

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
MARCH 17, 2025**

Mr. Neibert called the Regular Meeting of the Planning Board to order at 7:34 P.M.

Adequate Notice of the meetings of the Planning Board 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 was filed with the Municipal Clerk and a copy was placed on the bulletin board in the main hallway of the Municipal Building.

Oaths of Office

Mrs. Chang was sworn in as an alternate member of the Planning Board. The oath was administered by the Township Clerk.

Roll Call

Answering present to the roll call were Mr. Choi, Mrs. Ewald, Mrs. Foran, Mr. Neibert, Mr. Nikolopoulos, Mrs. Stillinger, Mr. Sullivan, Mrs. Chang and Mr. Miller.

Mr. Shehady and Mr. Kahn were absent.

Also present were Board Planner Frank Banisch and Attorney Chris Sobieski in place of Board Attorney Steve Warner.

Minutes

Mr. Sullivan moved to approve the January 27, 2025 minutes. Mr. Miller seconded the motion, which carried unanimously with an abstention by Mrs. Chang.

Resolutions

Resolution PB-25-011 PBA-24-006 Fairmount Country Club, 400 Southern Blvd. Block: 128 Lot: 10.01

Mr. Sullivan moved to adopt Resolution PB-25-011. Mr. Neibert seconded the motion.

Roll Call: Mr. Choi, Aye; Mr. Shehady, Absent; Mrs. Ewald, Aye; Mrs. Foran, Aye; Mr. Neibert, Aye; Mr. Nikolopoulos, Aye; Mrs. Stillinger, Aye; Mr. Sullivan, Aye; Mr. Miller, Aye.

Discussion

Detached Garages & Detached Structures

Mr. Neibert said that there is a property on Jay Road with a large structure on the property which was formerly a two car garage, and is now a one car garage with a home office.

Mr. Banisch said that land use ordinances can originate either with the Planning Board or the Governing Body. He said that in this case, the discussion originated with an observation made by a Board member. Mr. Banisch also addressed flat roofs. A circumstance on Jay Road where a garage was transformed into accessory living space was discussed.

Mr. Miller commented on the allowance of home-based businesses in zones where they are usually not allowed. Mr. Sullivan differentiated between having a home office and having a home-based business. Mr. Nikolopoulos noted that disallowing plumbing in accessory structures would inhibit conversion into living space.

The definition of a garage was discussed, as were setbacks. Mr. Banisch reviewed the limiting factors on detached garages and accessory structures. Flat roofs were discussed. Whether or not detached garages count toward coverage limits was discussed, and Mr. Sullivan addressed loopholes that architects have exploited that detached garages do not count toward those limits.

There was discussion on allowing sheds, while trying to prevent having unauthorized accessory living structures.

Mayor Choi addressed the balancing act regarding property owner rights and neighbors' rights. He also said that some work needs to be done on definitions in the code. Mayor Choi also said that measures should be taken to avoid loopholes. He also said that restricting plumbing in accessory structures will limit the potential usage of said structures.

Consensus was reached that the Board is ok with detached structures, however the Board does not want bathrooms in them. The Board also does not want flat roofs on accessory structures unless they are a reduced height. Consensus was to allow garages to be up to 18 feet, and other accessory structures to be 15 feet, unless they have a flat roof which would result in a maximum of 12 feet in height.

Mr. Nikolopoulos moved to adjourn at 8:53 PM. Mr. Miller seconded the motion, which carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary