

*TOWNSHIP OF CHATHAM ZONING  
REGULAR MEETING MINUTES*

*BOARD OF ADJUSTMENT  
DECEMBER 21, 2017*

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

**Approval of Minutes**

Mr. Weston made a motion to approve the minutes from the November 16, 2017 meeting. Mrs. Romano seconded the motion. All board members were in favor of the motion.

Ms. Romano made a motion to approve the New Cingular Wireless Transcripts from the November 16, 2017 meeting. Mr. Newman seconded the motion. All board members were in favor of the motion.

**Hearings**

**New Cingular Wireless**

Fairmount Avenue  
Block: 62.09 Lot: 2

**Calendar BOA 17-62.09-2**

Transcript to be provided by the applicant.  
Application to be carried to the January 18, 2018 Zoning Board meeting.

**Joseph Artigliere**

384 Shunpike Road  
Block: 95.01 Lot:11

**Calendar BOA 17-95.01-11**

This application was carried to the January 18, 2018 meeting. Mrs. Romano is recused from this application and there would not be a quorum for voting.

**Charles & Joanna Mulford**

20 Buxton Road  
Block: 62.01 Lot: 56

**Calendar BOA 17-62.01-56**

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

Dana Napurano, applicant's architect from Hofmann Design, stated that the current deck is inefficient with a strange shape and multi-levels. The purpose of the deck is to connect to the side of the house and allow for an outdoor grill. Ms. Napurano stated that the renovation would clean up the rear exterior appearance of the house by tying into the existing roofline and eliminating lattice. Ms. Napurano stated that a rear yard setback variance will be needed for the porch and deck. The existing deck is non-conforming. The application proposes to change the shape from the existing triangular shape of the current deck to a squared off covered porch. The new deck is proposed on the left side of the home off of the kitchen.

The meeting was opened to the public and Mr. Groves, owner of 401 Fairmount Avenue asked questions of the architect. These questions included height of the structure, grade change to rear of the property, timing of architect's involvement relative to a kitchen renovation, different design options, why irregularly shaped, proposed fireplace and venting of fireplace, material of the floor, if there was insulation, if there was an electrical plan, if there was a lighting plan, if a door was proposed, if there was additional drainage, foundation detail, potential for a four season room. Ms. Napurano answered each question to the best of her abilities and stated that some questions would need to be addressed by another of the applicant's professionals.

Mr. Vivona asked Mr. Groves to detail his concerns.

Mr. Groves questioned if there was a landscape plan and was advised that there was not.

Mr. Keller, Planner for the Applicant, testified that this property has an irregular shape, wide in the front and narrow in the back. Mr. Keller stated that the original deck seemed to be shaped and built to conform to the property's irregular shape. The proposed deck is on the right side of the property and cannot be viewed from the front of the property. Mr. Keller stated that the height of the deck would be 18 feet above ground level.

Mr. Keller stated that Mr. Groves, the neighbor to the rear of the property, has removed approximately 10 trees in the last year between the properties. Mr. Keller stated that there is some visibility between Mr. Groves' property and the Applicant's proposed rear deck.

Mr. Keller stated that this proposed rear deck is not an overdevelopment of the property and that the building coverage is under the allowed percentage. Mr. Keller believes that this rear deck will be an upgrade to the home and to the neighborhood.

Mr. Vivona stated that the proposed rear deck looks good but the board must make sure that the drainage will not be a problem for the neighboring properties.

Mr. Groves stated that he was concerned about drainage issues.

Mr. Keller stated that the additional water runoff with this proposal was minimal. Mr. Keller also stated that the existing dry wells had not been evaluated.

Mr. Groves had further questions regarding the height of the structure and the change of grade between properties. Mr. Keller stated that the height of the structure was 32 feet and that using Google he estimated a change of grade between Mr. Groves' property and the applicants property to be approximately 12 feet.

Mr. Groves stated that the existing landscape does not shield the addition. Mr. Keller stated that the addition would be visible without leaf coverage in the off season but the existing vegetation provides adequate buffering during the growing season.

Mr. Groves questioned the sub-surface for the foundation. Mr. Keller stated that there is no way to know sub-surface before excavation.

Mr. Grove asked if a landscape plan was provided. Mr. Keller stated that the existing landscaping was adequate.

Mr. Ruschke stated that drainage concerns can be addressed. Mr. Ruschke also stated that lighting would be residential in nature and that no steep slope would be affected with this proposal. A lot grading plan would not be required and the restriction for not enclosing the deck can be added as a condition of approval.

Mr. Weston stated that he was sympathetic to this application and was glad that this house was being renovated instead of being knocked down and made larger.

Mr. Groves stated that the 13 feet needed might not be a big deal with a property on the same grade but that this is a larger problem because the neighboring homes are at different grades. He again stated concerns with drainage and possible enclosing of the covered porch.

Mr. Keller questioned the accuracy of the photos provided by Mr. Groves and Mr. Groves' ability to testify as a professional.

Mrs. Romano suggested that Mr. Groves add trees to address concerns with privacy and screening. Mrs. Romano noted that the applicant has recently added additional trees for screening.

Ms. Mulford, homeowner and applicant, stated that it was not fair to require them to provide trees. She stated that they have added trees while Mr. Groves has removed many trees.

Mr. Vivona asked the board members if they have any further questions or follow-up on this application.

Mr. Newman made a motion to approve the variances as requested with a condition that the covered porch not be enclosed. Mr. Weston seconded the motion. All board members were in favor of the motion.

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

Meg Smith  
Zoning Board Secretary