

**MINUTES**  
**ZONING BOARD OF ADJUSTMENT**  
**TOWNSHIP OF CHATHAM**  
**APRIL 23, 2026**

Mr. Vivona called the Regular Meeting of the Zoning Board of Adjustment to order at 7:35 PM.

**Adequate Notice** of the meetings of the Zoning Board of Adjustment of the Township of Chatham was given as required by the Open Public Meetings Act as follows: Notice in the form of a Resolution setting forth the schedule of meetings for the year 2026 and January 2027 was published in the Chatham Courier and the Morris County Daily Record, a copy filed with the Municipal Clerk and a copy placed on the bulletin board in the main hallway of the Municipal Building.

**Roll Call**

Answering present to the roll call were Mr. Vivona, Mr. Borsinger, Mr. Bhatia, Mrs. Chang and Mr. Neibert.

Mr. Silva, Mr. Huke, Mr. Somaiya and Mrs. Max were absent.

Also present were Board Attorney Amanda Wolfe, Planner Joanna Slagle in place of Board Planner Frank Banisch and Board Engineer John Ruschke.

**Minutes**

Mr. Neibert moved to approve the March 11, 2026 minutes as distributed. Mr. Borsinger seconded the motion which carried unanimously.

**Hearings**

Calendar BOA-26-002 Chatham Wine & Liquor LLC, 650 Shunpike Road, Block: 135 Lot: 22.

Steven Grivalsky, a sign professional representing the applicant, was sworn in to give testimony. Mr. Grivalsky stated that he is the owner and operator of Signarama, and was accepted as a witness.

Mrs. Slagle was also sworn in to give testimony.

Mr. Vivona read the Site Visit Report into the record.

Mrs. Stone-Dougherty provided a brief overview of the application, noting that the location has had variance relief for the prior signs for the liquor store.

Mr. Grivalsky described the proposed signage. He also addressed the Environmental Commission's concerns about the lumens and light pollution. Mr. Grivalsky also testified that

the signs for the anchor stores should be illuminated as they serve to help the public find the shopping center. He further addressed the centering of the sign for purposes of symmetry.

Mr. Vivona asked about the similarity of the proposed sign to the original BuyRite sign. Mr. Grivalsky referred to the pictures submitted by the applicant's planner.

Mr. Vivona noted that having signs be visible from the road is safer than having motorists read the monument sign. He also noted that there have not been any complaints about the signage, and opined that the proposal is not an outrageous request.

Mr. Borsinger asked about the gooseneck lighting. Mr. Grivalsky said that is part of the 2012 architectural approvals. Mrs. Stone-Dougherty said that the goosenecks were part of the Township's requirements and approvals in 2012.

Mr. Ruschke said that the Township's ordinance requires that the signage not be lit between 10:00 PM and 7:00 AM. He also said that the sign itself cannot project more than 8-inches from the face of the building. Mr. Grivalsky testified that the applicant will comply with both ordinances.

Mr. Vivona opened the floor to public comment. Seeing none, Mr. Vivona closed the floor.

Mr. Neibert moved to approve the application. Mr. Borsinger seconded the motion.

**Roll Call:** Mr. Vivona, Aye; Mr. Borsinger, Aye; Mr. Silva, Absent; Mr. Huke, Absent; Mr. Bhatia, Aye; Mrs. Chang, Aye; Mr. Somaiya, Absent; Mrs. Max, Absent; Mr. Neibert, Aye.

Mr. Vivona asked about the timeline for installation of the signage. Mr. Grivalsky said they will have to wait for the memorialization resolution.

Calendar BOA 25-026 Andrew H. & Marisa Didrikson, 177 Noe Avenue, Block: 124 Lot: 8

Luke Pontier, an attorney representing the applicant, was present.

Mrs. Slagle was sworn in to give testimony.

Mr. Vivona read the Site Visit Report into the record.

Mr. Pontier provided an overview on the updates made to the application since the last hearing. He noted that as the result of conversations with the neighbor about the location of pool equipment, the applicant is willing to move the equipment to be further behind the garage and outside of the side yard setback. The plans were also revised to reduce the impervious coverage. The proposed patio has also been revised to not encroach on the side yard setback, and the pool has been relocated to a conforming location. Variances for impervious coverage are still sought.

Paul Gdanski, an engineer representing the applicant, was recalled to give additional testimony. Mr. Gdanski presented the updated engineering plans for the application. He addressed the proposed drywells. The planting of arborvitaes was noted, and no trees are proposed for removal.

Mr. Vivona said that neighbors were concerned about drainage and noted that there are not currently any drainage issues. He said that noise and lighting were also raised as concerns. Mr. Pontier said that enclosures are being considered.

Mr. Ruschke said that there is some cleaning up that needs to be done with the calculations.

Mrs. Slagle said that the questions Mr. Banisch had were addressed.

Mr. Vivona opened the floor to the public.

1. Cathy & John Cicchino, both of 173 Noe Avenue, confirmed that they are no longer represented by counsel in their objection. Mr. & Mrs. Cicchino were sworn in to give testimony. They expressed concern about noise pollution from the pool equipment. Mr. Cicchino said that pool equipment runs constantly and the equipment is close to their backyard. He expressed interest in there being noise mitigation measures installed. Mr. Cicchino stated his support for the planting of trees to help reduce noise issues. Mrs. Cicchino also commented on the planting of trees to reduce noise pollution. Mrs. Cicchino also asked that measures be taken to mitigate the potential for light pollution.

Seeing no further comment, Mr. Vivona closed the floor.

Mr. Pontier addressed the proposed landscaping and how it will help mitigate noise. Mr. Vivona opined that the enclosure would be more effective than adding more proposed landscaping to mitigate noise but also said that anything the applicant can do to mitigate noise would be appreciated. Mr. Vivona also encouraged the applicant to be a good neighbor.

Mr. Neibert said that he has an issue with the amount of impervious coverage in the application. He expressed gratitude that they reduced the proposed impervious coverage; however he also feels that what is proposed is still too much.

Mrs. Chang said that the paver section leading to the stairs does not need to be a solid block, which could reduce the impervious coverage. Mr. Vivona said that the reduction would not be significant and a variance would still be required.

Mrs. Chang asked about maintenance requirements for the drywells. Ms. Wolfe said that an operations and maintenance manual could be required to be recorded, and asked Mr. Gdanski if that would be appropriate for a site this size. Mr. Gdanski said that would always be required. Mr. Vivona said it would be good to have that recorded.

Mr. Vivona opened the floor to the public. Seeing no public comment, Mr. Vivona closed the floor to the public.

Mr. Vivona asked the applicant to work with Mr. Ruschke's office regarding the enclosure for the pool equipment. Mr. Pontier said that whatever can be enclosed will be.

Mr. Borsinger moved to approve the application with the condition that a sound mitigation enclosure be used for the pool equipment. Mr. Bhatia seconded the motion.

**Roll Call:** Mr. Vivona, Aye; Mr. Borsinger, Aye; Mr. Silva; Absent; Mr. Huke, Absent; Mr. Bhatia, Aye; Mrs. Chang, Aye; Mr. Somaiya, Absent; Mrs. Max, Absent; Mr. Neibert, Nay.

Mr. Vivona said that the resolution will be considered at the May 13, 2026 meeting.

Calendar BOA 25-021 Adam Stepan, 868 River Road, Block 15, Lot 3

Steven Azzolini, an attorney representing the applicant, said that at the last hearing the Board requested planning testimony.

Mr. Azzolini also said that updated plans have been prepared to show the location of HVAC equipment. Exhibit A-10 was entered into the record, which was a south elevation showing the equipment. Mr. Azzolini said that the location does not require any variances, however he wanted the location acknowledged on the record.

Kathryn Gregory, a planner representing the applicant, was sworn in to give testimony. Mrs. Gregory provided her qualifications and was accepted as an expert witness.

Mrs. Slagle was also sworn in to give testimony.

Mrs. Gregory commented on the size of the site, and noted it is smaller than what is required in the zone. She also said that there are two current variances for the site. Mrs. Gregory commented on the variance requested for steep slope disturbance. She also addressed the size of the existing home relative to the houses in the neighborhood. The setback variances and lot area variances were also addressed. Mrs. Gregory commented on the stormwater management.

Regarding the positive criteria, Mrs. Gregory testified that the application meets purposes A, C and I of the MLUL. She also said that the application does not have a substantial impairment to the public good nor to the Township's Zone Plan or Zoning Ordinance, and it does not conflict with the goals of the Master Plan. Mrs. Gregory said that there are flexible C(1) and C(2) conditions. She further testified that the benefits will outweigh the detriments.

Mr. Azzolini stated that there was not any public opposition to the application.

Mr. Neibert noted the substantial reduction in impervious coverage in the application.

Mr. Vivona noted that the property does not currently have any stormwater management, and it will if the application is approved. He also noted the safety benefits of having the driveway on

Club Road rather than on River Road. Mr. Vivona further noted that all the concerns raised by the Board professionals were addressed.

Mr. Vivona opened the floor to the public. Seeing no public comment, Mr. Vivona closed the floor to the public.

Mr. Neibert moved to approve the application. Mr. Borsinger seconded the motion.

**Roll Call:** Mr. Vivona, Aye; Mr. Borsinger, Aye; Mr. Silva; Absent; Mr. Huke, Absent; Mr. Bhatia, Aye; Mrs. Chang, Recused; Mr. Somaiya, Absent; Mrs. Max, Absent; Mr. Neibert, Aye.

Ms. Wolfe said that a draft resolution was previously circulated. She said that an addition an be made to the draft to note the placement of the HVAC system. Mrs. Slagle said that she had reviewed the resolution as well.

Mr. Neibert moved to adopt the resolution to memorialize the approval. Mr. Borsinger seconded the motion.

**Roll Call:** Mr. Vivona, Aye; Mr. Borsinger, Aye; Mr. Bhatia, Aye; Mr. Neibert, Aye.

Mr. Azzolini complimented Ms. Wolfe on her work drafting the resolution, noting the complexity of the application.

Mr. Neibert moved to adjourn at 9:05 PM. Mr. Vivona seconded the motion which carried unanimously.

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Gregory J. LaConte  
Recording Secretary