

# **BERNADSVILLE BOROUGH BOARD OF ADJUSTMENT ANNUAL REORGANIZATION MEETING**

## **AGENDA**

**JANUARY 16, 2024**

### **IN PERSON PUBLIC MEETING 7:30 PM**

#### **BERNARDSVILLE BOROUGH HALL**

166 Mine Brook Road (2nd Floor)

Bernardsville, NJ 07924

YouTube Live Stream for viewing access only (No public comment):

<https://www.youtube.com/@bernardsvilleboro/streams>

#### **A. CALL TO ORDER AND PUBLIC NOTICE BY BOARD ADMINISTRATIVE OFFICER**

#### **B. SWEARING IN OF NEW MEMBERS/PRESENTATION OF CREDENTIALS**

- 1) David Greenebaum, Member – Four Year Term
- 2) Mark Melillo, Alternate 3 - Two Year Term
- 3) Thomas Slocum, Alternate 1 - Two Year Term
- 4) Rich Traynor, Member – Four Year Term

#### **C. ROLL CALL**

☐ Dello Russo ☐ Greenebaum ☐ Kramer ☐ Loeffler ☐ McDowell ☐ Melillo ☐ Sailliard ☐ Sedlak  
☐ Slocum ☐ Traynor

#### **D. NOMINATIONS AND ELECTIONS**

	BOARD OFFICERS
1	Chairperson
2	Vice Chairperson

#### **E. APPOINTMENT OF PROFESSIONALS, ADMINISTRATIVE OFFICER, NEWSPAPERS AND CORRESPONDING RESOLUTIONS**

- 1) RESOLUTION NO. 2024-01  
Appointment of Board Attorney w/ Fee Schedule
- 2) RESOLUTION NO. 2024-02  
Appointment of Board Engineering Expert w/ Fee Schedule

- 3) RESOLUTION NO. 2024-03  
Appointment of Board Planning Expert w/ Fee Schedule
- 4) RESOLUTION NO. 2024-04  
Appointment of Board Administrative Officer
- 5) RESOLUTION NO. 2024-05  
Appointment of Official Newspapers for Publication

	AREA OF EXPERTISE	EXPERT	FIRM
1	Attorney	Louis P. Rago, Esq.	Louis P. Rago Law
2	Engineering Expert	Bob Brightly, PE, CME	Boswell Engineering
3	Planning Expert	John P. Szabo, Jr., PP, AICP	Burgis Associates, Inc.
4	Administrative Officer provided by Borough	Denise Filardo	Borough of Bernardsville
5	Newspapers for Publication of Legal Notices	The Bernardsville News Courier News	New Jersey Hills Media Group Gannett Co., Inc.

#### **F. DISCUSSION OF VIRTUAL VS. IN-PERSON BOARD MEETINGS FOR 2024**

#### **G. APPROVAL OF 2024 MEETING CALENDAR**

- 1) RESOLUTION NO. 2024-06  
2024 Board Meeting Calendar

### ***CONCLUSION OF ANNUAL REORGANIZATION PORTION OF MEETING AND START OF REGULAR MEETING***

#### **H. APPROVAL OF DRAFT MEETING MINUTES**

- 1) November 20, 2023  
*Eligible Members: Greenebaum, McDowell, Sailliard, Slocum, Melillo*
- 2) December 4, 2023  
*Eligible Members: Greenebaum, Kramer, McDowell, Slocum, Melillo*

#### **I. PUBLIC HEARINGS**

- 1) **LIBERTY FARM DOGS, LLC**  
21 Liberty Road  
Block 113, Lot 13  
Application No. 23-04  
Applicant is seeking Use Variance relief to operate a dog walk and dog daycare business on the subject property. *Application was deemed complete on 9/21/23. This application was scheduled to be heard on*

*1/20/23, was adjourned and carried to 12/4/23 without need for further notice. Application commenced on 12/4/23 and was continued to 1/16/24. The applicant has been speaking with the Board of Health and working to address the comments of the Board raised at its first hearing, and is requesting some additional time to fully address the open comments. As such, the Applicant has requested that the Board adjourn this application on the record at its 1/16/24 meeting until the 2/5/24 meeting without the need for further notice.*

**2) 51 BERNARDS AVE. ASSOCIATES, NJP**

51 & 53 Bernards Avenue

Block 112, Lots 6 & 7; Zone R-5

Application No. 23-02

Applicant is seeking Minor (3 lot) Subdivision w/ Variances.

Originally filed with Planning Board 11/1/22; Determined to be jurisdiction of and to be heard by Board of Adjustment. BOA application received 9/12/23. In response to letter dated 10/23/23 prepared by Board Engineer, Bob Brightly, the applicant is in the process of making plan revisions and will resubmit. Scheduled to be heard on 1/16/24.

**J. NEW BUSINESS**

**APPROVAL OF BILLS**

**K. PENDING APPLICATIONS**

**1) UPTON PYNES REAL ESTATE, LLC**

67 Ravine Lake Road,

Block 10, Lot 23; Zone R-1-10

Application No. 23-01

Applicant is seeking Preliminary & Final Major (7 lot) Subdivision w/ Use & Bulk Variances & Design Waivers; 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.*

**2) 51 BERNARDS AVE. ASSOCIATES, NJP**

51 & 53 Bernards Avenue

Block 112, Lots 6 & 7; Zone R-5

Application No. 23-02

Applicant is seeking Minor (3 lot) Subdivision w/ Variances.

Originally filed with Planning Board 11/1/22; Determined to be jurisdiction of and to be heard by Board of Adjustment. BOA application received 9/12/23. In response to letter dated 10/23/23 prepared by Board Engineer, Bob Brightly, the applicant is in the process of making plan revisions and will resubmit.

**3) RACHEL HAGER**

17 Olcott Lane

Block 36, Lot 3; Zone R-2

Application No. 23-05

Applicant is seeking variance relief to construct a detached garage accessory to the existing non-conforming dwelling.

Application received 9/22/23. Deemed incomplete 10/20/23.

**4) GREGORY TUSAR**

40 Turnbull Lane

Block 4, Lot 1; Zone R-1-10

Application No. 23-06

Applicant is seeking variance relief to construct a new barn on existing foundation of the prior barn.

Application received 9/22/23. In response to letter dated 10/30/23 prepared by Board Engineer, Bob Brightly, the applicant is in the process of making plan revisions and will resubmit.

**5) PATRICK AND REBECCA GILLARD**

70 Post Kennel Road

Block 28, Lot 2; Zone R-1

Application No. 23-07

The applicant proposes construction of an in ground swimming pool which conforms with bulk standards, building and impervious coverages. Due to the increase in impervious coverage the land disturbance is considered a minor development under the Borough's Stormwater Ordinance. The applicant is seeking relief for the proposed disturbance of steep slopes at 40.77% where the ordinance permits a maximum of 20%.

**L. COMMUNICATIONS**

None.

**M. EXECUTIVE SESSION – as needed.**

**N. ADJOURNMENT**

*Next scheduled meeting will be held on Monday, February 5th at 7:30pm*