

*TOWNSHIP OF CHATHAM ZONING
REGULAR MEETING MINUTES*

*BOARD OF ADJUSTMENT
MAY 17, 2018*

Mr. Vivona called the Regular Meeting of the Zoning Board of Adjustment to order at 7:30pm with the reading of the Open Public Meetings Act.

Roll Call

Answering present to the roll call were Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Borsinger, Mr. Hyland, Ms. Labadie and Mr. Fitt. Mr. Styple and Mr. Newman were absent.

Approval of Minutes

Mr. Williams made a motion to approve the minutes from the April 19, 2018 meeting. Mr. Weston seconded the motion. All board members were in favor of the motion.

Memorialization

Verizon Wireless
Spring Street
Block: 105, Lot: 5

Calendar BOA 18-105-5

A motion was made by Mr. Williams to adopt the Resolution as submitted, seconded by Mr. Fitt.
Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Borsinger, Mr. Hyland, Ms. Labadie and Mr. Fitt. All in favor.

Mark & Jill Novara
2 Robert Drive
Block: 102.01 Lot: 3

Calendar BOA 18-102.01-3

A motion was made by Mr. Williams to adopt the Resolution as submitted, seconded by Ms. Labadie.
Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Borsinger, Mr. Hyland, Ms. Labadie and Mr. Fitt. All in favor.

Hearings

Todd Decker
44 Woodlawn Drive
Block: 52 Lot: 2

Calendar BOA 17-52-2

The Site Visit report from May 5, 2018 was read into the record by Mr. Borsinger.

Mr. Van Lenten, applicant's architect, stated that this is currently a three story house and applicants' are requesting a renovation / addition to the first floor with a larger porch, basement reno and an addition to the top floor. The proposed changes are within the 35 foot height restriction. Mr. Van Lenten stated that the roof peak is 5 to 6 feet higher than neighboring home.

Mr. Borsinger questioned the pitch of the roof and Mr. Van Lenten stated that the roof pitch was kept shallower to keep the height down.

Mr. Vivona stated that this is an active neighborhood and there are no neighbors in opposition to this

application. Mr. Vivona stated that many houses in the neighborhood are rebuilt.

Mr. Van Lenten stated that this application proposes a modest sized house with modest size rooms.

Mr. Borsinger questioned the height being 5 to 6 feet higher than neighbor and couldn't justify with floor height calculation.

Mr. Nollstadt, Township Engineer, stated that there were no issues with this application. There will be a minor increase in impervious coverage and the applicant will need to address DEP per the Engineering review memo.

Mr. Vivona questioned how much closed to the front of the property this addition would be.

Mr. Van Lenten stated that the addition would be 2 feet closed but within the front yard setback. Mr. Van Lenten also confirmed that the application was maintaining the existing non-conforming side yard setback.

Mr. Vivona questioned the height and Mr. Van Lenten stated that the height is proposed at 34 feet 6 inches.

The meeting was opened to the public and Mr. Scott Herchick from 43 Woodlawn Drive spoke in favor of the application.

Mr. Weston stated that he is supportive of renovating existing homes instead of knock down and rebuild.

Mr. Borsinger made a motion to approve the variances as requested. Mr. Weston seconded the motion. Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Borsinger, Mr. Hyland, Ms. Labadie and Mr. Fitt were in favor of the motion.

Golden River Homes

11 Sunset Drive
Block: 61 Lot: 16

Calendar BOA 17-61-16

Mr. Weston is recused from this application.

Applicant has provided two additional reports. One report addressed trees and the other is an Engineering report by Murphy and Hollows.

Mr. Hollows reviewed changes made and submitted in the new report. These changes include:

- Reduced size of the house by 2 feet.
- Inset garage doors which removed two grading variances previously requested
- Split the dry well between the driveway area and the rear of the house
- Soil testing and borings done for the dry well systems

Mr. Hollows stated that the only variances currently needed would be for steep slope.

Mr. Wolfson, attorney for the applicant, and Mr. Hollows addressed a letter received from Princeton

Hydro. Mr. Wolfson stated that the applicant would agree to Conditions #1 thru 5 in the letter. In addition the Title record will note the requirement for maintenance of the dry wells.

Mr. Simon, objector attorney for Ms. Foley, stated that the applicant has been very responsive.

Mr. Wolfson and Mr. Hollows reviewed conditions of the Engineering memo dated 4/18/18. Mr. Hollows has addressed concerns of the Engineer and stated that the applicant will comply with all conditions noted.

Mr. Chauvette, architect for the applicant, reviewed the front, rear and side elevations for the proposed home. Foundation Plan, first floor plan and second floor plan were also reviewed. The proposed home is 4,396 square feet and has been significantly reduced in size since original application. Mr. Chauvette stated that all coverages and setbacks meet zoning guidelines and no variances are needed except for steep slope disturbance.

Mr. Vivona questioned the height of the building.

Mr. Chauvette stated that the height will be 34 feet and 6 inches.

Mr. Vivona warned the applicant to be very careful because the height is close to the height restriction.

Mr. Shaw asked if spot elevations would be done.

Mr. Chauvette stated that spot elevations would be done if required.

Mr. Borsinger noted that changing grading could change the calculation for building height and might cause a problem.

Mr. Phillips, Planner for the Applicant, stated that only steep slope variances were needed and all other variances have been eliminated. Mr. Phillips stated that the amount of steep slopes and the location of steep slopes on this property created a hardship. It would be impossible to build and comply with restrictions. Disturbance in the steepest slopes are co-mingled with lesser slopes and cannot be reduced or avoided. Mr. Phillips stated that that there are unique conditions which warrant a hardship and does not set a precedent.

Mr. Nollstadt stated that the applicant did a good job reducing the variances requested.

Mr. Vivona stated that the applicant did a good job appeasing the Board and the neighbors.

Mr. Hyland made a motion to approve the variances as requested. Mr. Williams seconded the motion. Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Borsinger, Mr. Hyland, Ms. Labadie and Mr. Fitt were in favor of the motion.

With no other business before the Zoning Board of Adjustment, Mr. Williams moved to adjourn the meeting, Mr. Hyland seconded the motion, and it carried unanimously.

Meg Smith
Zoning Board Secretary