

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF CHATHAM  
MAY 16, 2024**

Mr. Borsinger called the Regular Meeting of the Zoning Board of Adjustment to order at 7:34 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 2024, and January, 2025 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. Borsinger, Mr. Sood, Mr. Huke and Mr. O'Brien.

Mr. Vivona, Mr. Fitt and Mr. Silva were absent.

Also present were Board Planner Frank Banisch, Board Engineer John Ruschke and Board Attorney Amanda C. Wolfe.

**Resolutions**

Resolution 2024-016 – BOA 23-002 NNG Real Property I, LLC, 39 Susan Dr, Block: 20 Lot: 16

Mr. Borsinger asked if any of the Board members have any questions or comments. He also asked Mr. Ruschke if he is comfortable with all the items that still need to be accomplished. Mr. Ruschke said that building permits will be withheld until all necessary items are addressed.

Mr. O'Brien moved to adopt Resolution 2024-016. Mr. Sood seconded the motion.

**Roll Call:** Mr. Vivona, Absent; Mr. Borsinger, Aye; Mr. Fitt, Absent; Mr. Silva, Absent; Mr. Sood, Aye, Mr. Huke, Aye; Mr. O'Brien, Aye.

Resolution 24-014 – Annual Report

Mr. Borsinger stated that the three recommendations are repeats from prior years.

Mr. Huke moved to adopt Resolution 24-016. Mr. O'Brien seconded the motion.

**Roll Call:** Mr. Vivona, Absent; Mr. Borsinger, Aye; Mr. Fitt, Absent; Mr. Silva, Absent; Mr. Sood, Aye, Mr. Huke, Aye; Mr. O'Brien, Aye.

## Minutes

Mr. O'Brien moved to approve the minutes of the April 18, 2024 meeting. Mr. Huke seconded the motion which carried unanimously.

## Hearings

Calendar BOA 24-002 Patrick Hamer, 75 Ormont Road, Block:32 Lot:14

Mr. Borsinger provided a review of the Board of Adjustment's hearing process. He noted that the Site Visit will be on June 15<sup>th</sup> at 9:00 AM, and he cited the items that need to be marked out.

Patrick Hamer and Krista Jamieson were sworn in to give testimony. Mr. Hamer described their property. He also described drainage problems in the rear of the yard caused by slopes, and said that it adversely affects their use of the back yard. Mr. Hamer said that the application is to install a retaining wall to stabilize the yard and improve the drainage.

Mr. Borsinger asked about prior approvals granted for the property. Mr. Hamer said that the developer who built the house had made applications to the Board of Adjustment. Mr. Borsinger asked if there were lot grading and drainage requirements for those prior applications. Mr. Ruschke said that the conditions of the prior approvals were not met, however he deemed this application complete so that it could be heard by the Board. He also stated that he requested supplemental information as a condition of approval. Mr. Ruschke noted that some stormwater improvements and mitigation measures will be required.

Mr. Borsinger asked about trees that are proposed for removal and if new trees will be planted. Mr. Hamer stated that the replanting plan is now being considered. He said that the dozen trees are on the perimeter of the property, and he discussed why they are proposed for removal. Mr. Ruschke said that they will need to file for a tree permit. Mr. Hamer indicated that they will look into the replanting requirements.

Mr. Hamer confirmed that the perimeter of disturbance, location of the retaining wall and trees proposed for removal will be marked out. Mr. Borsinger recommended that the tree ordinance be reviewed so they can also show where replacement trees will be planted.

Mr. Borsinger said that the continuation of this hearing will be at the June 20<sup>th</sup> meeting.

Mr. Borsinger opened the floor to the public. Seeing no one coming forward, the floor was closed.

Mr. O'Brien moved to adjourn at 7:52 PM. Mr. Huke seconded the motion which carried unanimously.

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Gregory J. LaConte  
Recording Secretary