

A Meeting of the **BERKELEY TOWNSHIP Board of Adjustment** was held Wednesday, May 12, 2010 at 7:00P.M at the Municipal Building, 627 Pinewald Keswick Road, Bayville, New Jersey.

Roll Call, Present were Vice Chairperson Marlana Mastriano, Lynn Hansen, James Byrnes, Richard Elliott, Howard Saloom, James Fulcomer and Cathy Demand. Also in attendance were Edward Liston Esq., Board Attorney, Donna DeRedo, Certified Board Reporter and Patricia A. Osborne, Board Secretary.

Madam Chairperson Mastriano led the Flag Salute and read the public announcements.

Mr. Liston swore in Mr. Michael Swartz as new alternate member #4, for an unexpired 2 year term beginning 12/2010.

Approval of Vouchers:

Professional Services for Edward Liston, Esq \$ 1,434.13
Professional Services for CME Associates \$ 4,965.00
Motion to approve vouchers made Ms. Hansen, seconded by Ms. Demand, motion carried.

Mr. Schwartz, Mr. Byrnes, Mr. Fulcomer and Mr. Elliott abstained from vote.

Reimbursement of Escrow funds for Peter & Cathy Bimbi BOA# 09-5268
Amount of :.....\$60.00

Motion to approve made by Mr. Fulcomer, seconded by Mr. Elliott, motion carried.

AGENDA:

1. Jerman **BOA#09-5291**

Variance(s) requested: Bulk Variance
Project: Single Family dwelling on an Undersized Lot
Block(s): 527 **Lot(s):** 15 & 17
Address: Maryland Ave. **Zone:** R-125
Denial Reads: The applicant proposed to construct a single-family dwelling on a 10,000s.f. lot where 12,500s.f. is required.

Request to carry to June 23, 2010.

2. Jerman **BOA # 09-5272**

Variance requested: Bulk Variance
Project: Single family dwelling on an Undersized Lot
Block: 509 Lot(s): 11
Address: Roosevelt Ave.
Denial Reads: The applicant proposes to construct a single-family dwelling on the 5,500s.f. lot where 12,500s.f. is required with a 50ft lot frontage where 100 feet is required, 20ft. combined side yard setback where 25ft. is required, and a 24ft. rear yard setback where 30 ft is required.

Request to carry to June 23, 2010.

Motion to approve both requests made by Mr. Fulcomer, seconded by Mr. Byrnes, motion carried.
Mr. Schwartz abstained from vote.

Resolution for Approval:

*Metro PCS New York/565 Northern Blvd. Bk: 264 Lot(s): 1 thru 15 BOA10-5305
Use Variance/Preliminary and Final Site Plan Approval.*

Motion to approve made by Mr. Fulcomer, seconded by Ms Hansen, motion carried.

Mr. Byrnes abstained; also Mr. Schwartz abstained from the vote.

New/Old Business

Mr. Elliott request that Board Engineer provide Board members site maps, site addresses and aerial photo of applicants site with each application.

Mr. Fulcomer requesting status of the appeal of Jerman case.

Mr. Liston informed the Board that the appeal has been filed; the court will conduct a conference, up to six months to be heard by the state, Mr. Jerman cannot proceed with application.

Motion to adjourn meeting made by Mr. Fulcomer, seconded by Mr. Elliott, motion carried.

Respectfully submitted,

*Patricia A. Osborne
Board Secretary*

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