

**MINUTES
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF CHATHAM
MARCH 8, 2023**

Mr. Vivona called the Work Meeting of the Zoning Board of Adjustment to order at 7:40 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 2023, and January, 2024 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. Fitt, , Mr. Silva, Mr. Sood and Mr. O'Brien.

Mr. Teotia and Mr. McHugh were absent.

Also present was Board Attorney Amanda Wolfe.

Board Discussion

2022 Annual Report

Ms. Wolfe said that the Annual Report is a summary of the applications before the Board in 2022. She noted that many applications are in the R3 Zone.

Mr. Vivona addressed the tendency for McMansions in the R4 Zone, and he spoke about a desire for a floor-area ratio regulation. He also said that limiting house sizes could increase the affordability of living in Chatham Township. Mr. Fitt asked how this type of development would affect the Township's Affordable Housing obligation. Ms. Wolfe said that she does not think it would directly impact the Township's Affordable Housing obligation. It was noted that the next round is in 2025.

Mr. Vivona said that the Annual Report has a good summary of the applications. He said that while the Board approves most applications, concessions are sought. Mr. Vivona also said that there were not any outrageous applications. He commended the work done to have less of an impact from cell towers.

The Board discussed potential traffic impacts due to the development at Dixiedale as well as the Affordable Housing being built in Chatham Borough at the corner of River Road and Watchung Avenue.

The recommendation for home occupations was kept on the report. Mr. Vivona said that there have not been a lot of requests pertaining to home offices, and one application was problematic because of drainage rather than the proposed use.

Bylaws

Ms. Wolfe asked how many copies of plans are requested from applicants. Mrs. Tsimboukis said 13 copies and one electronic copy are requested. Mr. Vivona commented on how much easier it is to have the paper copies.

Mr. Vivona commented on the meeting location provision of the bylaws. He also said that if there are any contentious applications, the meeting would be heard at the Municipal Building.

Mr. Vivona noted that the Board has not done the Pledge of Allegiance in all the years he has been on the Board.

Mr. Vivona commented on the Disclosure of Conflicts section of the proposed bylaws. He noted that Board members do not need to recuse when they know an applicant if they think they can remain unbiased. Ms. Wolfe said that in such situations, Board members can reach out to her to discuss whether a recusal would be necessary. Mr. Vivona noted that recusals are required when the Board member owns property within 200 feet. Ms. Wolfe said that having a formal policy in writing will help protect the Board.

Mr. Borsinger moved to adopt the bylaws as amended. Mr. Silva seconded the motion which carried unanimously.

There was discussion about finding new Board members.

Mr. Fitt moved to adjourn at 8:30 PM. Mr. O'Brien seconded the motion, and the motion carried unanimously.

Gregory J. LaConte
Recording Secretary