

**MINUTES
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF CHATHAM
SEPTEMBER 21, 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. Silva, Mr. Teotia, Mr. O'Brien and Mrs. Sood.

Mr. Fitt, Mr. McHugh and Mr. Sood were absent.

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

Approval of Minutes

Mr. Borsinger moved to approve the minutes of the July 20, 2023 meetings. Mr. Silva seconded the motion which carried unanimously.

Hearings

Calendar BOA 23-005 Joseph Brucchieri, 66 Rolling Hill Drive, Block: 102.06 Lot: 23.

Mr. Brucchieri gave an overview of his application.

Robert Forbes, an architect representing the applicant, was sworn in and gave his qualifications. Mr. Forbes was accepted as an expert.

Mr. Vivona described the BOA process. He said that the Site Visit will be on October 7th at 9:00 AM.

Mr. Forbes described the proposed project. He asked that the Board pay attention to how the house was designed during the Site Visit. He stated that the variance requested is for principal structure coverage, and the application does not exceed impervious coverage.

Calendar BOA 23-006 Mr. & Mrs. Reilly 56 Dale Drive Block 102.06 Lot 26

David Brady, an attorney representing the applicant, provided an overview of the application. He said that the as-built survey for the pool shows that there is more impervious coverage than what is allowable in the zone. Mr. Brady also said that the plan was to remove a portion of the turnaround on the driveway, however that would present difficulties. He also addressed the bulk variances requested. Mr. Brady said that he believes the issues with the driveway will be apparent during the Site Visit.

Mr. Vivona asked if the applicants had the house built or if they purchased it. Mr. Brady said he does not know if the house was built specifically for the applicant, however it was new construction. He also said he does not know how the pool wound up in a non-conforming condition. Mr. Brady said that the homeowner decided to not remove the portion of the turnaround when they became aware of the impact that would have. He also noted that removing the portion of the driveway would not eliminate the need for the variance.

Mr. Banisch said that he thinks the Site Visit will demonstrate that the prior concession to adjust the driveway was a mistake and that the full section is needed for people to be able to safely turn cars around.

Mr. Silva asked about the width of the driveway. Mr. Brady said that the turnaround is the issue, and there are 32 feet from the rear of the house to the existing Belgian block curbing at the back of the turnaround, and the proposal was to reduce that to 27 feet. It is also a rear entry garage.

Mr. Vivona asked that mark outs for variances be prepared for the Site Visit. Mr. Brady noted that the pergola for the patio is now an existing condition. All variances are also in the rear of the home.

Mr. Vivona said that the next hearing will be on October 19th, and there may be a motion that night. The Site Visit will be on October 7th at 9:30 AM.

Calendar BOA 23-009 Mr. & Mrs. Steiner; 99 Treadwell Ave Block 143 Lot 1.05

The applicant, their professionals and the Board professionals were sworn in to give testimony.

Mr. Vivona gave an overview of the Board's process and stated that the Site Visit will be on October 7th at 10:00 AM. The hearing will continue at the October 19th meeting.

Jay Steiner, the applicant, provided an overview of the application. The house was built in 2001 and has a detached three-car garage. The application is to expand the depth of the garage to include more working space, and also to have an exterior stairwell to the storage space above the garage.

Janet Siegel, an architect representing the applicant, said that the property is split between Chatham Township and Harding Township. The proposal is to add 401 square feet to the existing garage. The garage will have a gabled roof off the rear, which will increase the square

footage of the attic. The garage currently has a pulldown staircase for the attic, which is not very accessible especially when there is a car in the garage. Mrs. Siegel stated that the property is 5.8 acres including the Harding portion. The house conforms to the zoning regulations. The required setbacks for an accessory structure are 35 feet, and the garage is currently set at 33.2 feet. The variance requests also include a shed addition with a dormer at 21.2 feet. Mrs. Siegal noted that an additional bay was considered. She also noted that the garage is tucked away, and it is a very private property.

Mrs. Siegel presented photos of the existing conditions on the property, which was marked as Exhibit A-1, as well as an area map. She noted that the existing garage is approximately 500 feet away from the neighboring property, and the proposal would have the garage 12 feet closer than the current conditions. The front of the garage would not be changed. There will not be any commercial activity in the garage, nor will there be any living space. The attic will continue to be used for storage.

Mrs. Siegal noted that an environmental assessment was performed by PK Environmental, and the proposed activity will not affect any wetlands.

Mr. Vivona asked if there was any input from Harding Township. Mrs. Siegel stated that Harding was informed of the application, and it was determined that Chatham Township was the correct jurisdiction for this application.

Mr. Vivona recommended that a bulk variance be included as the structure is already oversized and there is not currently a variance on record. Mr. Banisch concurred that it would be prudent to include that variance.

Mr. Vivona asked about drainage from the roof in relation to the septic area. Mrs. Siegel said that there is not septic in the area of the garage.

Mr. O'Brien moved to adjourn at 8:30 PM. Mr. Teotia seconded the motion which carried unanimously.

Gregory J. LaConte
Recording Secretary