MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

September 24, 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. Pereda, Ms. West-Augustin, Mr. Deegan and Mr. Smith. Amanda Wolfe, Board Attorney, was also present.

Adoption of Minutes:

August 27, 2026 Regular Meeting

A motion was made by Mr. Ringwood, seconded by Mr. Pereda, and carried 6-0-3 (Abstain-Mr. Sullivan, Mr. Sylvester, Ms. West-Augustin) to adopt the minutes of the August 27, 2026 Regular Meeting as presented.

Adoption of Resolution:

App.#26-008: Todd Schroeder, 90 Delmore Ave., Block 401, Lot 37 (R-15 Zone)
Proposed construction of a new portico over the existing masonry porch (9' x 5' one story high) with handrail. A variance is needed for insufficient front yard setback.

A motion was made by Mr. Coviello, seconded by Mr. Deegan, to adopt the above Resolution. The roll call vote was 6-0 with Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Pereda, Mr. Deegan and Mr. Smith voting in favor.

Request for Extension of Approval:

App.#23-0017: Andrew Groff, 22 Twin Falls Road, Block 4502, Lot 3 (R-20 Zone)

Request for extension of variance relief previously granted. This matter was heard by the Board on February 29, 2024, and variances were granted in a memorializing resolution adopted by the Board on March 28, 2024.

Mr. Sullivan advised that the applicant is requesting an extension through March 2027. Discussion took place and the consensus of the Board was in favor of granting the extension until July 1, 2027.

A motion was made by Ms. West-Augustin, seconded by Mr. Pereda, with respect to App.#23-0017: Andrew Groff, 22 Twin Falls Road, Block 4502, Lot 3 (R-20 Zone) to grant an extension of variance relief through July 1, 2027. The roll call vote was 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda and Ms. West-Augustin voting in favor and none opposed.

Consideration of Resolution:

Resolution memorializing the action taken by the Board on September 24, 2026, pertaining to the request for extension of approval referenced above.

A motion was made by Mr. Coviello, seconded by Mr. Ringwood, to adopt the above Resolution. The roll call vote was 7-0 with Mr. Sullivan, Mr. Coviello, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda and Ms. West-Augustin voting in favor.

New Applications for Review:

App.#26-009: Chelsea Kameny, 24 Webster Drive, Block 2101, Lot 5 (R-15 Zone)

The property owner is seeking approval to operate a home-based cottage food business specializing in small-batch baked goods (primarily cookies and custom cakes) out of the home's existing kitchen in compliance with the New Jersey Department of Health Cottage Food Regulations. Relief is needed from Section 6.3.1.A & B of the zoning ordinance because a home baking business is not a permitted use in the R-15 Zone.

Chelsea Kameny was sworn and stated that she is seeking a variance to sell baked goods out of her home. She will apply for a license from the State after approval by Berkeley Heights.

In response to questions from the Board, Ms. Kameny stated that there are no changes planned to be made to her kitchen or home. There is no inspection required but she will be certified in food safety. Mr. Kameny further stated that the business will be pick-up on Saturdays only and there will be no deliveries or shipping. There will not be any signage or lighting on her home. The products will include cakes, cookies and other baked goods. No special refrigerator or freezer will be required, the business is permitted to only make $50,000 per year out of the home kitchen and the Berkeley Heights health department does not require inspection but a food safety certification is required.

Open to Public

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

Mr. Wolfe reviewed the conditions of approval.

A motion was made by Mr. Delia, seconded by Mr. Pereda, with respect to App.# 26-009: Chelsea Kameny, 24 Webster Drive, Block 2101, Lot 5 (R-15 Zone) 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, Mr. Pereda and Ms. West-Augustin voting in favor and none opposed.

Board Discussion:

2025 Annual Report

Mr. Wolfe reviewed the 2025 Annual Report and recommendations.

Discussion took place regarding the ordinance as to extensions. It was noted that requests for extensions should be made before the expiration of the approval and that three one-year extensions may be granted.

Ms. Wolfe summarized the recommendations of the Board.

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. Delia, seconded by Mr. Ringwood, to adjourn the meeting. The voice vote was unanimous, and the meeting was adjourned at 7:35 PM.

Regina Giardina, Secretary Pro Tem