

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF CHATHAM  
SEPTEMBER 18, 2025**

Mr. Vivona called the Work Meeting of the Zoning Board of Adjustment to order at 7:36 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. Silva, Mr. Huke and Mr. Bhatia.

Mr. Fitt, Mr. Somaiya, Mrs. Chang and Mrs. Max were absent.

Mr. Silva and Mr. Bhatia participated via Zoom.

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

**Approval of Minutes**

Mr. Borsinger moved to approve the minutes of the July 17, 2025 meeting. Mr. Huke seconded the motion which carried unanimously.

**Resolutions**

Resolution 2025-019 – Calendar BOA-25-002 Stephen & Mariah Cassilo, 9 Daniel Street, Block 133 Lot 2

Ms. Wolfe provided background on the application and made note of the conditions in the resolution.

Mr. Borsinger moved to adopt the resolution. Mr. Huke seconded the motion.

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

Resolution 2025-020 - Calendar BOA-25-01 Chintan Chokshi, 82 Sunset Drive, Block 62 Lot 49

Ms. Wolfe provided background on the application and made note of the conditions in the resolution. She said there are several engineering conditions. Mr. Ruschke said he is satisfied with the application.

Mr. Borsinger moved to adopt the resolution. Mr. Huke seconded the motion.

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

**Hearings**

Calendar BOA 25-013 Adam Stepan, 85 Meyersville Road, Block 36 Lot 13 - Request to be Withdrawn

Ms. Wolfe said that a resolution was prepared to approve the withdrawal of the application.

Mr. Borsinger asked if the applicant is revising the plans so that a variance is no longer needed. Ms. Wolfe said she believes the applicant is doing so.

Mr. Huke moved to adopt the resolution. Mr. Borsinger seconded the motion.

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

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

Mr. Vivona announced that this application will be carried to the October 16, 2025 meeting without further notice.

Calendar BOA-25-010 Bhee Properties, LLC, 697 Fairmount Avenue, Block 61 Lot 10.01

Mr. Vivona announced that this application will be carried to the October 16, 2025 meeting without further notice.

Ms. Wolfe said that there might be further notice for the Bhee Properties applications.

Calendar BOA-24-012 Chatham Day School, Inc, 700 Shunpike Road, Block 135 Lot 1 & 9

Mr. Vivona announced that this application will be carried to the October 8, 2025 meeting without further notice.

Calendar BOA-25-020 TKF Property Management, 39 Susan Drive, Block 20 Lot 16

Samantha Alfonso, an attorney representing the applicant, said that the applicants need approval of an extension for a prior approval.

Pukwon Below, a principal of the applicant, was sworn in to give testimony. He said that the extension is needed for the zoning permit.

Mr. Borsinger moved to approve the extension. Mr. Huke seconded the motion.

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

Calendar BOA-25-016 Adrian & Nicki Bati, 17 Lenape Trail, Block 85 Lot 20

Thomas Vijack, an architect representing the applicant, was sworn in to give testimony and was qualified as an expert.

Ms. Wolfe said that the applicant previously came in for a certificate for non-conformity, whereas they actually need a height variance for a structure that was built too tall.

Mr. Vijack said that a height variance is requested. He said an addition was done to the house 15 years ago, and it was built at 36 feet high rather than 35 feet. The proposed new renovation to the house conforms to zoning regulations. Mr. Vijack described the proposed new renovations.

Mr. Vijack asked if a site visit is necessary. Mr. Vivona said that site visits are generally required even if they are just a formality. The site visit for this application will be on October 4<sup>th</sup> at 9:00 AM.

Adrian Bati, the applicant, was sworn in to give testimony. He said that he and his wife bought the house last year, and the height non-conformity was already there. Mr. Bati said that the height is not being changed through the current application.

Mr. Vivona said that this is a clear-cut request.

Calendar BOA-25-003 Julie & Michael Murphy, 31 Ormont Road, Block 9 Lot 8

Corey Bucholz, an architect representing the applicant, was sworn in to give testimony. He provided his qualifications and was accepted as an expert witness.

Mr. Vivona explained the process through which the Board of Adjustment hears applications.

Mr. Bucholz noted the location of the property and said it is in the R-3 Zone. He said that the lot has the pre-existing nonconformity of being undersized. He also noted that it is a corner lot

with two front yards. The existing structure is also nonconforming with the setbacks. Mr. Borsinger said that the plan shows a different minimum lot size from what Mr. Bucholz stated. Mr. Ruschke confirmed that at least 25,000 square feet are required for corner lots in the R-3 Zone.

Mr. Bucholz reviewed the proposed site improvements. The proposed height of the house was discussed.

The variances requested are for lot size and setbacks.

Mr. Huke asked about the setbacks for retaining walls, and he read aloud a section of the Township Code pertaining thereto. He also asked about steep slope disturbance. Mr. Bucholz said that the applicant's engineer will address those matters at the continuation of the hearing.

Mr. Vivona announced that the Site Visit will be held on October 4<sup>th</sup> at 9:30 AM.

Ms. Wolfe said that the continuation of the hearing will be on October 16<sup>th</sup>.

Mrs. Huke moved to adjourn at 8:10 PM. Mr. Vivona seconded the motion which carried unanimously.

---

Gregory J. LaConte  
Recording Secretary