

*TOWNSHIP OF CHATHAM ZONING  
REGULAR MEETING MINUTES*

*BOARD OF ADJUSTMENT  
OCTOBER 20, 2016*

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Mr. Weston called the 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. Weston, Mrs. Romano, Mr. Styple, Mr. Borsinger, Mr. Newman, Mr. Hyland and Mr. Hurring. Mr. Vivona and Mr. Williams were absent.

**Approval of Minutes**

Mr. Newman made a motion to approve the minutes of the September 29, 2016. Mr. Hurring seconded the motion. All board members were in favor of the motion.

**Memorialization**

**Mr. & Mrs. Van Vliet**  
51 Dale Drive  
Block: 102.08 Lot: 10

**Calendar BOA 15-102.08-10**

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

**Calusa Builders**  
1 Linden Lane  
Block: 96 Lot: 1.03

**Calendar BOA 16-96-1.03**

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

**Hearings**

**New Cingular Wireless PCS, LLC (AT&T), TMobile Northeast, LLC**  
300 Shunpike Road  
Block: 95 Lot: 18.01 Request for additional 12 months at temporary site.

**Calendar BOA 16-95-18.01**

Ms. Judy Fairweather, attorney for AT&T, stated that AT&T is currently on a temporary tower at 300 Shunpike Road and AT&T has received approval to go on a PSE&G tower. TMobile has also received approval from Chatham Borough to go on a PSE&G tower. AT&T is requesting a one year extension, from 12/1/16 to 12/1/17, to stay on the temporary tower. A new application should be received within the next month to propose a permanent site at 300 Shunpike Road for AT&T, TMobile and Verizon Wireless to co-locate. TMobile is taking the lead and will file this application in conjunction with AT&T and Verizon Wireless.

A motion was offered by Mr. Borsinger to approve the requested extension at the current site and it was seconded by Mrs. Romano. All board members voted in favor of the motion.

**Hermey & Hyland**

**Calendar BOA 16-48.04-34**

99 Southern Boulevard

Block: 48.04 Lot: 34 Requesting variances for front and side yard setback, building coverage and area of accessory structure to add covered front porch, 2 car garage and renovation of existing one car garage.

Site visit report was read into the record by Mr. Borsinger.

Mr. William Vogt, engineer for the applicant, stated that the property is located in the R-3 zone and discussed the proposed Site Plan which includes a 2 story addition, a covered front porch and an open deck. He stated that storm water management would be upgraded.

Mr. Shaw questioned whether Morris County has approved the proposed curb cut for the relocated driveway.

Mr. Vogt stated that Morris County has not yet approved the curb cut.

Mr. Weston questioned whether Board Engineers have approved the plans.

Mr. Kevin Nollstadt, representing Mott MacDonald, explained that all roof top runoff would be collected and sent to a retention system. He stated that driveway runoff should be collected and discharged without retention. This application proposes a pre-manufactured device in the trench drain in front of the garage. Mr. Nollstadt stated that the applicant must submit detail for this device to get reviewed and approved. Mr. Nollstadt questioned the applicant regarding test pit location. Mr. Vogt stated that location for test pit will be detailed on revised Site Plan. Mr. Vogt stated that all other Engineering review comments can be addressed.

Mr. Brian Siegal, architect for the applicant, stated that the existing property is an existing 1 ½ story Cape style home. The proposed addition will be an Arts and Crafts style home. He explained that there is currently a single, attached garage. This application proposes removing the roof between the house and the existing garage. This garage would remain for storage only. A new 2 story garage is proposed with the addition on the other side of the existing home.

Mr. Shaw questioned the applicant about occupancy in the existing garage.

Mr. Siegal confirmed that there would be no occupancy in the existing garage. Applicant plans to remove a storage shed currently located in the rear of the property near the pool and use the existing garage for storage of the pool equipment and supplies.

Mr. Siegal stated that a Japanese maple tree currently located near the proposed driveway will be re-located.

Mr. Borsinger questioned the existing single car garage as a pre-existing structure and asked if it would trigger variances since it is pre-existing.

The meeting was opened to the public, and Mr. Richard Choe, neighbor at 95 Southern Boulevard, explained that he has lived at this address approximately 7 years. He stated that the proposed renovations at 99 Southern Boulevard would be a nice improvement and believes that the front porch encourages community interaction. The detached single car existing car garage cannot be seen from his property, which adjoins 99 Southern Boulevard on that side, and is not an issue for him.

Mr. Weston stated that he is very partial to improving instead of knocking down existing homes. He stated that he is in favor of this proposal.

A motion was offered by Mr. Newman to approve the variances requested for front and side yard setback, building coverage and area of accessory structure and it was seconded by Mr. Hurring. All board members voted in favor of the motion.

**46 Dellwood Builders**

**Calendar BOA 16-78-19.01**

46 Dellwood Avenue

Block: 78 Lot: 19.01 Requesting variance for 3 stories where 2 ½ are permitted and steep slope of 925 sq. ft. where 500 sq. ft. is permitted.

Site visit report was read into the record by Mr. Newman.

Steve Azzolini, attorney for the applicant, and Mr. Clark, engineer for the applicant, stated that they believe that this application would be an improvement to the current approved and permitted plan. The original plan was approved for 2 retaining walls and this application proposes only 1 retaining wall.

Mr. Clark reviewed original plans compared to proposed revised plans. He stated that this property has a hardship due to the topography of the rear yard and the applicant is working with an existing dwelling. Mr. Clark stated that the revised plan reduces the detriment / disturbance to the property and the area. There would be an estimated 30-40 more truckloads of fill required with the second wall.

Mrs. Romano questioned the landscaping and vegetation that would buffer the proposed wall.

Mr. Clark confirmed that proposed plan includes landscaping to buffer the wall.

Mr. Shaw questioned the risk of disturbance with storm water management.

Mr. Clark explained that the area below the steep slope disturbance is a dell and he stated that there was no risk of a drainage issue with this proposed application.

Mr. Nollstadt questioned the need for storm water management.

Mr. Clark stated that original approved plan had an increased impervious coverage of 517. This revised plan reduces this increase in impervious coverage to 258. Storm water management should not be needed with a reduction in impervious coverage.

The meeting was opened to the public, and Lee Ann Taylor, a neighbor at 40 Dellwood , stated concerns with drainage in the back of this property and in the immediate area. She showed pictures of her

property and neighboring properties and explained that there have been drainage issues in the past. She could not be sure when the photos were taken.

Mr. Clark stated that there would have to be an enormous rain to cause a problem. He stated that the slope changes from 183 to 187 indicating that 4 feet of rain would need to collect before there would be a problem.

Mr. Shaw advised that the photo board and a memo would be sent to the Township Administrator to see if anything could be done by the Township to help with the drainage concerns.

A motion was offered by Mr. Newman to approve the variances requested for 3 stories where 2 ½ are permitted and steep slope of 925 sq. ft. where 500 sq. ft. is permitted and it was seconded by Mrs. Romano. All board members voted in favor of the motion.

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

Meg Smith  
Zoning Board Secretary