

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT  
December 12, 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 Borough Hall. 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 2018-19

The meeting minutes of November 28, 2018 and November 29, 2018 were not ready for review at this time. They will be reviewed at the January 23, 2019 Zoning Board Meeting.

Resolutions

Application ZB #18-20

Jeremy & Kara Kopcsik

17 Mercer Avenue

Block 21, Lot 12

Attorney Dwyer summarized this application which proposed a two-story addition at the rear of an existing home. The applicant had revised his application to reduce the original variances.

The Board felt the addition would not be out of character with the neighborhood and granted the variances. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mr. Haeringer	-	yes
Mr. Herbert	-	yes
Mrs. Kecskemety	-	yes
Chrmn. Cifelli	-	yes

Application ZB #18-21

Michael & Theresa Marotta  
23 Oliver Street  
Block 93, Lot 19

Attorney Dwyer summarized this application which proposed a small two-story addition that would square off the left-hand side of the applicant's home. The Board felt the proposed variances were warranted. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mr. Haeringer	-	yes
Mr. Herbert	-	yes
Mrs. Kecskemety	-	yes
Chrmn. Cifelli	-	yes

Application ZB #18-16  
548 Main Street, LLC  
548 Main Street  
Block 33, Lot 7

Attorney Dwyer summarized this application which allowed the applicant to have a residential use on the first floor. This building is located in the B-2 District. The Board felt that site was particularly well suited given the building's residential history, its residential floor plan and character. A roll call vote was taken to approve this resolution confirming the Board's approval of this variance:

Mr. Haeringer	-	yes
Mrs. Kecskemety	-	yes
Chrmn. Cifelli	-	yes

#### Returning and New Applications

Chrmn. Cifelli announced that the following applications will be carried to the January 23, 2019 Zoning Bd. of Adjustment meeting:

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

Application ZB #18-01: 233 Fairmount Avenue – Hume

Application ZB #18-23: 54 Fairview Ave. – Steber

Application ZB #17-13: 29 River Road – First Student Inc.

Chrmn. Cifelli announced Application ZB #18-18: 27 Girard Avenue – Ou has been withdrawn.

Chrmn. Cifelli announced that Application ZB #18-12: 50 Inwood Road – Glenbrook Properties, LLC will be heard tonight.

Application ZB #18-12  
Glenbrook Properties, LLC

50 Inwood Road

Block 13, Lot 1

Side Yard/Rear Yard/Garage Setback

This is continued from the November 29, 2018 Zoning Board of Adjustment hearing.

Gary Haydu, Esq., attorney for the applicant, came forward.

Chrmn. Cifelli noted that the Board has received revised plans since the last hearing. He asked Attorney Haydu to review where the application had left off at the last hearing.

Attorney Haydu recalled that two variances were needed for side yard setbacks, triggered mostly by the fact that the subject property is a corner lot. The applicant's architect has been working to see how this situation could be adjusted without adversely impacting the remainder of the home.

Chrmn. Cifelli confirmed with Attorney Haydu the revised setback measurements.

Nick Bensley, the applicant's architect, came forward. Mr. Bensley remained under oath from the previous hearing.

Mr. Bensley testified that he had reviewed the revisions that were made to the proposed side yard setbacks. He stated that the rear yard setback would remain the same. Building coverage will remain the same. The impervious coverage will increase slightly because of the added driveway; however, it is still under the allowable amount. The lot coverage is within the allowable.

Referring to the right side of the property, Chrmn. Cifelli asked how many feet would the proposed side yard encroach. Mr. Bensley answered probably 10 feet of that 20 ft. setback would encroach.

Attorney Haydu recalled that an exhibit had been submitted at the last hearing, showing that whatever configuration was used, variances would always be needed.

Mr. Bensley noted that the reason for the rear yard setback variance is the proposal to attach the garage to the house, rather than building a detached garage. If the applicant did not have a corner lot, a front-facing garage would not happen. If the proposed garage were to face Lafayette Ave., only a minor setback problem would result. Chrmn. Cifelli also pointed out that situation would make it unsafe for a vehicle to back out onto Lafayette Ave., especially during school hours.

Mr. Bensley pointed out that the proposed plans will bring down the scale of the addition, since Inwood Road had a smaller streetscape than Lafayette Ave.'s streetscape.

Regarding the garage situation, Attorney Haydu recalled that an exhibit had been submitted at a previous hearing showing photos that a number of the neighboring homes had attached front-facing garages with no setbacks. Mr. Bensley stressed that there was no way, even with the existing house, of constructing a garage that would not have setback problems.

Mr. Haeringer asked what the side yard distance of the property behind the applicant's house is.

Mr. Bensley estimated 40 to 50 ft. It is substantial.

Mr. Herbert asked for testimony on the proposed landscaping for the backyard.

Mr. Bensley noted that Mr. DeNave had requested that a berm be inserted to help with water problems. The berm will direct any stormwater into a proposed seepage pit. Buffering will be planted between the applicant's property and the neighboring property behind. Some buffering will be planted on the side yard along Inwood Road.

Attorney Haydu had no further witnesses to testify. He would like to close the application and submit it to the Board for a vote.

The public had no questions or comments on the application.

The Board had no further questions for Mr. Bensley.

Board discussion was held on the application. Chrmn. Cifelli believed that the applicant has done a very good job in revising the plans. He approved of the proposal of setting the attached garage back to conform with the ordinance. Chrmn. Cifelli was glad to see no driveway was being proposed on the Lafayette Ave. side, for safety reasons. Mr. Herbert pointed out that the subject property is strangely shaped. He was glad to see that the house will be aligned with Lafayette Ave. and Inwood Road to reduce the awkward shape of the lot. Mrs. Kecskemety felt the proposed building will fit right in with the neighborhood. Mr. Tobia approved of the revisions. Mr. Haeringer approved of the proposed buffering that will be planted. Like Mrs. Kecskemety, he believed the proposed home will fit in well with the neighborhood. Mr. DeRosa felt this proposed home will be better than what currently exists on the property. The proposed pivoting of the property to fully face Inwood Road is a positive move.

Chairman Cifelli made a motion to approve Application ZB #18-12: Glenbrook Properties, LLC – 50 Inwood Road, with the applicant to follow any recommendations made by the Borough Engineer regarding the stormwater on the property. Mr. Haeringer seconded the motion. A roll call vote was taken:

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

Application ZB #18-12: Glenbrook Properties was approved.

Chrmn. Cifelli noted that the next Zoning Bd. of Adjustment meeting will be the Reorganization Meeting for 2019. He asked Mrs. Kecskemety and Mr. Montague to serve again as the Board's nominating committee to organize a slate of officers for the new year.

Chrmn. Cifelli announced that the remaining applications that were not heard tonight will be carried to the January 23, 2019 Zoning Board of Adjustment meeting.

At 8:30 p.m. the meeting adjourned.

The next Zoning Board of Adjustment meeting will be held on Wednesday, January 23, 2019, 7:30 p.m., in the Council Chambers, Chatham Borough Hall. This will be the Board's Reorganization Meeting for 2019.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary