

**MINUTES
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF CHATHAM
JULY 20, 2023**

Mr. Vivona called the Regular Meeting of the Zoning Board of Adjustment to order at 7:30 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. McHugh, Mr. Sood and Mr. O'Brien.

Mr. Silva, Mr. Teotia and Ms. Sood were absent.

Also present were Board Attorney Amanda Wolfe and Board Manager Kali Tsimboukis.

Approval of Minutes

Mr. Fitt moved to approve the minutes of the June 15, 2023 and July 12, 2023 meetings. Mr. Sood seconded the motion which carried unanimously.

Resolutions

Calendar BOA 23-011 Mosaic Animal Center/St. Hubert's, 575 Woodland Avenue

Ms. Wolfe stated that the resolution was reviewed by Board professionals and the applicant's professionals.

Mr. Hatab, the attorney representing the applicant, said that he has no further comments on the resolution and it is acceptable to the applicant.

Mr. Vivona said that the only conditions were for the installation of a speed hump and repainting of white lines that were affected by pipe installation.

Mr. Borsinger asked if the Board Engineer's comments are incorporated into the resolution. Ms. Wolfe confirmed that they are, and some adjustments were made following new testimony at the last meeting.

Mr. Borsinger moved to adopt Resolution 23-024. Mr. Fitt seconded the motion.

Roll Call: Mr. Vivona, Aye; Mr. Borsinger, Aye; Mr. Fitt, Absent; Mr. McHugh, Aye; Mr. Silva, Absent; Mr. Sood, Aye, Mr. Teotia, Absent, Mr. O'Brien, Aye; Mrs. Sood, Absent.

Calendar BOA 22-017 Melissa Jansson-Ryan, 11 Jay Road, Block 108 Lot 113.07

Ms. Wolfe noted the strict condition of not exceeding 1,000 square feet. She also noted that the resolution has verbiage about the Board Engineer contacting DPW about maintenance of a drainage pipe. Mr. Vivona said that Mr. Honoshowsky reached out to him, and that DPW has flushed the pipe. There were not any major blockages. Mr. Honoshowsky will investigate if there are better ways to keep the pipe clean.

Mr. Borsinger asked about the requirement for a lot grading plan. Ms. Wolfe stated that is addressed in the resolution. The 1,000 square foot limit relates to infiltration. Mr. Vivona noted that the lot grading plan would be required either way.

Mr. McHugh moved to adopt Resolution 23-023. Mr. Fitt seconded the motion.

Roll Call: Mr. Vivona, Aye; Mr. Borsinger, Aye; Mr. Fitt, Absent; Mr. McHugh, Aye; Mr. Silva, Absent; Mr. Sood, Aye, Mr. Teotia, Absent, Mr. O'Brien, Aye; Mrs. Sood, Absent.

Calendar BOA 22-009 Elmekki, 36 Woodlawn Drive, Block 52 Lot 7

Mr. Borsinger was recused on this application.

Ms. Wolfe explained the lack of a quorum for this application at the last meeting. She said that the Board can now vote based on the testimony presented at the last meeting.

Mr. Vivona said that an additional variance was needed for a 16 foot deck. Ms. Wolfe said that the size of the deck was reduced to eliminate that variance.

Mr. McHugh moved to approve the application. Mr. Sood seconded the motion.

Roll Call: Mr. Vivona, Aye; Mr. Borsinger, Recused; Mr. Fitt, Aye; Mr. McHugh, Aye; Mr. Silva, Absent; Mr. Sood, Aye, Mr. Teotia, Absent, Mr. O'Brien, Aye; Mrs. Sood, Absent.

Mr. Fitt moved to adopt Resolution 23-025. Mr. Sood seconded the motion.

Roll Call: Mr. Vivona, Aye; Mr. Borsinger, Recused; Mr. Fitt, Aye; Mr. McHugh, Aye; Mr. Silva, Absent; Mr. Sood, Aye, Mr. Teotia, Absent, Mr. O'Brien, Aye; Mrs. Sood, Absent.

Mrs. Tsimboukis noted that the next meeting will be on September 21st.

Mr. Borsinger moved to adjourn at 7:46 PM. Mr. Vivona seconded the motion, and the motion carried unanimously.

Gregory J. LaConte
Recording Secretary