

Township Of Chatham Zoning Board of Adjustment  
Reorganization/Regular Meeting January 21, 2016

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Mr. Vivona called the Reorganization Meeting to Order at 7:30 P.M with the reading of the Open Public Meetings Act

**Roll call:**

Mr. Tony Vivona	Mr. Weston	Mr. William Styple	Mrs. Romano
Mr. Richard Williams	Mr. Borsinger	Mr. Newman	Mr. Hyland

Mr. Weston was absent.

Mr. Shaw administrated the Oath of Office to: Mr. Williams – Mr. Hyland – Mr. Newman

**Reorganization of the Board**

Mr. Shaw - next order of Business is election of Temporary Chairperson for the reorganization meeting.

A motion was made by Mr. Vivona and seconded Mr. Williams to nominate Mrs. Romano as Temporary Chairperson - All in favor.

Mrs. Romano asked for a nomination for Chairman of the Board.

Mr. Williams nominated Mr. Vivona as Chairman which was seconded by Mrs. Romano -All in Favor

Mr. Vivona then asked for a nomination for Vice Chairperson.

Mr. Styple nominated Mr. Weston as Vice Chairman which was seconded by Mr. Williams  
All in favor

**Resolutions for Board Appointments:**

- **Board Counsel** Stephen Shaw.  
Motion was made by Mr. Borsinger seconded by Mrs. Romano
- **Consultant Engineer** John Ruschke, Hatch Mott McDonald  
Motion was made by Mr. Williams seconded by Mr. Styple
- **Planning Consultant** Robert Michaels  
Motion was made by Mr. Williams seconded by Mr. Borsinger
- **Cellular Telecommunication Engineers** Mr. Einstein  
Motion by Mr. Borsinger seconded by Mr. Williams
- **Acoustical Engineers** Norman. Dotti  
Motion was made by Mr. Williams seconded by Mr. Borsinger
- **Board Secretary** Kali Tsimboukis  
Motion was made By Mr. Williams seconded by Mr. Vivona
- **Board/Recording Secretary** Mary Ann Fasano  
Motion was made by Mr. Williams seconded by Mrs. Romano
- **Establishing Meeting Schedule**  
Motion was made by Mr. Williams seconded by Mr. Borsinger
- **Designating Newspaper** Chatham Courier and Morris County Daily Record  
Motion was made by Mr. Williams seconded by Mr. Styple

**Minutes: October 29<sup>th</sup>, November 19 th, 2015.** Motion was made by Mr. Borsinger seconded by Mr. Williams. All in favor;

**Transcript of December 10, 2015.** Motion was made by Mr. Williams seconded by Mr. Style. All in favor.

**New York SMSA d/b/a  
Verizon Wireless**  
Pine Street  
Block 83 Lot 3

**Calendar BOA 15-83-3**

**Requested to be carried to February 10th special meeting.**

**Golden River Homes, Llc**  
11 Sunset Drive  
Block: 61 Lot: 16.

**Calendar BOA 14-61-16**

Mr. Vivona commented on questions raised regarding the lot grading process. He asked Mr. Ruschke for his comments.

Mr. Ruschke said he had reviewed comments from the last meeting. He noted that the plans presented were done in accordance with Township requirements. We do not usually require what has been suggested for a single family residence. He addressed such things as test pits, dry wells, landscaping permits for lot grading plans and conditions that should be included in any Resolution..

Mr. Mills, attorney for Mr. Haslip, neighbor living at 5 Sunset Drive commented on the lot challenges. There are 7 variances required all driven by the house proposed. The house was market driven – a signature home of approx. 7,000 sf. (including basement). He noted that economics was not a basis for variances requested. The proposed home was 38.5 ft. in height along with the retaining wall in the rear causes the view from the back to be towering. He cited Bestan vs Gash regarding the drywells and Wilson vs Brick Twp. in reference to visual impact.

Mr. Robert Simon representing Folie and Trojaroski pointed out the house was over 7,000 sf consisting of 8 bathrooms, 5 bedrooms. The lot is steeply sloped . He compared what is proposed to what exists in the neighborhood. He addressed the information given to the Board by Mr. Miller and the effect the proposed engineering/grading plans would have on the surrounding properties.

Mr. DeAngelis discussed what was proposed. He noted the variances were driven by the steep slopes. The application complies with all setback requirements. If additional plans are needed for discharge pits the applicant has no problem with complying. Regarding tree protection Mr. Murphy has addressed those questions.

After some discussion Mr. Hyland made a motion to approve the application with conditions discussed, seconded by Mr. Williams.

	Roll Call:
Recused -	Mr. Weston
In favor -	Mr. Hyland Mr. Williams
Opposed -	Mr. Vivona, Mrs. Romano, Mr. Style, Mr. Borsinger

A motion was then made by Mr. Borsinger seconded Mrs. Romano to deny the application with conditions discussed

	Roll Call:
Recused -	Mr. Weston
Opposed -	Mr. Hyland Mr. Williams
In favor -	Mr. Vivona, Mrs. Romano, Mr. Styple, Mr. Borsinger

**Greg& Laura Sutton**  
15 Country Club Drive  
Block 102.02 Lot18.

**Calendar BOA 15-89-4**

Mrs. Maria DeCosmo, Architect

Mr. Vivona – recused

Mrs. Cosmo gave a brief overview of the application pointing out the dimensions of the proposed porch/deck. She noted the variance request was for maximum coverage to install a screened in porch. The existing deck will be replaced by a smaller deck which would be attached to the proposed porch... The property is close to the Great Swamp and the proposed porch will be screened in to protect them from the mosquitos/bugs and allow them to enjoy the outdoors. .

Application carried to February 18<sup>th</sup> meeting with a site visit scheduled for February 6<sup>th</sup> at 9 am

**Mrs. Sheehan**  
15 Falmouth Road  
Block 89 Lot 4.

**Calendar BOA 15-62-88.1**

Mr. Sheehan said a request is being made for a rear yard setback. 45 ft. is required 44.6 is existing and 38.5 ft. is proposed. He also noted that the side yard setback was required 15 but only 11.35 ft existing What is proposed is a modest size deck and only for the use of a grill and eating area. There is fencing in place as well as screening. Proposed deck extension will not stick out any further than the neighboring property.

Application carried to February 18<sup>th</sup> meeting with a site visit scheduled for February 6<sup>th</sup> at 9:30 am

**VIKAS KAPOOR/SABINA ARBOL**  
2 Kincaid Lane,  
Block 62 Lot 88.1

**Calendar Boa 15-54-13**

Jeff Egarian sworn in. Mr. Egarian said the applicant was before the Board seeking variance to construct a pool in his back yard which is essentially a steep slope area. The slope of the property presents a hardship for this construction. What has been proposed and is placed, from safety point of view, in the best area of the property. The area of the pool being installed is also best for the landscape design. Storm water will not be affected as it will discharge on both sides of the houses. The area disturbed will be restored. Over all what is proposed will benefit the property.

Application carried to February 18<sup>th</sup> meeting with a site visit scheduled for February 6<sup>th</sup> at 10 am

**Mr. Robert Lyon**

20 Chestnut Road  
Block: 54 Lot: 13.

Mr. Lyon said he had submitted revised plans showing his proposed deck. Due to the slope of the property the deck would be elevated with 13-14 steps to the ground. He noted that the rear yard is very shaded and the deck is proposed to a level where there would be more sunlight.

After the plans had been reviewed a question was raised by Mr. Borsinger where he questioned the possibility of lessening the steps, thereby lowering the deck. Mr. Newman thought that because of the window placement that would not be feasible.

Mrs. Romano asked if the deck would just have a grill along with table and chairs and was advised that was the intent.

Mr. Courier, owner of the home at 25 Mountain View Road, to the rear of the proposed project again voiced his concerns regarding privacy and the close proximity of this deck to his property, and asked for a lattice type screening.

Screening was discussed. Applicant agreed to plant evergreens along the rear of his property and a visual screen barrier on top of the deck.

Mr. Vivona asked if there were any other question/comments from the Board/Public.  
None Heard.

Mr. Williams made a motion to approve the application with the conditions as discussed. Mr. Style seconded. All in Favor

Mr. Lyons was advised the Resolution of Approval would be read at the February 18<sup>th</sup> meeting.

Mr. Vivona advised that the Board would be going into Executive Session to discuss  
**Resolution:** 2016-010 - concerning the New Cingular Buxton Water Tower litigation.

Mr. Vivona re-opened the Regular meeting. He asked if there was any further business. There being none he called for motion to adjourn.

Motion to Adjourn - All in favor

Respectfully submitted:

Mary Ann Fasano  
Transcribing Secretary

