

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT

April 25, 2018

7:30 p.m.

Chairman Michael Cifelli called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. He stated that adequate notice of this Zoning Board of Adjustment meeting was given as required by the Open Public Meetings Act.

Names	Present	Absent
Michael A. Cifelli, Chrmn.	X	
Helen Kecskemety	X	
Frederick Infante	X	
Douglas Herbert	X	
H.H. Montague	X	
Jean-Eudes Haeringer	X	
Patrick Tobia	X	
Alida Kass	X	
William DeRosa		X
Patrick Dwyer, Esq.	X	

Public Comment

There was none.

Resolution #ZB 2018-11

Mr. Haeringer made a motion to approve the meeting minutes of March 28, 2018 Zoning Board of Adjustment meeting. Mrs. Kecskemety seconded the motion. A roll call vote was taken:

Mrs. Kass	-	yes
Mrs. Kecskemety	-	yes
Mr. Herbert	-	yes
Mr. Infante	-	yes
Mr. Montague	-	yes
Mr. Haeringer	-	yes
Mr. Tobia	-	yes
Chrmn. Cifelli	-	yes

The meeting minutes were approved.

Old/New Business

Mr. Montague noted that he had missed two Planning Board meetings, and had nothing to report.

Resolutions

Application ZB #17-35

Margaret Goeckel

35 Maple Street

Block 104, Lot 10

Front Yard Setback/Rear Yard Setback

Attorney Dwyer summarized this application which proposed adding to the left-hand side of a cape cod home to provide a laundry room. After hearing the testimony, the Board approved the variances. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mr. Tobia	-	yes
Mr. Haeringer	-	yes
Mr. Montague	-	yes
Mr. Herbert	-	yes
Mrs. Kecskemety	-	yes
Mrs. Kass	-	yes
Chrmn. Cifelli	-	yes

Application ZB #17-034

Jim & Kristen Cullen

26 Chandler Road

Block 97, Lot 4

Rear Yard Setback/Lot Coverage

Attorney Dwyer summarized this application was seeking to replace a terrace in the backyard, to construct a storage room in the basement, and a master bathroom above it. A small rear yard setback issue had resulted with the house being constructed quite some ways back. The Board granted the variances. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mrs. Kass	-	yes
Mrs. Kecskemety	-	yes
Mr. Herbert	-	yes
Mr. Montague	-	yes
Mr. Haeringer	-	yes
Mr. Tobia	-	yes
Chrmn. Cifelli	-	yes

Application ZB #17-36

Kavita & Mammen Mathew

52 North Summit Avenue

Block 54 Lot 10

Side Yard Setback/Building Coverage/FAR

Attorney Dwyer summarized this application which proposed improvements to an existing home. Construction over the garage and an addition at the rear were proposed. The lot is undersized and the variances were small. The Board granted the variances. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mrs. Kass	-	yes
Mrs. Kecskemety	-	yes
Mr. Herbert	-	yes
Mr. Montague	-	yes
Mr. Tobia	-	yes
Chrmn. Cifelli	-	yes

Application ZB #18-05

Michael Amend/Tracey Tango

1 Meadowbrook Road

Block 19, Lot 19

Rear Yard Setback

Attorney Dwyer summarized this application which proposed an intensification of a rear yard setback to an existing home, which sits on a corner lot. The Board granted the variances. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mrs. Kass	-	yes
Mrs. Kecskemety	-	yes
Mr. Herbert	-	yes
Mr. Tobia	-	yes
Mr. Montague	-	yes
Chrmn. Cifelli	-	yes

Returning and New Applications

Chrmn. Cifelli announced that the following applications will be heard at the Special Meeting of the Zoning Bd. of Adjustment to be held on May 17, 2018:

Application ZB #16-006: 8 Watchung Avenue, LLC – 8 Watchung Ave.

Application ZB #14-29: 4 Watchung Avenue, LLC – 4 Watchung Ave.

Application ZB #17-30: Main St. Development Group – 585-589 Main St.

Chrmn. Cifelli stated the following applications will be heard tonight, time-permitting:

Application ZB #17-32: Tao Zhang – 2 Martin Place

Application ZB #17-033: Horowitz & Fay – 61 Minton Avenue

Application ZB #18-03: Daley & Cline – 22 Jackson Avenue

Application ZB #17-37: Sheldon – 8 Girard Avenue

Application ZB #18-03: Tolleson – 37 Roosevelt Avenue

Application ZB #18-06: Perry – 120 Washington Avenue

Application ZB #18-07: Billings – 9 North Summit Avenue

Application ZB #18-08: Gopalakrishnan – 67 Hedges Avenue

Chrmn. Cifelli announced the following applications will carry to the May 23, 2018 Zoning Board of Adjustment meeting:

Application ZB #18-10: Derkowski – 10 Elm Place
Application ZB 18-09: Perry – 120 Washington Avenue

Application ZB #17-033
Seth Horowitz & Mary Elizabeth Fay
61 Minton Avenue
Block: 127, Lot 1
Lot Frontage/Side Yard Setback Building Coverage/FAR
This is continued from the March 28, 2018 hearing.

Chrmn. Cifelli reviewed what had transpired at the first hearing. It was hoped at that time, that more Board members would be present at the next meeting and had watched the recording of this hearing.

Mr. Infante reported that he had watched the tape of the first hearing of this application that was held on March 28, 2018; therefore, he is eligible to vote on this application.

At Mr. Haeringer's suggestion, Chrmn. Cifelli reviewed the variances being sought. He pointed out that five positive votes are needed to approve this application.

Chrmn. Cifelli made a motion to approve Application ZB #17-033 – Horowitz/Fay, 61 Minton Avenue, with the applicant to follow any stormwater recommendations made by the Borough Engineer. Mrs. Kass seconded the motion. A roll call vote was taken:

Mrs. Kass	-	yes
Mrs. Kecskemety	-	yes
Mr. Herbert	-	no
Mr. Infante	-	yes
Mr. Montague	-	no
Mr. Haeringer	-	yes
Chrmn. Cifelli	-	yes

Application ZB #17-033 was approved.

Application ZB #17-32
Tao Zhang
2 Martin Place
Block 81, Lot 8
Rear Yard Setback

This is continued from the March 28, 2018 hearing.

Mrs. Kass departed from the meeting at this point.

The following were present and remained under oath from the previous hearing:

Tao Zhang, the applicant

Qiong Wu, the architect

Chrmn. Cifelli confirmed with Mr. Zhang and Ms. Wu that revised plans have been submitted. The revised application does not require a Floor Area Ratio (FAR) variance or a building coverage variance. However, a rear yard variance is now being proposed.

Mr. Zhang stated that the owner of the property would like to give an introductory statement. He will explain the reasons why the rear yard variance is needed.

Haifeng Wu, the owner of 2 Martin Place, was sworn in to testify.

Mr. Wu placed a photo-board on the easel. He pointed out the photos depicting the side and the front of the current house at 2 Martin Place. Mr. Wu testified that the house is a one-story dwelling with 3 bedrooms. There is currently one bathroom on the first floor. Another bathroom exists in the basement. A very steep staircase runs from the basement to the first floor. Mr. Wu testified that this staircase is a safety concern.

Mr. Wu pointed out that the house is situated on a corner lot. He testified that most of the neighboring homes on Dunbar Street and Martin Place have two stories and an attached garage. These neighboring homes are shown on the photo-board. Mr. Wu stated that the proposals are to make his existing home into a two-story dwelling, thus making it blend in well with the neighborhood.

Mr. Wu noted that the two original variances – building coverage and FAR have now been eliminated. However, a backyard setback variance is needed.

Mr. Wu testified that the backyard setback is along Dunbar Street. Using the photo of the setback area, Mr. Wu pointed out where a recess area that exists next to the garage. The plans propose to include this recess area into the first floor of the house. However, this recess area will go beyond the setback limit. Mr. Wu stated that was the reason why he now has to seek a rear yard setback variance. He stressed that the outside boundary will not change.

Chrmn. Cifelli confirmed with Mr. Wu, that the setback requirement is 30 feet, because it's a corner lot. He also confirmed with Mr. Wu that his application is proposing a rear yard setback at 24.7 feet.

Mr. Wu submitted the following:

Exhibit A-2: Picture of the house & a 3-D rendering of the proposed home

Exhibit A-3: photos of the existing house at 2 Martin Place, from the front & the side, with the proposed front & side views.

Chrmn. Cifelli confirmed with Ms. Wu, the architect, what factor caused the intensification.

Mr. Herbert confirmed with Mr. Wu that the size of the kitchen will be increased with the recess area being filled in; otherwise, the shape of the kitchen will not be evened out.

Mr. Wu testified that on the second floor, the side wall will stay within the Borough regulations.

Chrmn. Cifelli asked if the first floor was moved back 6 feet, to stay within the ordinance, would it effect the functionality of what is being proposed?

Ms. Wu answered yes, she explained how a tiny kitchen and bedroom space would result. The kitchen would then be reduced to 10 feet by 14 feet.

Chrmn. Cifelli and Mr. Wu discussed the rear yard setback situation. Mr. Wu explained that there is not enough room for the proposed fourth bedroom. He pointed out the proposed garage will be a single-car garage. This extra space from the single-car garage will be incorporated back into the house. Chrmn. Cifelli confirmed with Mr. Wu that the 30-ft. setback to the rear yard line already exists. That is where the garage exists.

Mr. Herbert confirmed with Mr. Wu that more green space will result if the proposed rear yard setback was approved and implemented. Chrmn. Cifelli confirmed with Mr. Wu that the existing deck will be removed.

Chrmn. Cifelli asked what existed behind the applicant's property.

Ms. Wu referred Chrmn. Cifelli to a google map showing 19 Dunbar Street.

Chrmn. Cifelli asked if the public had any questions for the witness.

Holly Pazonia, 19 Dunbar St., stated that her backyard backs up to the applicant's backyard. She asked if she could see the plans for the back of the applicant's house. Ms. Pazonia had concerns about the drainage situation if these proposals were approved and constructed. She testified that she had a gully in her backyard. She described the work that her landscaping engineer had done for the sump pump system. Trees have come down in her backyard, eliminating any privacy.

Chrmn. Cifelli pointed out that applicants before the Zoning Board, if their applications were to be approved, must follow any drainage requirements stipulated by the Borough Engineer.

Ms. Wu showed Ms. Pazonia the rear yard elevation. The deck will be removed. The second part of the proposed garage has been eliminated. More green space will be created to absorb any water.

Chrmn. Cifelli clarified that the applicant's garage will not move back. The garage will be 30 feet from the rear yard line. The wall on the plans will not move. He reviewed with Ms. Pazonia the proposed "filling in" of the existing recess area next to the garage.

Carolyn Chasalow, 4 Martin Place, was sworn in. She stated that she lives next door, to the left of the applicant's home.

Ms. Chasalow brought up the proposed second floor plans. She had concerns about her light and privacy being affected.

Chrmn. Cifelli brought up the left side elevation diagram to discuss this issue.

Ms. Chasalow clarified that she had a two-story home.

Mr. Herbert asked Ms. Wu the proposed new height of the applicant's home.

Ms. Wu answered 35.5 feet.

Mr. Herbert asked Ms. Chasalow what is the distance between her house and the applicant's.

Ms. Chasalow answered 12 feet. There are no real trees between her home and the applicant's. Chrmn. Cifelli noted that Ms. Chasalow's home and the applicant's house have a distance of 24 feet.

Ms. Chasalow explained the applicant's proposed window arrangement may become a privacy concern affecting her and her daughter's existing bedroom windows. Chrmn. Cifelli noted that Ms. Chasalow had a narrow lot. Mr. Herbert confirmed with Ms. Wu that the existing chimney will be removed. Chrmn. Cifelli asked about the necessity of the proposed windows on the applicant's stairwell. He pointed out that one window was on the high side.

Mr. Wu explained that those windows will bring light to the staircase.

Chrmn. Cifelli pointed out that the stairwell windows would allow for a view into Ms. Chasalow's second story windows.

Mr. Montague asked for the height of the applicant's attic. Ms. Wu answered 10 feet. It's 7 feet for ceiling height. Mr. Herbert confirmed with Ms. Wu that the proposed top window is created for the stairwell running from the second story to the attic. Mr. Herbert asked whether the attic will be living space or used for storage space.

Ms. Wu answered that the attic will be used for a third bedroom.

Chrmn. Cifelli asked if she had submitted calculations of the attic space to Mr. DeNave, the Zoning Officer.

Ms. Wu indicated no.

Chrmn. Cifelli noted that the ordinance requires certain calculations have to be made to determine whether a third floor will be existing or not. He questioned how Mr. DeNave had decided, with these calculations, that a third floor was not being created.

Ms. Wu pointed out that the highest point in the attic would be 7 feet. Mr. Zhang testified that all the roof peaks will be 5 feet or less.

Chrmn. Cifelli felt the proposed window arrangement on the applicant's home may be intrusive on Ms. Chasalow's home next door.

Mr. Herbert asked Ms. Wu and Mr. Wu if the proposed top window could be eliminated from the plans. They were agreeable to this removal.

Mr. Haeringer and Mr. Zhang discussed the proposed dormer height. Ms. Wu felt the dormer may have to be slightly raised by 2 feet.

Chrmn. Cifelli pointed out that this new change to the dormer height isn't what's before the Board tonight. The Board doesn't have the authority to vote on hypothetical proposals.

Attorney Dwyer suggested the applicant review with the Zoning Officer, what constitutes a third story. A variance may be needed if a third story is proposed.

Chrmn. Cifelli noted that the application has been improved since the first hearing. He confirmed with Mr. Zhang and Ms. Wu that with the deck being eliminated, the home will then be brought half-way in to where the deck was.

Ms. Wu clarified that the applicant's wall will be moved away from the property line. She also confirmed that half of the proposed garage is being eliminated. The backyard will then become larger. Ms. Wu testified that the applicant's home will now be further away from the next door neighbor.

Ms. Chasalow stated that the deck was empty space. She felt, despite the added green space, the applicant's house would still be getting closer to her property.

Mr. Haeringer explained the additional 10 feet that will distance the garage from Ms. Chasalow's home.

Chrmn. Cifelli reminded the applicant that if revisions were made to the plans, the plans would have to be re-submitted. The applicant should also submit his latest proposals for the 3rd floor to the Zoning Officer to review. Chrmn. Cifelli asked that the applicant submit any revised plans to the Zoning Officer in a timely manner. Revised plans have to be submitted to the Board ten days before the May 23rd Board meeting.

Application ZB #17-32: Tao Zhang – 2 Martin Place – will continue to the May 23, 2018 Zoning Bd. of Adjustment meeting.

Application ZB #17-37
Elia & John Sheldon

8 Girard Avenue
Block 107 Lot 26
Building Coverage

The following were sworn in to testify:

John Sheldon, the applicant

Tim Klesse, the architect for the applicant

Mr. Sheldon gave an introductory statement. He bought the home four years ago. Mr. Sheldon testified that he is seeking to add a covered porch at the rear of the house. Currently a patio exists at this location. Mr. Sheldon explained that the proposed porch would help with some health issues in the family. A building coverage variance is needed. This porch will not be visible from the street. Mr. Sheldon felt the porch, with its transparency, would not affect the neighbors.

Chrmn. Cifelli and Mr. Sheldon discussed the current patio space. Mr. Sheldon testified one-third of the patio will be removed.

Mr. Klesse testified that the patio area measures 594 sq. ft. The proposal is to construct a 525-sq. ft. open porch. Mr. Klesse explained how 69 sq. ft. of lot coverage had been removed on the plans; however, 35 sq. ft. for the stoop was added. A net increase of 34 sq. ft. resulted with what is being proposed tonight. The proposed plans are under on FAR by 264 sq. ft.

Chrmn. Cifelli noted that on the plans, the proposed porch is called a three-seasons room. Will this room be open or closed?

Mr. Sheldon answered that he would like to be able to draw screens down in this room. The porch will be unheated and unfinished. A fireplace will be constructed in this porch.

Mrs. Kecskemety wanted more clarity on this proposed porch which will feature both a roof and a fireplace.

Mr. Klesse testified that the porch will be an open room with a fireplace. He pointed out the 4 areas where the porch will be open. It will be a 3-season room with one side solid and the other two sides transparent. The porch will have a sense of closure to it. At the ridge, it will be 14 feet tall.

Mr. Klesse submitted Exhibit A-1: Tax map of the applicant's neighborhood. He stated that a drywell will be installed on the applicant's property. Mr. Klesse testified that the lot depth is 202 sq. ft. whereas 100 sq. ft. is required. The proposed rear yard setback will be 95 feet, whereas 48 feet is required.

Chrmn. Cifelli asked if the FAR calculation is included in this proposed space.

Mr. Klesse answered yes, he and the Zoning Official agreed to include it.

Chrmn. Cifelli confirmed with Mr. Klesse that with this inclusion of the FAR, the plans are still under the FAR regulations.

Mr. Haeringer asked if this porch was approved and Mr. Sheldon sold the house, what would prevent the next owner from turning the porch into an extension of the home.

Mr. Klesse suggested perhaps a condition could be included in the resolution, if the application were approved, stating that the porch could not be turned into an extension. He reminded the Board that this porch will have no insulation. At Mr. Montague's request, Mr. Klesse described the windows for the porch. Mr. Klesse also reviewed the proposed fireplace and its venting system.

The public had no questions or comments for the witnesses.

Chrmn. Cifelli confirmed with Mr. Klesse that, for the most part, the proposed 3-season room will remain open. The room will have no air conditioning. Mr. Klesse noted that the proposed porch will be tucked into the middle of the existing house. This porch will not be detrimental to the public good. After further discussion, Mr. Klesse suggested a condition be included in the resolution, if the application is approved, that the porch will have no heating and no air-conditioning.

Mr. Sheldon then closed his application and submitted it to the Board for their consideration.

Board discussion began. Mr. Infante pointed out that the proposed porch will not be visible from the street. The porch will never be a living space per se. It won't be insulated underneath. The proposal will remove some lot coverage. Mr. Haeringer noted that there are enough safeguards that will prevent this porch from becoming an extension of the house. Mr. Tobia felt the porch was an interesting concept. It won't be going over on FAR. It is not a big request. Mrs. Kecskemety pointed out that the residents on Watchung Ave. have to look at this extended part of the house. She is not in favor of the proposal. Mr. Montague said he will support the application. Mr. Herbert felt undecided about this proposal. He felt the porch will be quite large and would eventually become a family room. Chrmn. Cifelli believed the impact of the one-story porch would be minimum. Also, he felt that the proposal would not have a negative impact on the public good.

Chrmn. Cifelli made a motion to approve Application ZB #17-37 - Sheldon, 8 Girard Avenue, with the applicant to follow any stormwater recommendations made by the Borough Engineer. Mr. Haeringer seconded the motion. A roll call vote was taken:

Mr. Tobia	-	yes
Mr. Haeringer	-	yes
Mr. Montague	-	yes
Mr. Infante	-	yes
Mr. Herbert	-	no
Mrs. Kecskemety	-	no
Chrmn. Cifelli	-	yes

Application ZB #17-37 was approved.

At 9:15 p.m. a break was taken in the meeting.

At 9:20 p.m. the meeting resumed.

Application ZB #18-02

Christopher Daley & Lisa Cline

22 Jackson Avenue

Block 34 Lot 24

Rear Yard Setback/Building Coverage

This is continued from the March 28, 2018 hearing.

Christopher Daley, the applicant, was sworn in to testify.

Chrnm. Cifelli confirmed with Mr. Daley that at the previous hearing he wanted to submit new plans asking for an extra 18 inches into the backyard. Mr. Daley testified that he had submitted the revised plans.

Mr. Daley testified that his house is a single-family colonial-style home, built in 1947. Currently, the layout of the rooms is compartmentalized. He is proposing to extend the kitchen towards the rear yard to improve the overall circulation of the house. Partially above this proposed kitchen extension, Mr. Daley is proposing a master bedroom. Mr. Daley believed the visibility of this kitchen extension will be very limited, since there is a wooded area beyond the backyard. The proposed extension will be tucked into the alcove where the patio is currently existing. The only resident who will be able to partially see this rear addition is 24 Jackson Avenue. The addition will not be seen from the street.

Mr. Herbert asked where the intensification was located.

Mr. Daley believed the intensification would be off of the existing den. Mr. Daley confirmed with Mr. Herbert that some of the proposed addition will take up a portion the existing patio.

Mr. Herbert asked what other changes are being proposed on the home's exterior that is triggering the need for a variance.

Mr. Daley answered that was all.

Mr. Daley reviewed his proposals for the vestibule. These proposals will remain within the front yard setback regulations.

Mr. Haeringer asked why this vestibule was being proposed.

Mr. Daley testified that currently the front door, when opened, is very close to the inside staircase and it also blocks a person from entering the rooms to the left.

Mr. Herbert asked for a description of the existing kitchen.

Mr. Daley testified that the existing kitchen is very narrow. It isn't even 10 feet deep. Minimal counter space exists. The current eat-in area is very tight. Mr. Herbert confirmed with Mr. Daley that the proposed first floor addition is limited to the proposed added space to the kitchen.

For the second floor, Mr. Daley described the proposed master suite. A walk-in closet will be included in the suite.

Mr. Daley reviewed what the neighbors will see of the addition. There are woods behind his home.

There were no questions or comments from the public on this application.

Chrmn. Cifelli asked for comments from the Board. Mr. Herbert felt the proposed addition will not impact any of the neighbors. It is not a large request. He felt the vestibule was a good proposal. Mr. Haeringer believed the proposal will not impact anyone. The proposals will make the house more useful and more beautiful. Mr. Montague and Mr. Infante felt it was a small proposal which will be located at the back of the home. There won't be much of an impact. Mrs. Kecskemety approved that the plans will give more space to a small kitchen. Mr. Tobia and Chrmn. Cifelli agreed with all the previous Board comments.

Mr. Montague made a motion to approve Application ZB #18-02: Daley & Cline – 22 Jackson Avenue, with the applicant to follow any stormwater recommendations as stipulated by the Borough Engineer. Mrs. Kecskemety seconded the motion. A roll call vote was taken:

Mr. Tobia	-	yes
Mr. Haeringer	-	yes
Mr. Montague	-	yes
Mr. Infante	-	yes
Mr. Herbert	-	yes
Mrs. Kecskemety	-	yes
Chrmn. Cifelli	-	yes

The application was approved.

Application ZB #18-03

Joseph & Christine Tolleson

37 Roosevelt Avenue

Block: 53 Lot: 48

Side Yard Setback Building Coverage/FAR

Joseph and Christine Tolleson, the applicants, were sworn in to testify.

Mr. Tolleson gave an introductory statement. He testified that currently a large portion of his backyard is asphalt. The existing garage is in the backyard. It's not a functional garage. Mr. Tolleson testified that he has done nothing structurally to the home since he and his wife moved in. However, they have remodeled the kitchen and bathrooms. The interior walls have remained the same.

Chrmn. Cifelli asked why the garage in the back was not functional.

Mr. Tolleson answered that the height and the turn-around are not adequate. Also, because of a lack of insulation on the garage door, and with the kitchen above the garage, pipes running to the upstairs bathroom have become frozen. Mr. Tolleson stated that he has to put a space heater in the garage to prevent the pipes from freezing. Mr. Tolleson testified that he is proposing to construct a new garage, a more functional one, on the side of his house.

Janet Siegel, the architect for the applicant, was sworn in to testify. The Board was very familiar with Mrs. Siegel's professional qualifications.

Mrs. Siegel reviewed the other options for the garage that she and the Tollesons had considered. These other options would not have worked well.

Chrmn. Cifelli asked what would be the size of the proposed garage.

Mrs. Siegel answered that the square footage of the proposed garage and the mudroom would be 297 sq. ft. It would be a narrow garage because of the side yard setback situation. Mrs. Siegel noted that an effort was made to keep the rear yard as open as possible.

Mrs. Siegel testified that Roosevelt Avenue has started to experience some redevelopment. The homes with attached garages must count them in the FAR calculations.

Mrs. Siegel submitted the following:

Exhibit A-1: garage analysis

Exhibit A-2: photo-board

Mrs. Siegel reviewed neighborhood homes and their garage arrangements. She explained the color-coding for the different garages in Exhibit A-1. Some of the homes had a rear entrance to their garages. Mrs. Siegel felt that the easiest solution, that would affect the lot coverage the least, would be a front-facing entrance to the garage.

Mrs. Siegel submitted Exhibit A-2: Four photos of the existing house

Chrmn. Cifelli asked if there were any other neighboring buildings that were 2 feet from the property line.

Answering another question from the Board, Mrs. Siegel testified that currently a 15-K turn situation is needed for a vehicle to enter the garage. Chrmn. Cifelli noted that the existing garage is not usable space. That condition needs to be addressed.

Mrs. Siegel testified that an effort will be made to maintain the house that is in place, fill in the screened-in porch, and add the proposed garage as the minimal impact on the applicant's property. Mrs. Siegel confirmed that the side yard variance is for 2 feet; however, the neighboring property is one of the largest properties and is a corner lot.

Referring to Sheet A-1, Mrs. Siegel explained that the plans propose to fill in unusable garage space, and add a new garage, which needs a building coverage variance. She discussed the increase proposed for the second floor.

Mrs. Siegel testified that the lot coverage on the applicant's property will be reduced by 700 sq. ft. Some of this reduction is a result of the elimination of the driveway as it turns around at the back. The deck will be resurfaced. The backyard will be preserved. Regarding the existing asphalt, Mr. Tolleson confirmed that everything behind the back corner of the house will be eliminated.

Mrs. Siegel testified that a measurement was taken from the applicant's existing house to the neighbor's house. There is currently 37 ½ feet from house to house. The proposed addition would basically pull out 10 feet. The new distance between the properties would measure 27.3 feet.

Mrs. Siegel testified that Mr. DeNave, the Zoning Officer, has deemed that the applicant's home was a house without a garage, which is a pre-existing non-conformity. Mrs. Siegel stated that the proposed plans will make the situation conform.

Mrs. Kecskemety noted that most of the neighboring homes are 50-ft. wide. She asked where were their garages located.

Mrs. Siegel showed her the neighborhood garage analysis. The properties shaded in blue have detached garages situated all the way in the back. She pointed out that the driveways are 4 feet or less from the property line.

Mrs. Siegel described the bracketed front portico, another minor improvement proposed for the house. She reviewed the proposals for the second floor. A roof will go over the new proposed space. Mrs. Siegel pointed out the unfinished attic space which contributes to the FAR calculations. Mrs. Siegel testified that the overall FAR increase is 515 sq. ft. This includes the proposed garage, the room above it, and the small dormer area. If the entire second story was eliminated, an FAR variance would not be needed. The main focus is to have this proposed garage.

Mr. Tolleson stated that if the detached garage was constructed because of the easement in the back with the drainage, it would have to be up further. A third of the backyard would be lost. Mrs. Siegel pointed out that this is a design decision.

Chrmn. Cifelli asked what would be the benefit to the neighborhood to have a house that close to the property line.

Mrs. Siegel answered that the visually, this closeness will not be evident due to the rhythm of what is developing in the neighborhood.

Mrs. Kecskemety questioned why the needed space couldn't be constructed out from the back of the house.

Mrs. Siegel noted that there is a water problem at the back of the house. The proposed garage will be going downhill. The plans presented tonight were a design decision made by her and the applicant.

Chrmn. Cifelli felt that some of the Board member had difficulty believing these proposed plans were beneficial to the Borough's scheme of zoning.

Mrs. Siegel believed that the proposed elevation is not out of context with what is going on with 4 or 5 other houses on the applicant's street.

Mr. Herbert asked if the proposed garage to be constructed on the side of the house would be a standard size or is it smaller?

Mrs. Siegel explained that it would be a narrower garage.

Mr. Herbert asked if there was a fence on the right side of the applicant's property where the garage will sit between properties.

Mr. Tolleson answered that the wooden fence is at the back of the property.

After further discussion, Chrmn. Cifelli observed that the Board members had real concerns about this application. He suggested an informal poll be taken of the Board members on how they felt so far about the proposals:

Mr. Infante – had difficulty accepting the proposed side yard variance

Mr. Haeringer – wanted more information on the proposed side yard, and second story

Mr. Tobia – also had concerns about the proposed side yard

Mrs. Kecskemety – was concerned about the location of the proposed deck, also the proposed side yard, and the large deck

Mr. Herbert – also questioned the 2-foot side yard

Chrmn. Cifelli – wasn't sure how he felt about the proposed garage if the second floor did not exist on the garage.

Chrmn. Cifelli informed Mr. Tolleson and Mrs. Siegel that the Board understood their need to improve the property; however, the 2-foot side yard is a struggle to accept. There is an option to make a one-story garage.

Chrmn. Cifelli suggested a brief break be taken in the meeting for Mr. Tolleson and Mrs. Siegel to confer in private on how to proceed with their plans.

At 10:35 p.m. a break was taken in the meeting.

At 10:40 p.m. the meeting resumed.

Mrs. Siegel asked that the application be carried to the May 23, 2018 Zoning Board of Adjustment meeting.

Chrmn. Cifelli reminded Mrs. Siegel that any revised plans must be submitted to the Zoning Office ten days prior to the May 23rd meeting. If variances are no longer needed for these plans, Mrs. Siegel and Mr. Tolleson should contact Mrs. Baldwin in the Zoning Office.

Mr. Cifelli announced that the applications on tonight's agenda will be carried to the May 23, 2018 Zoning Bd. of Adjustment meeting.

A Special Zoning Board of Adjustment meeting will be held Thursday, May 17, 2018, 7:30 p.m., Council Chambers, Chatham Borough Hall.

The Regular Zoning Board of Adjustment meeting will be held Wednesday, May 23, 2018, 7:30 p.m., Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

