

*TOWNSHIP OF CHATHAM ZONING
REGULAR MEETING MINUTES*

*BOARD OF ADJUSTMENT
SEPTEMBER 14, 2017*

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. Styple, Mr. Borsinger, and Mr. Newman. Mrs. Romano and Mr. Hyland were absent.

Approval of Minutes

Mr. Borsinger made a motion to approve the minutes from the August 9, 2017 and August 29, 2017 meetings. Mr. Newman seconded the motion. All board members were in favor of the motion.

Memorialization

Caufield

312 Lafayette Avenue
Block: 106 Lot: 14

Calendar BOA 17-106-14

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

Hearings

Brittany & Eric Brodsky

6 Whitman Drive
Block: 74 Lot: 31

Calendar BOA 17-74-31

Applicants, Eric & Brittany Brodsky, are proposing a two story addition in the rear of the existing home and a new garage. A side yard setback variance is being requested for the new garage where 9 feet is proposed and 15 feet is required. Applicants stated that this is an undersized lot and the house is off center and at an angle.

Mr. Vivona asked if the neighbor on the garage side of the property had stated any concerns.

Mr. Brodsky stated that they have been in touch with the neighbor and that they were not opposed to the new garage and renovation. Mr. Brodsky also stated that the neighbor was recently granted a variance for a similar renovation.

Mr. Brodsky stated that they were currently working on a drainage plan required by Engineering review. A drywell is currently planned in the front yard.

Mr. Borsinger questioned the fence shown on the plans.

Mr. Brodsky stated that this was an existing fence. It is located on the property line on one side and in a little from the property line on the other side.

Site Visit was scheduled for Saturday, October 7, 2017 at 9:30am.

This application will be carried to the October 11, 2017 meeting without further notice.

Anthony Marone
12 Spring Street
Block: 106 Lot: 11

Calendar BOA 17-106-11

The site visit was read into the record by Mr. Williams.

Mr. Marone, applicant and owner of new construction at 12 Spring Street, explained that he had discussed several options with neighbor regarding continuing the retaining wall approximately 20 feet. Mr. Marone stated that he proposes installing a fence on top of the retaining wall that would not exceed 6 feet in height.

Mr. Ruschke questioned the nature of the fence.

Mr. Marone stated that it would be a solid fence but the material has not been decided.

Mr. Williams questioned whether shrubs were discussed with neighbor.

Mr. Timmes, neighbor to the applicant, stated that the fence would hide the driveway which was his main concern.

Mr. Marone stated that landscaping would be added along the driveway by the fence.

Mr. Ruschke explained that lot grading issues still needed to be addressed but he had no other concerns with this application.

A motion was made by Mr. Williams to grant the variances requested, seconded by Mr. Borsinger.

Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Styple, Mr. Borsinger, and Mr. Newman. All in favor

Ken Malian for 6 Glenmere Drive LLC
6 Glenmere Drive
Block: 48.04 Lot: 39

Calendar BOA 17-48.04-39

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

Mr. Sheehan, attorney for the applicant, stated that this application proposes a reconstruction with additions to an existing structure instead of a knock down. Per the Township Engineer report, seven variances are needed to complete the reconstruction proposed – five new variances and two for existing non-conforming structure.

Mr. Sheehan stated that stairs on the rear deck were relocated to an allowable location eliminating the need for one of the variances previously requested.

Mr. Sheehan introduced Mr. Moran, managing director of 6 Glenmere Drive, LLC, and explained that Mr.

Moran looks for properties with opportunity and unique features. Mr. Moran stated that Chatham Township is one on the top towns in NJ and this property provides a design challenge with its topography and its lot size.

Mr. Moran stated that the slope of the property changes by 20 feet around the property.

Mr. Sheehan asked Mr. Moran to address the Board's concern regarding removal of the Leyland Cypress trees. Mr. Moran stated that the Leyland Cypress trees will be kept and additional Leyland Cypress trees will be added as replacement vegetation.

Mr. Borsinger questioned existing coverage vs. proposed coverage.

Mr. Sheehan stated that coverage would be addressed by the applicant's Engineer.

Mr. D'Agostino, architect for the applicant, stated that this property is a corner lot with 2 front yards. The existing property is overgrown and has not been maintained. Mr. D'Agostino stated that the variances requested for this reconstruction do not exacerbate current conditions.

Mr. Moran explained that two of the variances, one for front yard and one for rear yard are only needed for a matter of inches and that these variances are not visible off site. Mr. Moran stated that the front yard variance is caused by a decorative pillar and the rear yard variance is necessary for safety purposes when exiting from the rear deck.

Mr. Hollows, Engineer for the applicant, stated that the existing structure on this property is approximately 2,000 square feet and the proposed structure will be 5,136 square feet. Mr. Hollows stated that the footprint and the size of the structure will be doubling.

Mr. Hollows stated that dry wells are proposed for drainage.

Mr. Williams questioned why variances for approximately 6 inches were necessary.

Mr. Sheehan stated that these variances were needed for architectural details and for the aesthetic look desired by the owner. Mr. Sheehan stated that there was no detriment with the variances and that they were not visible from off site.

Mr. Vivona explained that 2 of the variances needed were existing non-conforming and several of the variances were for decorative corners. He stated that the applicant will be removing the existing white fence and vegetation and replacing it with Leland Cypress trees as a natural barrier. Mr. Vivona stated that the large tree by the driveway would have to be removed and that the playground area would become lawn.

Mr. Ruschke stated that there were several encroachments up to 3 feet for chimney and bay windows which were allowable. Architectural detail could also be allowed.

Mr. Vivona stated that he believed that this property was due for an upgrade and that he believed that these plans proposed a nice addition.

Mr. Ruschke stated that a lot grading plan will be required. He also stated a concern that the applicant was very close to the 500 foot threshold for steep slope disturbance. If the allowable limits of

disturbance are exceeded, the applicant will receive a summons and may have to return to the Board.

Mr. Sheehan requested to amend this application for development to include steep slope disturbance not to exceed 750 square feet.

Mr. Ruschke requested a stipulation that the Leland Cypress trees be planted / replanted by hand. He advised that a silt fence must be installed prior to disturbance. Mr. Ruschke stated that this was a modest disturbance which he believed was appropriate to make this project buildable.

A motion was made by Mr. Williams to grant the variances requested, seconded by Mr. Newman.
Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Styple, Mr. Borsinger, and Mr. Newman. All in favor.

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

Meg Smith
Zoning Board Secretary