MINUTES

BOARD OF ADJUSTMENT

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

October 22, 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. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, Ms. West-Augustin (7:05), and Mr. Deegan. Amanda Wolfe, Board Attorney, was also present.

Adoption of Minutes:

September 24, 2026 Regular Meeting

A motion was made by Mr. Ringwood, seconded by Mr. Pereda, and carried 6-0 to adopt the minutes of the September 24, 2026 Regular Meeting as presented.

Ms. West-Augustin arrived at the meeting approximately 7:02.

Adoption of Resolution:

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.

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A motion was made by Mr. Sylvester, seconded by Mr. Delia, to adopt the above Resolution. The roll call vote was 6-0 with Mr. Sullivan, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda and Ms. West-Augustin voting in favor.

Request for Extension of Approval:

App.#25-017: Theodore and Shakira Czapla, 227 Chaucer Dr., Bl. 1002, L.13
Request for variance relief previously granted. The application was heard by the Board on November 13, 2025, and variances were granted in a memorializing resolution adopted by the Board on December 11, 2025. Variance relief expires December 2026.

Ms. Wolfe advised that this would be a one-year extension. Discussion took place and the consensus of the Board was in favor of granting the extension.

A motion was made by Mr. Ringwood, seconded by Mr. Delia, with respect to App.# 25-017: Theodore and Shakira Czapla, 227 Chaucer Dr., Bl. 1002, L.13 to grant an extension of variance relief through December 2027. The roll call vote was 7-0 with Mr. Sullivan, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, Ms. West-Augustin and Mr. Deegan voting in favor and none opposed.

Consideration of Resolution:
Resolution memorializing the action taken by the Board on October 22, 2026 pertaining to the request for extension of approval referenced above.

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

New Applications for Review:

App.#26-011: Cecil & Alina Joshi, 98 Briarwood Dr. W., Bl. 1404, L. 4 (R-15 Zone)
Proposed additions consisting of second story over existing garage, one story addition to the rear of the house, two story addition behind existing covered porch, raised rear yard patio. A storage shed (100 sq. ft.) is also proposed. Relief is needed from Section 6.1.1B. of the zoning ordinance for insufficient front yard and combined side yard setbacks. A variance is also required for exceeding the maximum permitted building coverage and total lot coverage percentages of 15% and 25%, respectively.

Cecil Joshi and Alina Joshi were sworn and described the proposed additions to their house to make it more functional. Mrs. Joshi presented Exhibit A-1 – three pages of photographs showing the views of the home and property. Mr. Joshi reviewed the variances required including front yard setback, side yard setback, building coverage and total lot coverage. He stated that there will be no increase in the number of bedrooms, the garage will remain the same, no trees will be removed and a dry well system will be installed if needed.

In response to questions from the Board, Mr. Joshi stated that the home will remain as a single family house with one kitchen, exterior materials will be vinyl siding and the four sides will match. He further stated that they will consult with the Township Engineer and install a dry well if needed and there are no plans to use any part of the house as a home office.

Mr. Sullivan noted that the applicant might consider constructing a deck instead of a concrete patio in order to reduce the impervious coverage and provide a greater area for recreational purposes.

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 Ms. West-Augustin, seconded by Mr. Pereda, with respect to App#26-011: Cecil & Alina Joshi, 98 Briarwood Dr. W., Bl. 1404, L. 4 (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. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, 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.

Joe Iadanza asked if the Board would be providing information to the public following the Executive Session.

Ms. Wolfe advised that information regarding the Execution Session will be released at a later date.

Adoption of Resolution to enter into Executive Session

Executive Session:
Discussion of Pending Litigation: Berkeley Heights 713 Realty, LLC vs. Berkeley Heights Zoning Board of Adjustment – UNN L-004222-26

A motion was made by Mr. Ringwood, seconded by Mr. Sylvester, to enter into Executive Session at 7:25 pm. The roll call vote was 7-0 with Mr. Sullivan, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, Ms. West-Augustin and Mr. Deegan voting in favor and none opposed.

Return to Public Session

A motion was made by Mr. Ringwood, seconded by Mr. Delia, to return to Public Session at 7:34 pm. The roll call vote was 7-0 with Mr. Sullivan, Mr. Delia, Mr. Ringwood, Mr. Sylvester, Mr. Pereda, Ms. West-Augustin and Mr. Deegan voting in favor and none opposed.

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

Regina Giardina, Secretary Pro Tem