

*TOWNSHIP OF CHATHAM ZONING
REGULAR MEETING MINUTES*

*BOARD OF ADJUSTMENT
JULY 19, 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. Hyland, Mr. Newman, and Ms. Labadie. Mr. Styple, Mr. Borsinger, and Mr. Fitt were absent.

Approval of Minutes

Mr. Williams made a motion to approve the minutes from the June 21, 2018 meeting. Mr. Newman seconded the motion. All board members were in favor of the motion.

Withdrawal of Applications

Gerald Ellner, LLC
81 Highland Avenue
Block: 52 Lot: 2

Calendar BOA 18-69-40

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

Verizon Wireless at Southern Blvd
Southern Boulevard
Block: 48.14 Lot: 110

Calendar BOA 15-48.14-110

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

Hearings

St. Hubert's Animal Welfare Center
575 Woodlawn Avenue
Block: 152 Lot: 4.01

Calendar BOA 18-142-4.01

Ms. Curley, attorney for the applicant, stated that St. Hubert's Animal Welfare Center is requesting amended site plan approval for a smaller shelter than originally approved and for the addition of a canopy. This change would require a front yard setback variance for the canopy.

James Dennison, Facilities Director for St. Hubert's, stated that this organization is running as a 501C3, non-profit organization. It was established in 1939 and operates as an animal rescue and training center. He stated that the structure proposed is needed to provide outdoor shelter for the animals in rain, sun or snow.

There is a 100 foot front yard requirement and 51 feet is proposed with this canopy.

Mr. Vivona questioned if there would be any electric proposed with this canopy. Mr. Dennison stated that there would be no electric.

Mr. Nollstadt, Township Engineer, questioned whether there would be a gate. Mr. Dennison explained that there would be a fence dividing the canopy between small and large dogs and that there would be a gate in the middle of the canopy.

Mr. Schommer, Engineer and Planner for the applicant, described the Welfare Center as approximately 15 acres. He stated that the proposed canopy is an open structure with grass and stone underneath. Mr. Schommer stated that setbacks are usually required to separate properties and provide distance. He stated that this is a very large property with no neighboring structures.

Mr. Schommer stated that St. Hubert's provides a service and a public benefit and that they want to continue and improve the services provided. Mr. Schommer stated that the setback proposed is already in use.

Mr. Schommer stated that there have been no neighbors impacted, that there is no negative impact to the community and no substantial detriment. He stated that this open structure had nominal visual impact.

Mr. Vivona questioned the color of the roof of the structure as shown in the plans provided and questioned whether the structure would be blue.

Mr. Dennison was not sure but would confirm color and request a more neutral color.

Mr. Vivona questioned if the canopy had to be placed in this location.

Mr. Schommer stated that there was some other available space but it was across the driveway and was not accessible to the existing building. This canopy is proposed next to the existing building.

A site visit was scheduled for Saturday, August 4, 2018 at 9:00am.

Patrice Penda
44 Meyersville Road
Block: 55 Lot: 5

Calendar BOA 18-55-5

The site visit report was read into the record by Mr. Vivona.

Mr. Shaw stated that it had been determined that the structure proposed is 3 ½ stories.

Mr. Vivona stated that a 3 ½ story structure is not allowed and only one has been approved in his many years on the board. Mr. Vivona stated that there are several neighbors with concerns regarding this application and that the applicant must revise the plans to bring the height down and suggested lowering the ceiling or changing the roof pitch.

Mr. Shaw questioned whether the applicant had considered any other plan to reduce the number of variances being requested.

Mr. Ekshian, architect for the applicant, stated that the applicant considered re-grading the property but this was not feasible. Mr. Ekshian stated that the roof pitch could be lowered by several feet but this would not change the view of the property from the rear by much.

Mr. Vivona stated that this is a common issue on sloped lots. While the front looks like 2 stories, the side and rear of the structure looks massive.

Mr. Shaw stated that from 3 angles, this property looks like 3 ½ stories. Mr. Shaw questioned whether this application can be re-designed to be 3 stories instead of 3 ½ stories.

Mr. Penda questioned if it was only the rear view which was a concern.

Mr. Shaw stated that the concern was also the sides of the structure due to the neighbor's view and any negative impact.

Mr. Vivona questioned and the applicant confirmed that the current plan was to tear down to the foundation and re-use the foundation for the new structure.

Mr. Shaw questioned if something different or better could be built without using the existing foundation.

Mr. Penda stated that they want to keep the existing foundation because it was more cost effective.

Mr. Newman suggested removing the attic and joists and changing to an 8 foot ceiling on the first floor.

Mr. Shaw suggested that the applicant try to incorporate the boards ideas and design something that is not 3 ½ stories. Mr. Shaw stated that these revised plans must be submitted at least 10 days prior to the next meeting.

Ms. Labadie questioned the proposed square footage of the new home.

Mr. Ekshian stated that each of the 1st and 2nd floors were 1,447 feet and including the garage the total square footage was 4,282.

Mr. Penda stated that he would not be available for the next meeting which was scheduled for August 23rd and asked for this application to be carried to the following meeting on September 20th.

Mr. Shaw announced this application to be carried to the September 20th meeting without further legal notice.

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