

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT
March 23, 2022

7:30 p.m.

Chairman Michael Cifelli called this Regular Meeting of the Chatham Borough Zoning Board of Adjustment to order at 7:30 p.m. This was a virtual meeting. Board members, Attorney Oller, and witnesses were present by way of Zoom. Chrmn. Cifelli stated that adequate notices for this Board of Adjustment meeting were given as required by the Open Public Meetings Act.

Names	Present	Absent
Michael A. Cifelli, Chrmn.	X	
Frederick Infante	X	
Jean-Eudes Haeringer	X	
Patrick Tobia	X	
Joseph Treloar	X	
David Degidio	X	
Peter Hoffman	X	
Curt Dawson	X	
Patrick Dwyer, Esq.		X

Richard Oller, Esq. served as Zoning Board Attorney at tonight's meeting in Attorney Dwyer's absence.

Our thanks to Borough Administrator Steve Williams, for serving as the host for tonight's Zoom meeting.

Public Comment

There was none.

Resolution #ZB 2021-01

The minutes of the February 23, 2022 Zoning Board of Adjustment meeting were approved as submitted.

Resolutions

There were none.

Nomination for Board Vice Chairman

Mr. Tobia reported that Peter Hoffman has agreed to serve as Vice Chairman of the Zoning Board of Adjustment for the year 2022.

Chrmn. Cifelli made a motion to appoint Peter Hoffman as Vice Chairman of the Zoning Board of Adjustment for the year 2022. Mr. Haeringer seconded the motion. A roll call vote was taken:

Chrmn. Cifelli - yes
Mr. Haeringer - yes
Mr. Infante - yes

Mr. Tobia - yes
Mr. Treloar - yes
Mr. Degidio - yes
Mr. Dawson - yes

Peter Hoffman was unanimously approved as Vice Chairman of the Zoning Board of Adjustment for 2022.

Returning and New Applications

After some discussion, Chrmn. Cifelli announced that the following applications will be heard tonight:

Application ZB 21-006: Androski – 17 Yale Street
Application ZB 21-015: Kissel – 128 Lafayette Avenue

The future of Application ZB 21-016: 33 Milton LLC – 39 No. Summit Ave. was discussed. The Board still needed to receive important input from the Code Official and also to allow time for two more Board members to listen to the recording of the first hearing.

Mr. Williams and Chrmn. Cifelli discussed the possibility of holding a hybrid meeting on April 27, 2022 as opposed to a full in-person meeting.

Attorney Oller made a formal announcement that Application ZB 21-016: 33 Milton LLC – 39 No. Summit Ave.

Chrmn. Cifelli announced that Application 22-002: Savage – 60 Chandler Road, will be carried to the April 27, 2022 Zoning Bd. of Adjustment meeting.

Chrmn. Cifelli stated the hearing date for Application ZB 20-012: Chatham Holdings, LLC – 34 River Road will be decided later on in tonight’s meeting.

Tonight’s scheduled hearings began.

Application ZB 21-006

Stephanie Androski

17 Yale Street

Block: 47 Lot: 7

Side Yard Setback (Left)

Side Yard Setback (Right)

Rear Yard Setback

Building Coverage

Floor Area Ratio

Deck Side Yard Setback

Attorney Oller swore in the following:

Stephanie Androski, the applicant

Christine Miseo, the architect and planner for the applicant

Ms. Miseo submitted her professional and educational credentials to the Board as a licensed architect and planner in the state of New Jersey. The Board accepted her credentials.

Ms. Androski testified that she had bought the property at 17 Yale Street in 2018. She introduced her two young children. She is a single mom. Her children are now older than they were in 2018, plus with the recent Covid lifestyles, Ms. Androski believed that the house no longer works for her family. She explained that her current kitchen is serving also as an office, an art studio, and homework room, among other uses.

Ms. Androski stated that her new work position demands that she work all hours of the day and night. She would like a space to take phone calls in the middle of the night without waking up her children. There is currently no spare bedroom for visiting relatives. She has to sleep on the couch when her parents visit.

Ms. Androski testified that her plans include excavating a new portion of the basement, creating a family room at the rear of the house, a master bedroom will be constructed above the family room. She noted that her son has been diagnosed with ADHD with an anxiety disorder. He needs a quiet place to do his homework.

Chrmn. Cifelli reviewed with Ms. Androski the list of variances being sought and the calculations that are involved. Ms. Miseo testified that the applicant's lot is grossly undersized for this particular zone. This particular zone requires 9300 sq. ft. whereas the applicant's lot is only 5,000 sq. ft.

Ms. Miseo put the proposed site plan on the Zoom screen. On the 200 ft. radius map, she pointed out that the properties on the east end of Yale Street are very small in comparison to most of the other lots in the area. Returning to the site plans, Ms. Miseo testified that the second floor will not extend beyond the 7.1 ft. setback. The construction in the left side section will stay right in line with the house. Ms. Miseo pointed out the crisscrossed area on the plans show the proposed first floor addition. The house already has a small sunroom/family room. That room will be extended approximately 4 feet at the back. A tiny deck will be constructed to provide a barbecue area. Ms. Miseo testified that the existing rear yard setback is 35 feet 9 inches.

Ms. Miseo put the proposed second floor addition on the Zoom screen. The proposed master bedroom will measure 12 ft. 10 inches by 19 ft. 8 inches. A small office area will be created a couple of doors down from the children's bedrooms. A moderate master bathroom will be created. A generous walk-in closet will be built.

Ms. Miseo testified that the remaining existing bedrooms will stay the same; however, the middle right bedroom will get an extra closet. Ms. Miseo did not believe the addition at the rear would not be very large. The new family room will measure 13 ft. 10 inches by 19 ft. 10 inches. A mudroom will be constructed.

Ms. Miseo believed that the proposed additions to the house will be small, even though the proposed numbers seem large. She reminded the Board that the applicant's home is 50% smaller than what is required in that particular zone. Ms. Miseo put the three elevations on the Zoom screen. She pointed out that their rear elevation involved a great deal of glass. A new portico is being proposed for the front of the home. Ms. Miseo testified that none of the addition will be seen from the street.

Ms. Miseo reviewed the number of the home's non-conformities. She felt if the house was full sized at 9300 sq. ft., with the proposed 2400 sq. ft., the FAR would only be at 26% which is much smaller than the 40% which is required in this zone.

Chrmn. Cifelli asked for the left and ride side yard setbacks of the neighboring homes on either side of the applicant's house

Ms. Miseo answered that these neighboring homes were comparable in size, so she believed the side yards would be 10 feet.

Chrmn. Cifelli brought up the problems created for the light, air, and open space when bulk is added to homes where only 14 feet exists between them.

Ms. Miseo explained that the applicant's house already has an addition on the right side that aligns with the house. She did not believe the extension of the existing non-conformity on the left side or the right side of the house would really add to the bulk. Ms. Miseo stated that the front of the house will look no different with these proposed additions.

Ms. Androski pointed that the house diagonal to her home has done almost the same addition that she is proposing. She stated that all of the homes around her have larger additions at the rear.

Mr. Haeringer felt that was a good point. However, he had concerns that if these plans were approved, it would encourage the nine/ten neighboring homes to seek similar additions. Mr. Haeringer did not feel the smallness of the applicant's lot is not an accident. Ms. Androski had bought the house that way.

Ms. Miseo answered that if the neighboring homes did similar additions, where the streetscape stays the same, it would not be detrimental to the town or the neighborhood. She pointed out that the 1940s character of the applicant's house will be maintained if the additions were constructed.

Chrmn. Cifelli asked what the height of the roofline is.

Ms. Miseo answered 28 feet 1inch at the lowest point. It is well below the height requirement. She stated that an effort was made not to have the addition extend beyond the existing ridge. Ms. Miseo and Ms. Androski did not want the proposed addition to be seen from the front of the house. Ms. Androski pointed out that she will be gaining space in the yard with the proposed arrangement.

Mr. Infante asked if the intensification on the right-hand side of the house was for the second floor.

Ms. Miseo answered yes. The second-floor lines up with the house, but because it is an existing, non-conformity, any extension would intensify the variance. However, no construction will go beyond the side yard setbacks. The only setback the construction that will go past the allowable is for the rear yard.

Mr. Infante pointed out that the Municipal Land Use Law talks about air, light, and open space. He noted that the property's listing of non-conformities amount to four items and apply to the lot itself. Ms. Miseo corrected him, stating that there are 7 existing nonconformities. Mr. Infante agreed with the correction; however, the applicant's lot is not unique to the neighborhood. The lots in the applicant's neighborhood are similar in size.

Ms. Miseo and Mr. Infante further discussed the light, air, and open space issue. Ms. Miseo felt that it was customary in this neighborhood to have the houses close together. She isn't aware of any of the neighbors objecting to these plans. Referring to the neighborhood photos, Ms. Miseo pointed out the available green, trees, fences in between the homes.

Ms. Androski stated that the neighbors have told her that they support her application.

Mr. Infante stated that he could appreciate the neighbors' support for this application, but the Zoning Board has to follow a mandate to consider how proposals like these would affect the town, not just the neighbors, even though neighbors are important. Chrmn. Cifelli added that the Board cannot take into consideration the personal needs of applicants when considering variances.

Chrmn. Cifelli and Ms. Miseo reviewed, on the Zoom screen, the zoning map of the applicant's neighborhood. Chrmn. Cifelli confirmed with Ms. Androski that the lots at the end of Yale Street, entering No. Summit Ave., did not appear to be consistent with the rest of the lots on Yale St. Moving away from No. Summit Ave., the lots appear wider.

Chrmn. Cifelli discussed the bulk issue. He brought up the cluster of properties at the end of Yale Street. He was concerned about the wall-like appearance on the side of these structures if too much bulk exists in the house. Chrmn. Cifelli asked to see the existing floor plans. He would also like to hear ideas on how, architecturally, the wall-like appearance will be broken up.

On the Zoom screen, Ms. Miseo pointed out the existing rooms on the first floor. She then pointed out the new proposed area. The only real change on the first floor will be the enlargement of the existing family room. Also, a mudroom and laundry area will also be added. Ms. Miseo reviewed the rooms existing on the second floor. Chrmn. Cifelli noted that the master bathroom is detached from the master bedroom, forcing a family member to walk through the office area. Ms. Miseo testified that she and Ms. Androski, with these plans, were mindful of the streetscape and what would be appropriate in Chatham.

Mr. Hoffman asked if there were any photos or aerial views to show the additions on the neighboring homes that would be comparable to what Ms. Androski is proposing, especially the home at 19 Yale Street.

Ms. Miseo submitted Exhibit A-1: Another aerial view of the applicant's neighborhood.

Mr. Haeringer had concerns about the proposed bulk at the back of the applicant's home.

To help with the testimony, Mr. Williams submitted Exhibit B-1: An aerial photograph of North Hillside and Yale Street without any tree foliage.

On Exhibit B-1, Ms. Miseo pointed out the rear extensions of the neighboring homes. She noted that other nearby homes have additions. Ms. Miseo also noted that it appears that all the side yards in this section of Yale Street are existing non-conformities.

Chrmn. Cifelli asked if the rear yard setback variance was for the proposed deck.

Ms. Miseo answered no, it was for the proposed second floor cantilever.

Mr. Haeringer asked Ms. Androski how she would feel if her neighbors on either side of her constructed the same extension as she is proposing.

Ms. Androski answered she would be fine with it. Her family and her neighbors do most of their socializing/ playing on the front lawns.

Chrmn. Cifelli asked Ms. Miseo and Ms. Androski if they had anything more to present.

Ms. Miseo answered no. They have covered all of their material.

Chrmn. Cifelli asked the public if they had any questions for these witnesses.

There were no questions.

Chrmn. Cifelli asked the Board if they had any questions for the witnesses.

Mr. Infante brought up the second story proposed addition. He asked if there were any other second story additions on the applicant's street.

Ms. Androski answered that across the street from her home there are two houses with 2-story additions. On her side of the street there are one-story additions. Mr. Infante confirmed with Ms. Androski that her home, on that side of Yale Street, will be the only house with a two-story addition.

Mr. Hoffman reiterated Chrmn. Cifelli's earlier comment, that personal reasons cannot be used for granting variances. He asked if there was anything more that could be sacrificed on these plans to lessen the FAR, or is everything maxed out to make the home more functional?

Ms. Miseo answered that possibly 2 feet could be taken off of the proposed master bedroom. She felt that there was no other area to cut back on. Ms. Miseo calculated that 30 sq. ft. could be removed from the house, if some of the rooms could be shrunk. No dining room currently exists in the house.

Mr. Treloar and Ms. Miseo reviewed side yard calculations.

Chrmn. Cifelli asked if the public had any comments on this application.

There were none.

Chrmn. Cifelli asked for comments from the Board. Mr. Infante noted that the applicant's lot is undersized. He felt that the ask was not large by modern standards; however, the lot can absorb only so much. Mr. Infante gave his views on the light, air, and open space situation with this application. Mr. Haeringer felt that the bulk was the major issue with this application; however, the house does need modernization. Mr. Tobia stated that he initially felt that this would be too much house for the property; however, the way the plans have been presented makes sense to him. The streetscape at the front will not be changing. Mr. Hoffman noted that the aerial map that had been presented was a big help. The proposed design is as efficient as it could possibly be. Mr. Dawson discussed the proposed second story addition. He felt that feature is not a desirable one but is necessary to reach the plan's objectives. Mr. Treloar believed that the plans were done keeping in mind the light, air, and open space issue. He appreciated that the building coverage was being kept under the allowable. Mr. Degidio had no comments. Chrmn. Cifelli was glad that Board members looked beyond the calculations with this application and considered the practicality. On a practical level, Chrmn. Cifelli felt it was a good application.

Chrmn. Cifelli made a motion to approve Application ZB 21-006: Androski – 17 Yale Street with the proposed deck be moved in one more foot to achieve the required setback, and with the applicant to follow any recommendations made by the Borough Engineer regarding stormwater conditions. Mr. Tobia seconded the motion. A roll call vote was taken:

Mr. Dawson	-	yes
Mr. Treloar	-	yes
Mr. Degidio	-	yes
Mr. Hoffman	-	yes
Mr. Tobia	-	yes
Chrmn. Cifelli	-	yes
Mr. Haeringer	-	yes
Mr. Infante	-	no

Application ZB 21-006: Androski – 17 Yale Street was approved.

Chrmn. Cifelli stated that he will announce the meeting date for Application ZB 20-012: Chatham Holdings, LLC later in the meeting. The applicant's attorney was present in the audience and asked for clarification on the date of his client's hearing.

At 9:25 p.m. a break was taken in the meeting.

At 9:38 p.m. the meeting resumed.

Application ZB 21-015

Daniel & Erin Kissel

128 Lafayette Avenue

Block: 15 Lot: 7

Minimum Front Yard Setback

Minimum Side Yard Setback

Maximum Principal Coverage

Maximum FAR

Maximum Impervious Lot Coverage

Attorney Oller sworn in the following:

Daniel and Erin Kissel, the applicants

Jonathan Baczewski, the architect for the applicants

Mr. Baczewski submitted his educational and professional credentials to the Board. The Board accepted them.

Mr. Kissel gave an introductory statement regarding his application. He and his wife have lived at 128 Lafayette Avenue for a little over five years. Mr. Kissel stated that he and his wife plan on having children, plus relatives come and visit, so they would like more room in the home. They would also like to modernize their home with these proposals.

Some of the Board members indicated they did not have the denial letter. Attorney Oller pointed out a letter that had been submitted, dated September 15, 2021 from Dennis J. Harrington, the Borough Zoning Official at that time. Mr. Harrington's letter listed the five variances and their percentages. Chrmn. Cifelli reviewed aloud the variances in the letter. He felt the actual figures would have been more helpful to the Board than the percentages. Mr. Baczewski said he would help with that situation.

Mr. Baczewski described the existing lot which is undersized. He reviewed the lot's measurements, existing and required. The lot width is undersized. He testified that the existing home is meets the side yard setback on the second floor. Mr. Baczewski testified that the existing home meets the setback on the first floor. He explained that the existing home has two parts of it. A two-story portion exists on the front which extends beyond the setback. A single story detached garage exists in the back which complies with regulations.

Mr. Baczewski put the proposed site plan on the Zoom screen. He explained the proposals that will be constructed in two parts. An addition is being proposed over the attached one-story garage. A covered porch will be constructed in the location of the existing porch in the front. A paver patio will be installed on either side of the covered porch. Landscaping will be planted in front of it.

Mr. Baczewski put the front elevation on the Zoom screen. On the first floor, the existing powder room will be shifted. A mudroom will be created between the attached garage and the main part of the home. A pergola will be constructed. He described the proposed landscaping as rose bushes and climbing plants.

Mr. Haeringer asked if Mr. Baczewski had a set of existing plans. Mr. Baczewski answered no. Conditions will stay pretty much as they exist. He testified that the openings between hallways will be slightly expanded. The existing kitchen will be slightly shifted to correct an awkward bend existing in that room.

Mr. Baczewski testified that the second floor of the main house will remain the same. He stated that there is a landing in the center hall of the house. Off of that landing, an addition is being proposed above the existing garage. This addition will be for the master suite.

Referring to the plans, Mr. Baczewski pointed out a line going straight up, indicating the location of the 12 ft. setback. The main portion of the house, the front, is slightly closer to the side yard and where the garage currently sits. This 2-inch closeness requires a variance. The only building square footage that is being added is for the covered front porch. It will measure 47 sq. ft.

Mr. Baczewski testified that the proposed patios will produce 135 sq. ft. to the impervious coverage.

Mr. Baczewski reviewed the FAR calculations. The FAR will be 207 sq. ft. over what is required. The required amount of FAR is 2,689 sq. ft. The existing FAR is 2,458 sq. ft. The proposed FAR is 2,896 sq. ft. At Chrnm. Cifelli's request, Mr. Baczewski reviewed the impervious coverage calculations.

Mr. Treloar confirmed with Mr. Baczewski that the proposed patio would be 135 sq. ft. of the proposed impervious coverage square footage.

Mr. Baczewski reviewed the front elevation. He stated that Mr. and Mrs. Kissel had wanted to soften the front elevation. Currently, it is very severe looking and awkward. An opened covered porch will be constructed at the front. The pergola will be built at the side to accommodate some climbing plants. Mr. and Mrs. Kissel wanted some space to sit out in the front yard.

Mr. Baczewski put the side elevations, existing and proposed, on the Zoom screen. He stated that consideration was given to the light, air, and open space situation with these plans. The plate height on the second floor will be lowered almost 2 feet from the existing plate height. An effort was made to keep the architecture the same as the vernacular. The existing garage ridge to the proposed ridge of the addition will only be 9 feet taller at its highest point. That ridge will be 3 feet lower than the existing ridge.

Mr. Baczewski noted that the house, with the proposed additions, may seem large; however, when the square footages are broken down, a great deal of bulk is not being added to the house. He testified that an effort was made to limit the amount of bulk. Mr. Baczewski testified that on the right-side yard, where the addition will be constructed, the nearest home is 20 feet from the

applicant's property. Eleven evergreen trees were also planted in that space, which will be rapidly increasing in height as time goes by. Mr. Baczewski submitted photos from the packet, showing the existing side yard from the front, and the side yard from the rear.

Mr. Baczewski submitted Exhibit A-1: a photo of the front of the existing home and the neighboring properties. He discussed how the neighboring homes are oriented slightly differently from the applicant's.

Mr. Baczewski submitted Exhibit A-2: photos of the two houses down from the applicant's, on the right-hand side. He pointed out that this neighboring home has a covered front porch, similar to the one the applicant is proposing. The neighboring house adjacent extends further back than the applicant's.

Mr. Baczewski submitted Exhibit A-3: an aerial photo looking at the backyards of the neighboring homes. He reviewed the appearance of the neighboring rear additions.

Mr. Baczewski asked the Board if they had any questions.

Mr. Treloar brought up the impervious lot coverage variance. He noted that the proposal is 148 sq. ft. over what currently exists. The patio accounts for only 135 sq. ft. Mr. Treloar asked where the other 13 sq. ft. is coming from.

Mr. Baczewski answered that there is the patio and the proposed covered front porch. He explained the lot coverage numbers don't add up because there is an existing open front porch that will be removed.

Chrmn. Cifelli asked what will be the height of the proposed roof line over the garage.

Mr. Baczewski answered 24 feet 8 inches for the proposed.

Chrmn. Cifelli asked what is the existing height of the roof line over the garage.

Mr. Baczewski answered 15 feet.

Mr. Baczewski testified that the proposed front porch will be 47 square feet.

Mr. Haeringer asked Mr. Baczewski if he had given any thought to taking down the garage and re-positioning the back of the house properly. Perhaps the two-car garage could be reduced to a one car garage.

Mr. Baczewski clarified that the existing garage will be staying. The roof would be the only item to be removed from the existing garage. He was not sure the applicant would want to deal with the construction costs such a project would entail.

Mr. Haeringer asked the age of the house.

Mr. Baczewski believed that the house was built in the 1920s. Some renovations were done in the mid-1980s.

Mr. Haeringer noted, that as a builder, he has found that breezeways like the one this house has, will give the garage problems with its foundation. Mr. Baczewski said he understands that situation; however, he didn't believe the applicant's breezeway and garage will have that problem.

Mr. Kissel pointed out that 22 Edgewood Ave., a house around the corner, has a bedroom/bathroom living space over a garage, an arrangement similar to what he and his wife are proposing.

Mr. Haeringer reminded Mr. Kissel that the town requires only a one car garage, not two.

Mr. Infante asked what the distance between the applicant's home and the two homes on either side would be.

Mr. Baczewski answered that on the side of the applicant's proposed addition, it would be 20 feet. He wasn't sure, but it would be close to 40 feet.

Chrmn. Cifelli asked what the reason for the proposed patio in front is, rather than proposing a front porch, which is more favored by the Master Plan.

Mr. Baczewski answered that he and the applicant did not want to increase additional roof coverage. They tried for a softer, more subtle transition between the brick façade and the siding. Mr. Baczewski explained how the stormwater would flow with the proposed patio and the slight berm to be created.

After further discussion, Mr. Baczewski suggested the front patio and covered porch be pulled back 7 inches and bring it in some more to help keep the arrangement closer to the existing impervious coverage.

Mr. Treloar and Mr. Baczewski discussed the possibility of using open pavers for the patio. Mr. Baczewski explained that he disliked using open pavers is that over time these pavers settle unevenly and become tripping hazards. He felt the way he is designing the proposed rain garden could handle the run-off.

Chrmn. Cifelli brought up the additional Floor Area Ratio. Is it solely being driven by the space above the garage?

Mr. Baczewski agreed the majority of the FAR would be the space above the garage. That space would push the FAR 207 sq. ft. over the allowable. He noted that an attached garage in Chatham Borough contributes to the FAR. This garage would contribute 353 sq. ft. to the FAR.

Chrmn. Cifelli asked what the dimensions of the proposed master bedroom would be.

Mr. Baczewski answered that the entirety of the master bedroom and the master bath is 24 ft. by 20 ft. He and the Board discussed how the applicant's car negotiates the driveway and garage. A semi-circle driveway was being proposed, as opposed to a driveway going straight in.

Mr. Treloar asked if the applicants would consider trading off some of that semi-circle driveway to make up for the room for the patio area. He had concerns about the impervious coverage area.

Mr. Baczewski did not think it would be possible to sacrifice any of the driveway area. Even with his own small car, the driveway is very tight. The width of the driveway is just under 9 feet. Mr. Baczewski testified that the existing driveway does not meet current design standards.

After further discussion, Mr. Baczewski stated that there is a possibility that 75 sq. ft. could be shaved off the impervious coverage if the Board should request it.

At Mr. Infante's request, Mr. Baczewski reviewed the measurement for the proposed master bedroom. This bedroom will measure 13 ft. by 17 ½ inches. Mr. Baczewski explained how the plate height will be lowered in this room.

Mr. Hoffman had concerns about the FAR variance. This particular variance requires a heavier burden of proof. He would like to hear more planning testimony for this FAR variance, giving the positive and negative criteria. Mr. Hoffman asked how the proposed addition will enhance the purposes of good zoning or is inherently beneficial to the Borough of Chatham as opposed to just being beneficial to the homeowners.

Mr. Baczewski noted that a FAR variance makes the effort to reduce the building mass, and how large the house appears on the lot. Referring to the elevations, he pointed out that the roof will be lowered to almost 2 feet as an effort to minimize the mass. He felt that the proposed addition will not produce any shadows to fall on neighboring properties.

Mr. Baczewski stated that on the side yard, with the proposed addition, Mr. and Mrs. Kissel have already planted some large evergreen trees. In another year or two, because of these planted evergreens, the addition will not be visible to the neighbors on that side. There are tall trees to the left of the applicant's house. These trees are taller than the proposed addition. Mr. Baczewski reviewed some of the architectural actions that will be taken to minimize the bulk of the house, if the addition was approved.

Mr. Hoffman brought up the benefit to the applicant, as well as to the Borough, of constructing a detached one car garage further back in the backyard. Also, perhaps one of the existing bedrooms could be demolished. These measures could then eliminate the FAR variance, as well as some other variances. This arrangement could then create a more attractive, easier entrance to the home.

Mr. Baczewski agreed that Mr. Hoffman's suggestions will decrease the FAR; however, he felt the quality of the backyard would diminish if a detached garage was built there. Mr. Baczewski pointed out that most of the neighboring homes have attached garages. A detached garage would be out of character with the neighborhood.

Mr. Baczewski submitted the following to show the massing of other homes in the neighborhood:

Exhibit A-4: a Google aerial view of the applicant's neighborhood.

Exhibit A-5: A photo showing the street view of 124 Lafayette Ave.

Chrmn. Cifelli asked if there is any further testimony and exhibits for this application.

Mr. Baczewski answered that he had nothing further.

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

There were none.

Chrmn. Cifelli asked if Board members had any further questions for the witnesses.

There were none.

Mr. Baczewski indicated that the application was now closed and that he and the applicants are submitting it to the Board for a vote.

Chrmn. Cifelli asked for comments from the Board. Mr. Hoffman noted that it was an attractive design; however, he was still struggling whether enough planning testimony had been submitted to justify some of the variances, in particular the D variance. Chrmn. Cifelli stated that he could accept the proposed impervious coverage. He pointed out that the Borough's Master Plan favors front porches. Mr. Dawson felt the architecture was nicely done. He can accept the proposed impervious coverage; however, he questioned why 5 bedrooms were needed in what a good-sized house is to begin with. Mr. Tobia felt the main problem with this application is the Floor Area Ratio. He would have liked to hear more planning testimony regarding the proposed FAR. Mr. Haeringer felt the architectural design is good; however, the FAR variance is too much. Mr. Infante believed the proposed design was very thoughtful and that the applicant's property could absorb the proposed FAR. The light, air, and open space will not be affected by these proposals. Mr. Treloar believed it was a beautiful architectural design; however, he did not believe it was appropriate for this particular lot. He discussed his concerns about the impervious coverage being proposed. Mr. Degidio did not want to see an attached two car garage being taken away, and a one car detached garage take its place. As for the impervious coverage, Mr. Degidio felt that the proposed garden arrangement and open pergola will deal with any stormwater concerns. Chrmn. Cifelli felt the applicant's property could absorb this addition. The houses in the immediate area are spaced out from each other enough, so there won't be a major impact on light, air, and open space. Chrmn. Cifelli felt that what is being proposed for the garage is relatively modest. The applicants have the benefit of what already exists in that section. He supported the application.

Chrmn. Cifelli pointed out to Mr. and Mrs. Kissel that they have heard the comments on their application from the Board. He informed them that the Board can hold off on their vote tonight on their application if Mr. and Mrs. Kissel so desired. Before the next Board meeting, Mr. and

Mrs. Kissel could submit revised plans to the Board ten days prior to the next meeting. They also could consider returning with more planning testimony and/or a neighborhood analysis to argue their case. Chrmn. Cifelli stated that Mr. and Mrs. Kissel may also ask that the Board take a vote tonight on this application. Attorney Oller reminded Mr. and Mrs. Kissel that at least five affirmative votes will be needed to approve their application, since a D variance is involved.

Chrmn. Cifelli asked Mr. and Mrs. Kissel if they would like to take a 5-minute break to consult privately with their architect to see which course of action they will take. Mr. and Mrs. Kissel agreed to take the 5-minute break.

During this break, Chrmn. Cifelli asked the Board to consider three available nights in April to hear Application 20-012: Chatham Holdings, LLC (River Grille) – 34 River Road. The Board decided on Tuesday, April 26.

Chrmn. Cifelli officially announced that Application 20-012: Chatham Holdings, LLC -34 River Road will be carried to a Special Board of Adjustment Meeting to be held on Tuesday, April 26, 2022, 7:30 p.m. It will be a Zoom hybrid/in-person meeting. Attorney Oller will notify Chatham Holdings and their attorney of this April 26th meeting.

Chrmn. Cifelli announced that the following applications will be carried to the Regular Zoning Board of Adjustment Meeting scheduled for April 27, 2022, 7:30 p.m.:

- Application ZB 21-017: Li Lin & Hau Lin: 174 North Passaic Avenue
- Application ZB 21-011: Ran Huo: 61 Center Avenue
- Application ZB 22-001: Eric & Kelsey Bicknese: 237 Washington Avenue

Attorney Oller added to this announcement, stating that the April 27, 2022 Zoning Board of Adjustment Meeting will be a hybrid, in-person meeting.

Mr. and Mrs. Kissel returned to the Zoom Board meeting. Mr. Kissel stated he and his wife are asking that the Board vote on their application tonight.

Chrmn. Cifelli made a motion to approve Application ZB 21-015: Kissel – 128 Lafayette Avenue, with the applicant to follow any stipulations made by the Borough Engineer regarding stormwater. Mr. Infante seconded the motion. A roll call vote was taken:

Mr. Dawson	-	yes
Mr. Infante	-	yes
Mr. Haeringer	-	no
Chrmn. Cifelli	-	yes
Mr. Tobia	-	yes
Mr. Hoffman	-	yes
Mr. Treloar	-	no

Application ZB 21-015: Kissel – 128 Lafayette Avenue was approved.

Before adjourning, Mr. Haeringer ask if the Board could meet the new Borough Engineer. Chrmn. Cifelli felt the Borough Administrator, Mr. Williams, should handle this request. Mr. Williams clarified that the Borough Engineer and the Borough Zoning Officer are now two different positions. Chrmn. Cifelli believed the Zoning Officer is probably the official the Board would like to meet. Mr. Williams said he will arrange for Mr. Turi, the new Zoning Officer, to attend a future Board meeting.

At 11:26 p.m. the meeting adjourned.

The next Chatham Borough Zoning Regular Board of Adjustment Meeting will be held on Wednesday, April 27, 2022, 7:30 p.m.

The Special Zoning Board of Adjustment meeting will be held on Tuesday, April 26, 2022, 7:30 p.m.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

