

*TOWNSHIP OF CHATHAM ZONING
REGULAR MEETING MINUTES*

*BOARD OF ADJUSTMENT
JULY 28, 2016*

Mr. Vivona called the Meeting of the Zoning Board of Adjustment to order at 7:30pm with the reading of the Open Public Meetings Act.

Roll Call

Answering present to the roll call were Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Styple, Mr. Borsinger, Mr. Newman, Mr. Hyland and Mr. Hurring. Mrs. Romano was absent.

Approval of Minutes

Mr. Williams made a motion to approve the minutes of the June 16, 2016. Mr. Borsinger seconded the motion. All board members were in favor of the motion.

Memorialization

Verizon Wireless Express Store
650 Shunpike Road
Block: 135 Lot: 22

Calendar BOA 16-135-22

A motion was made by Mr. Williams to adopt the Resolution as submitted, seconded by Mr. Weston.
Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Hyland and Mr. Hurring All in favor

Innovative Construction & Design
45 Mountain Avenue
Block: 37 Lot: 12

Calendar BOA 16-37-12

A motion was made by Mr. Borsinger to adopt the Resolution as submitted, seconded by Mr. Hyland.
Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Borsinger, Mr. Hyland and Mr. Hurring All in favor

Hearings

Van Vliet
51 Dale Drive
Block: 102.08 Lot: 10 Requesting C variances to construct a pool and pool house.

Calendar BOA 16-102.08-10

Mr. Vivona has recused himself from this application and Mr. Weston fills in as Board Chair.

The site visit report was read into the record by Mr. Weston.

Mr. Papalia, attorney for the applicant, and Mr. Tomczak, engineer for the applicant, explained that 5 C-variances are being requested for an in-ground pool, cabana and pavers. These include:

- (1) Impervious Coverage
- (2) Additional Accessory Structure
- (3) Height Variance for Cabana
- (4) Side Yard Setback for Pool Equipment
- (5) Gas Line to Accessory Structure

There are currently 2 existing variances for maximum principle structure and side yard setbacks for A/C equipment.

Mr. Koribanick, Landscape Designer for the applicant, reviewed the proposed plans and stated that there is good screening on the sides of the property and more screening is planned in the rear of the property. A fire pit is planned in the middle of the cabana and it will have only 1 closed wall in the rear, 3 sides will be open. Cabana will have counter space and a raised spa that spills into the pool.

Mr. Hyland questioned about astro turf currently on the property. Mr. Koribanick confirmed that there is currently a large section of astro turf but it will be changed to natural grass with the proposed renovations.

Mr. DeNiscia, Planner for applicant, reviewed the plan and the application. He explained that originally a D variance was needed for height of the cabana, but revised plans have lowered the height and a D variance is no longer needed. All renovations proposed are in the rear of the property except for the proposed location of the pool equipment on the side of the home next to the A/C equipment. Mr. DeNiscia stated that he believes that the improvements requested are reasonable and suitable for a single family home. He explained that the cabana will be used for shade and the 3 open sides will prevent the structure from being inhabited.

Mr. Hurring questioned whether this structure can be enclosed with a permit at a later date.

Mr. Shaw recommended adding this concern as a condition of approval.

Mr. Borsinger stated that this home has already been built to the maximum. He stated that the purpose of Zoning is to prevent over building.

Mr. Weston stated that other Board of Adjustment applicants have been limited and revised for issues involving only a few feet. He stated that this application proposes many variances on a property that is already built to the maximum.

Mr. Williams stated that this proposed structure is too large.

Mr. Weston expressed concern that the gas line proposed can be used for other purposes.

Mr. Koribanick asked for direction from the Board for revisions.

Mr. Shaw stated that this proposal is substantially more than allowable zoning standards.

Board members suggested reducing the number of variances, possibly by adjusting the height and size of the proposed structure.

This application was carried to the next Zoning Board of Adjustment meeting on August, 25, 2016.

James McGill

39 Edgewood Road

Block: 90 Lot: 2 Rear yard setback and building coverage to construct 1st and 2nd floor addition

Calendar BOA 14-90-2

The site visit report was read into the record by Mr. Vivona.

Mr. Klesse, architect for the applicant, stated that this is an undersized lot with 8,356 square feet. There is an indent in the back of the property which creates the need for the proposed variances. Variances needed include rear yard setback for the deck and rear yard setback for the addition. Mr. Klesse stated that he believes that the proposed renovation and addition match the character of the home and are not visible from the street.

Mr. Vivona questioned whether the whole building will be upgraded and Mr. Klesse stated that the building will be getting new siding and windows as part of this renovation.

Mr. Vivona stated that this lot is small and has an odd shape in the back. This odd shape skews the numbers and triggers the need for the variances. Mr. Vivona stated that many homes in the area have an addition.

A motion was offered by Mr. Williams to approve the variance requested for rear yard setbacks and it was seconded by Mr. Weston. All board members voted in favor of the motion.

A draft resolution of approval was then reviewed by the Board and revisions were made to page 3.

A motion was made by Mr. Borsinger to adopt the Resolution as submitted with revisions to page 3, seconded by Mr. Newman.

Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Style, Mr. Borsinger, Mr. Hyland, Mr. Newman and Mr. Hurring All in favor

Silverstein

47 Rolling Hill Drive

Block: 102.10 Lot: 67 Rear yard setback and building coverage to construct an addition

Calendar BOA 16-102.10-67

The site visit report was read into the record by Mr. Hyland.

Mr. Silverstein addressed the Board and explained that his family had purchased this home in 2011. Significant renovations are necessary to build a larger garage to make it functional, to enlarge the playroom and provide additional storage and a guest room.

Mr. Van Lenten, architect for the applicant, stated that this application requests a 599 sq. ft. addition but will result in a net reduction in impervious coverage of 234 sq. ft. A new deck in the rear of the property will include a fireplace and kitchen. This will not be visible from the street. The proposed addition encroaches 4 ft. into the rear setback.

Mr. Vivona stated that it is positive that this is a renovation and not a tear down. Old garages are tight and low and do not accommodate newer vehicles.

The meeting was opened to the public for any questions and comments.

Mr. Licurse lives behind this property and is concerned with drainage in the rear of the property and lighting on the proposed 2nd floor deck on top of the garage.

Mr. Vivona questioned the existence of a dry well on the property to maintain runoff. Mr. Van Lenten believes that there is a system in existence. Mr. Silverstein agreed to have the dry well checked to ensure that it is working correctly.

Mr. Vivona stated that a condition of approval will limit lighting to a low level and not facing the rear of the property.

Mr. Shaw stated that a Lot Grading Plan will be required with this renovation / addition and that drainage will be addressed.

Both Mr. Licurse and Mr. Silverstein noted that many trees have just been removed on a neighboring property, 49 Rolling Hill Drive, changing the sight lines in the area.

Mr. Vivona stated that low wattage lighting, submission of a Lot Grading Plan and an investigation into rear yard drainage issues should be required as conditions when considering approval of this application.

A motion was offered by Mr. Newman to approve the variances requested for rear yard setback and building coverage and it was seconded by Mr. Weston. All board members voted in favor of the motion.

A draft resolution of approval was then reviewed by the Board.

A motion was made by Mr. Newman to adopt the Resolution as submitted and it was seconded by Mr. Hyland.

Roll Call: Mr. Vivona, Mr. Weston, Mr. Williams, Mr. Styple, Mr. Borsinger, Mr. Hyland, Mr. Newman and Mr. Hurring All in favor

Mr. Williams moved to adjourn the meeting, Mr. Borsinger seconded the motion, and it carried unanimously.

Meg Smith
Zoning Board Secretary