

MINUTES
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF CHATHAM
JUNE 26, 2025

Mr. Vivona called the Work Meeting of the Zoning Board of Adjustment to order at 7:31 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 2025 and January, 2026 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. Huke, Mr. Bhatia, Mrs. Chang and Mr. Somaiya.

Mr. Fitt and Mr. Silva were absent.

Mr. Somaiya participated via Zoom.

Also present was Attorney Katherine Kopp filling in for Board Attorney Amanda Wolfe.

Approval of Minutes

Mr. Borsinger moved to approve the minutes of the June 11, 2025 meeting. Mr. Huke seconded the motion which carried unanimously.

Hearings

Calendar: BOA-25-011 Chintan Chokshi, 82 Sunset Drive, Block: 62 Lot: 49

Mr. Vivona announced that this applicant has requested to be carried to the July 9th meeting without additional notice.

Calendar BOA 23-007 Revived Residences, LLC, 1 Lake Road, Block: 130 Lot: 13.01

Mr. Vivona announced that this applicant has requested to be carried to the July 9th meeting without additional notice.

Calendar: BOA-25-006 Kalpesh Shah, 616 River Road, Block: 62 Lot: 54.03

Mr. Vivona announced that this applicant has requested to be carried to a date as yet to be determined.

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Calendar: BOA-25-009 Bhee Properties, LLC, 695 Fairmount Avenue, Block: 61 Lot: 10.02 &

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Mr. Vivona provided an overview of the BOA Process. He said that the Site Visit will be on July 5th at 9:00 AM and the next hearing will be on July 9th.

Christine Foustini, an attorney representing the applicant, was present.

Robert Moschello, an engineer representing the applicant, was sworn in to give testimony. Mr. Moschello provided his qualifications and was accepted as an expert witness.

Mr. Moschello presented an aerial exhibit showing the site features. Mr. Moschello said that two homes are proposed, and he commented on drainage. He said that there will be steep slope variances, grading variances, variances for a retaining wall, and variances related to the height of the structures. Mr. Moschello also commented on design waivers that are requested for usable lot area. He said the waivers were granted when the lots were subdivided, and they need to be renewed.

Mr. Vivona asked why they chose to have the houses front on Fairmount Avenue. Mr. Moschello said that Fairmount Ave is a county road, and Sunset Drive is a more residential road. Mr. Moschello also commented on how height is calculated and why the variance is requested. He also said that the proposed homes conform to the setback requirements.

Mr. Borsinger asked about height variances. Mr. Moschello addressed the height variance request. Mr. Borsinger asked if the applicant needs to go back to the Planning Board for approval of removing a condition. Mr. Moschello said he will need to confer with the applicant's attorney, as the Planning Board cannot grant a height variance.

Mr. Moschello commented on the proposed grading on the property, and said that the grading impacts the height calculation. He also said that changing the grading to avoid the height variance would result in a steeper driveway, and the steeper driveway would be noncompliant.

Mr. Borsinger asked about the number of trees to be removed. Mr. Moschello said he did not have the exact numbers with him, however the number referenced in the written report is probably per lot. He also said that the applicant will comply with the tree protection ordinance.

Mr. Vivona asked about access for the site visit. Mr. Moschello said it would be easier to park on Sunset Drive.

Mr. Huke asked if the houses will have the same design. Mr. Moschella said they will likely be mirror images of each other, and he will confirm for the next meeting.

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

Mr. Vivona reiterated that the site visit will be on July 5th at 9:00 AM.

Mr. Vivona said that the next hearing will be on July 9th.

Mr. Borsinger moved to adjourn at 7:57 PM. Mr. Vivona seconded the motion which carried unanimously.

Gregory J. LaConte
Recording Secretary