Applications for Review:

App.#26-002: GLR Property Management, LLC, 104 Cornell Ave., Block 1715, Lot 1

Proposed reconstruction of a single-family dwelling located on a corner lot to include a new second story over the existing first story, new covered entry porch, additional attached garage, two-story addition to the rear, expanded driveway, new deck and new front sidewalk. Relief is needed from Section 6.1.1B for insufficient front-yard setbacks from both Hillcrest and Cornell Avenues. A variance is also needed for exceeding the maximum permitted 15% building coverage and 25% total lot coverage. In addition, the proposed driveway exceeds the maximum permitted width of 18 feet. (R-15 Zone)

Mr. Robertson advised that the notice provided is sufficient.

August Santore, attorney for the applicant, stated that the applicant is seeking two variances for this project for building coverage and total coverage.

William Hollows, Engineer, was sworn and accepted as an expert witness. Mr. Hollows presented Exhibit A-1 – colorized version of the existing conditions plan and stated that the property is substandard for the R-15 zone. He reviewed the existing conditions and storm drainage and noted that there is currently no water run off from the property to any of the neighbors. Mr. Hollows presented Exhibit A-2 – proposed conditions. He stated that the applicant is proposing to expand to a two-car garage, adjust the driveway accordingly, and to put an addition on the rear of the house to create a second story. No trees will be removed and the impervious coverage will be 28.42%. Mr. Hollows reviewed the storm water management plan and stated that he will work with the Township Engineer on any drainage issues.

Andrew Beer, Architect, was sworn, provided his educational and professional background and was accepted as an expert witness. Mr. Beer presented Exhibit A-3 – architectural plan. He stated that the existing home is a ranch and they are proposing to add a second story addition and a second garage. Mr. Beer reviewed the proposed floor plan and stated that the home will have 4,317 square feet, five bedrooms and 4½ bathrooms.

In response to questions from the Board, Mr. Beer stated that there is an existing basement and a new basement will be added to it. The plan is that the basement will be unfinished, and the existing bathroom will be removed.

Cem Guler, partner of the applicant LLC, was sworn and stated that there is no intention to have any bedrooms in the basement.

In response to further questions, Mr. Beer stated that access to the attic will be as required by law, the attic will be unfinished, not livable space.

Mr. Beer presented Exhibit A-5 – photographs of the existing condition of the house and photographs of neighboring houses.

Open to Public

The hearing was opened to the public for questions or comments with regard to the application.

Chris Scotti, 114 Cornell Avenue, was sworn and stated that he is a licensed civil engineer in New York, and he has reviewed the application and documents that were presented. Mr. Scotti stated that all the neighbors are excited about the development of the property. Mr. Scotti questioned whether this is considered a reconstruction, remodel or complete rebuild, if taxes were considered when deciding how to do it, and if five bedrooms are necessary to bring the house up to modern standards. He stated that the streets in the area become rivers after heavy rainstorms and wants to see a detention system as a requirement.

Mr. Santore stated that the foundation and a few walls will remain, it was not considered economical to take the entire house down and taxes were not considered. His client paid a lot for the existing home and has to compete with other homes that are five-bedroom homes.

Mr. Santore stated that the applicant looked at the neighboring properties when making the plans and the house will be a nice addition to the neighborhood. The applicant will comply with all recommendations of the Township Engineer.

It was noted that it should be stipulated that when the home is sold the buyer is made aware that the maximum limits have been reached for impervious coverage. Mr. Santore stated that the applicant would agree that as a condition of approval a copy of the Resolution of approval be provided to the buyer.

In response to further questions from the Board, Mr. Beer advised that the height of the house is standard for new homes and it not out of character with the neighborhood.

Mr. Robertson reviewed the conditions of approval.

A motion was made by Mr. Coviello, seconded by Mr. Deegan, with respect to App.#26-002: GLR Property Management, LLC, 104 Cornell Ave., Block 1715, Lot 1 to approve the application with requested variances, subject to the conditions discussed and subject to the standard conditions that shall be set forth in a Resolution of Memorialization to be adopted by the Board. The roll call vote was 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Ms. West-Augustin and Mr. Deegan voting in favor and none opposed.

App.#26-004: Matthew & Jessica Shaw, 273 Chaucer Drive, Block 1002, Lot 6

Proposed construction project comprised of a second-story addition over the entire first story, expansion of the garage to a two-car garage, removal of a patio, and construction of a raised deck in the rear and a covered front porch. Variances are needed for 1) insufficient front-yard setback to the second story addition and the

proposed porch; 2) exceeding the 15% maximum permitted building coverage and 25% maximum permitted total lot coverage; 3) insufficient rear-yard setback to the proposed raised deck; 4) exceeding the maximum permitted driveway width of 18 feet. (R-15 Zone)

Mr. Robertson advised that the notice provided is sufficient.

Matthew Shaw and Jessica Shaw were sworn and stated that they are moving back to Berkeley Heights where Jessica was raised and need approval for an addition to the ranch style house. The plan is to add a second story, deck, covered front porch and second garage.

Joseph Vince, Architect, was sworn, provided his educational and professional background, and was accepted as an expert witness. Mr. Vince reviewed the plans and presented Exhibit A-1 – photographs of the existing house. He described the proposed second story addition, the expansion of the garage and the addition of a covered front porch. The house currently has four bedrooms and two bathrooms and with the addition there will still be four bedrooms and two and one-half bathrooms. Mr. Vince presented Exhibit A-2 – aerial view of the house and other houses on the street. The majority of the other houses are two story and what is proposed will be consistent with the rest of the houses in the neighborhood. Mr. Vince reviewed the variances being requested for lot size, lot width and lot depth which are all existing conditions. The existing shed and patio are being eliminated.

In response to questions from the Board, Mr. Vince stated that the total coverage will be 29.5%, the height of the deck will be less than 4' above grade, the deck will be located in place of the existing patio, and the basement will be partially finished with no bedrooms.

Mr. Vince stated his opinion that the variances can be granted without substantial detriment to the zoning plan and there will be no negative impact on the public good.

Open to Public

The hearing was opened to the public for questions or comments with regard to the application. There were no members of the public who had questions or comments.

Mr. Robertson reviewed the conditions of approval.

A motion was made by Mr. Coviello, seconded by Mr. Deegan, with respect to App.#26-004: Matthew & Jessica Shaw, 273 Chaucer Drive, Block 1002, Lot 6, to approve the application with requested variances, subject to the conditions discussed and subject to the standard conditions that shall be set forth in a Resolution of Memorialization to be adopted by the Board. The roll call vote was 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Ms. West-Augustin and Mr. Deegan voting in favor and none opposed.

Open to Public

The hearing was opened to the public for questions and comments. There were no members of the public who had questions or comments.

Adjournment:

A motion was made by Mr. Coviello, seconded by Mr. Ringwood, to adjourn the meeting. The voice vote was unanimous, and the meeting was adjourned at 8:15 PM.

Regina Giardina, Secretary Pro Tem