

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT  
October 24, 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

Marjorie Blanchard, 150 Lafayette Ave., said she was present tonight to comment on Application ZB #18-12: Glenbrook Properties: 50 Inwood Rd. She inquired if this application will be heard tonight.

Chrmn. Cifelli answered no. Application ZB #18-12 will be carried to the November 29<sup>th</sup> Zoning Board of Adjustment Special Meeting.

Michael Dean, 181 No. Passaic Ave., asked if Application ZB #16-006: 8 Watchung Avenue, LLC will be heard at tonight's meeting.

Chrmn. Cifelli answered no.

Chairman Cifelli reviewed the applications that will be carried:

- Application ZB #16-006: 8 Watchung Ave, LLC
- Application ZB #18-01: Hume – 233 Fairmount Avenue
- Application ZB #18-16: 548 Main St., LLC – 548 Main Street
- Application ZB #18-12: Glenbrook Properties, LLC – 50 Inwood Rd.

Chrmn. Cifelli announced that these four applications will be carried to the Special Zoning Board of Adjustment meeting to be held on November 29, 2018, 7:30 p.m., Council Chambers, Chatham Borough Hall.

Resolution #ZB 2018-17

The Zoning Board of Adjustment minutes of September 26, 2018 were approved as amended.

The Zoning Board of Adjustment minutes of October 4, 2018 will be reviewed at a future meeting.

Resolutions

Application ZB #18-17  
Jeff & Christine Catullo  
49 Fairmount Avenue  
Block 118, Lot 24

Attorney Dwyer summarized this application which proposed the demolition of the existing home. The new home will give the appearance of facing Fairmount Ave., with an increase in building coverage. The right-side yard will be improved by these proposals. The Board determined that the benefits outweighed the detriments and approved the application. 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. Kass	-	yes
Mr. Infante	-	yes
Mrs. Kecskemety	-	yes
Mr. Montague	-	yes
Chrmn. Cifelli	-	yes

Chrmn. Cifelli announced that Application ZB #17-30: Main Street Development Group, LLC: 585-589 Main Street, has withdrawn their application.

Returning and New Applications

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

Application ZB #18-18: Ou – 27 Girard Avenue  
Application ZB #18-19: Clancy – 24 Essex Road  
Application ZB #18-20: Kopcsik – 17 Mercer Avenue  
Application ZB #18-21: Marotta – 23 Oliver Street

Application ZB #18-18

Bin Ou  
27 Girard Avenue  
Block 106, Lot 9  
Building Coverage

Samuel J. McNulty, Esq., from the firm of Houston & McNulty, Florham Park, came forward. He stated that he is representing The Willows at Chatham, Condominium Association Inc. and an adjoining property owner of the applicant's. Attorney McNulty stated that these entities were in opposition to this application.

Bin Ou, the applicant, was sworn in to testify.

Mr. Ou testified on the dimensions of his lot and described its topography. He stated that his existing home is a bi-level dwelling. Mr. Ou is proposing to construct a new center hall colonial home on his property. A detached two-car garage is also being proposed.

Mr. Ou noted that most of the homes in his neighborhood are bi-levels.

Mr. Ou submitted Exhibit A-1: colored photos of neighboring homes on the same side of the street as 27 Girard Avenue.

Chrmn. Cifelli clarified that Mr. Ou is seeking to demolish his existing home and construct a new house. Chrmn. Cifelli confirmed with Mr. Ou that he is proposing 479 sq. ft. over the allowable building coverage. Mr. Ou testified that the proposed garage will be 23 feet by 21 feet.

Mr. Ou felt that his proposed center hall design will be consistent with the neighborhood.

Mr. Ou submitted Exhibit A-2: colored photos of the neighboring homes across the street from his property.

Mr. Haeringer confirmed with Mr. Ou that he has seeking over 400 sq. ft. in building coverage. Mr. Haeringer asked Mr. Ou if he proposed a one car garage, instead of a two-car garage, he would not have to appear before the Board.

Mr. Ou felt that most of the garage contributed towards the overage on building coverage. He described the center hall colonial home currently at 4 Girard Avenue. Unfortunately, he did not have a photo of this home.

Mrs. Kass asked if 4 Girard Avenue had required a variance.

Mr. Ou was not sure. Chrmn. Cifelli felt that factor was unknown. That home may have been a pre-existing nonconformity.

Mr. Ou testified that the proposed house will measure 41 ft. by 37 ft. The proposed house will sit further back from the street than the existing home. Mr. Ou explained how he had eliminated variances for the front yard setback and the side yard setback.

Mr. Infante asked Mr. Ou how far his proposed house would be to the neighboring home on the left.

Mr. Ou answered 27 feet.

Chrmn. Cifelli noted that Mr. Ou had a conforming sized lot. He asked Mr. Ou why he couldn't construct something on his lot that conforms with the zoning requirements.

Mr. Ou explained that he designed the home for his family needs. Five bedrooms are being proposed. He believed these bedrooms will not be large.

Chrmn. Cifelli pointed out that only a professional planner is qualified to testify on the average sizes of bedrooms.

Mrs. Kass noted that some Borough properties can handle five bedroom homes. It's not clear yet whether the applicant's property. A professional planner can testify on that matter. Some more information could be researched for the new home at 4 Girard Avenue to help evaluate Mr. Ou's application.

Mr. Haeringer questioned what he felt was a large landing in the proposed home.

Chrmn. Cifelli asked Mr. Ou if he had given any consideration to putting the proposed garage at the back of the house, in the basement. If that placement was done, the variance would then be eliminated.

Mr. Ou explained that the existing slope on the property influenced his proposals. He felt constructing the home farther from the road would make it appear smaller.

Mr. Ou submitted Exhibit A-3: An aerial photo of the applicant's neighborhood.

Mr. Infante reminded Mr. Ou that constructing the home farther from the street would not resolve the building coverage variance issue.

Mrs. Kecskemety asked if the first floor, especially the kitchen, could be made smaller. She also questioned the measurements of the proposed master bedroom and the landing.

Chrmn. Cifelli noted that the plans are seeking 479 sq. ft. over the allowable, it's hard for the Board to understand why half of that square footage figure cannot be removed from the proposed living structure. Also, the garage could be reduced to a one car garage. If an overage still resulted from these actions, it would be for only a small amount.

Mr. Ou stated that he will work with his architect to possibly create a one car garage and make other revisions.

Mr. Haeringer and Mrs. Kass noted to Mr. Ou that there are local architects available to help homeowners "fit" their proposals well onto the property and into the applicant's neighborhood. Mr. Haeringer reminded Mr. Ou that a variance must also benefit the community.

Mr. Infante pointed out that even if Mr. Ou brings his architect before the Board, there is no guarantee his application will be approved.

Chrmn. Cifelli noted that Mr. Ou has indicated that he will be working with his architect to bring his proposals more into conformity with the zoning regulations. Mr. Ou agreed. He will work with his architect to revise the proposed garage and the second floor proposals.

Mr. Herbert suggested to Chrmn. Cifelli that perhaps the objector to this application be invited to give his concerns at this point.

Attorney McNulty stated that most of the concerns that he and his client had about this application has been raised by the Board tonight. He asked whether the status of this application will be withdrawn.

Attorney Dwyer confirmed with Chrmn. Cifelli that the applicant can request that his application be carried, with any revised plans to be submitted 10 days prior to the next meeting.

Mr. Infante asked Attorney McNulty what were his clients' concerns about the application.

Attorney McNulty noted that there are reports that water problems are coming from a retaining wall. The proposed two car garage was also a concern of his client's.

Chrmn. Cifelli and Mrs. Kecskemety pointed out that the Borough Engineer reviews drainage conditions of all plans approved by the Borough.

Attorney McNulty noted that he hasn't heard any proofs so far regarding the "C" variance that is being sought.

Chrmn. Cifelli explained to Mr. Ou that certain testimony must be given by qualified professionals. A homeowner usually does not have the qualifications to testify on certain aspects of his application.

Mr. Ou stated that he will work with his architect to modify the plans.

Application ZB #18-18: Bin Ou – 27 Girard Avenue will continue to the November 28, 2018 Zoning Board of Adjustment meeting.

Application ZB #18-19

James & Amie Clancy

24 Essex Road

Block 25, Lot 11

Side Yard

The following were sworn in to testify:

Amie Clancy, the applicant

Marjorie Roller, architect for the applicant

Mrs. Clancy gave an introductory statement. She testified the home currently has only one bathroom. Mrs. Clancy is proposing to add another bathroom.

Ms. Roller submitted her professional credentials to the Board. She is qualified to present both architectural and planning testimony. The Board accepted Ms. Roller's qualifications.

Ms. Roller testified that the proposal is to construct on top of the footprint of an existing family room that measures 16 feet by 12 feet 4 inches. A cantilever is proposed towards the back of the house. Another cantilever is proposed towards the center of the property to create more space for a master bedroom, closet, and master bath.

Ms. Roller described the applicant's home as a typical house in the neighborhood. The house sits back 9 feet on one side and 8 ft. 8 in. on the other side. The applicants want to maintain the 9.1 feet setback on the left side in order to build on top of the family room.

Ms. Roller believed that existing conditions will be continued. She pointed out that the intensification will be the 12 feet on the second floor.

Mrs. Kecskemety noted that the neighbors on either side of the applicant's house have done a similar arrangement. The lots in the neighborhood are small.

Chrmn. Cifelli confirmed that the applicant's lot is 1500 sq. ft. under what is required by ordinance. In terms of the lot area, the applicant's property is an existing non-conformity. Ms. Roller added that the lot width is 10 feet less than what is required for this zone.

Attorney Dwyer asked the width of the cantilevers.

Ms. Roller answered two feet each. She explained the effort that was made to prevent the cantilevering to go over the allowable building coverage, thus triggering another variance. Ms. Roller testified that between the applicant's home and the next-door neighbor there is a minimum of 18 feet.

Ms. Roller discussed some of the neighboring homes that have constructed additions similar to what the applicant is proposing.

Ms. Roller submitted Exhibit A-1: two photos of neighboring properties. She pointed out the additions to these properties that fit in well with the neighborhood.

Chrmn. Cifelli asked if there would be additional space upstairs in the applicant's home to allow for the bathroom to expand. Two full baths will be created for the upstairs.

Mr. Infante asked Ms. Roller for testimony on the light, air, and open space issue.

Ms. Roller answered that the proposals will be appropriate for the applicant's neighborhood. A full 18 feet will exist between the applicant's home and the next structure. Ms. Roller pointed out that the addition will not be well perceived from the front. Mrs. Clancy described what existed at the rear yard of her property.

Ms. Roller and Mrs. Clancy submitted the application to the Board for a vote.

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

Chrmn. Cifelli asked for Board comments. Mr. Infante noted that the proposals would have no impact on the building coverage. The FAR conforms with the Borough regulations. He will support the application. Mr. Haeringer felt the proposals were the only way to improve the home. Mrs. Kass pointed out the addition will not be seen from the front. There is a need for a second bathroom upstairs. Mr. Herbert noted that some of the neighbors have constructed the same type of addition. Mr. Herbert and Mrs. Kecskemety felt that the proposals will be bringing the home up to modern standards. Mr. Montague and Chrmn. Cifelli had concerns about side yard setbacks, however will support the application. Chrmn. Cifelli noted that the applicant's lot is undersized, and the bulk will be on the second floor in this situation.

Mrs. Kecskemety made a motion to approve Application ZB #18-19: Clancy – 24 Essex Road with the application to follow any stormwater regulations as stipulated by the Borough Engineer. Mr. Herbert seconded the motion. A roll call vote was taken:

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

Application ZB #18-19: Clancy – 24 Essex Road was approved.

At 8:45 p.m. a break was taken in the meeting.

At 8:50 p.m. the meeting resumed.

Application ZB # 18-20

Jeremy & Kara Kopcsik

17 Mercer Avenue

Block 21, Lot 12

Side Yard/Building Coverage/Floor Area Ratio

The following were sworn in to testify:

Jeremy & Kara Kopcsik, the applicants

Dan Dubinett, the architect for the applicant

Mr. Dubinett submitted his professional credentials to the Board. The Board accepted them.

Mr. Kopcsik testified that he and his wife have lived at 17 Mercer Avenue since August 2005. The current house is a small colonial home with 3 bedrooms. Since the house was built in 1941, no upgrades have been done to it. Mr. Kopcsik and his wife are proposing to improve on the home's existing layout. He testified on the current cramped conditions of the kitchen. His family cannot sit down together in the kitchen for a meal.

Mr. Kopcsik testified that the existing two bathrooms are very small. He felt that the variances, if approved, will give the home more functionality. Some safety conditions will improve, as well as the flow of the house. Mr. Kopcsik believed the overall aesthetic footprint will be in line with many of the additions that have been constructed in his neighborhood. The proposed addition will be at the rear of the home. Mr. Kopcsik stated that, aside from the portico, the streetscape of the house will not change from its original design.

Mr. Dubinett testified that the applicant is proposing 4 bedrooms, 2 ½ bathroom for his home. A mudroom is proposed for the first floor. A one-story addition will be constructed at the back of the house, behind the garage. The existing kitchen will be expanded. A family room will be added. On the second floor, a fourth bedroom will be added, as well as closet space for the bathroom.

Mr. Dubinett reviewed the three variances being sought: side yard setback, building coverage, and Floor Area Ratio (FAR). 170 sq. ft. of additional FAR is being asked. Mr. Dubinett pointed out that the bulk of the proposed two-story addition at the rear will conform with the side yard setback regulations.

Mr. Dubinett testified that the proposed mudroom will be one story, and will be constructed behind the garage. It will require a side yard setback variance. Mr. Dubinett explained that the existing house is a little skewed. He believed that the proposals will not be a negative impact to the adjacent neighbor because of the existing hemlock trees, which will provide screening. The mudroom will not have any side doors, thus reducing foot traffic. Mr. Dubinett stated that the existing home is an existing nonconforming structure.

Mr. Dubinett noted that in terms of building coverage and FAR, the massing of the proposed addition will be at the center of the rear of the house. It will stick out 15 feet. There is an existing enclosed sunroom. The addition will go 6 feet beyond that sunroom.

Mr. Dubinett submitted Exhibit A-1: proposed plans.

Mr. Herbert confirmed with the applicant that the home currently does not have a family room. Mr. Kopcsik stated that the basement is only partially finished.

Mr. Dubinett showed a Google earth photo depicting Mercer Avenue and the density of the applicant's neighborhood. Using the Google photo, he reviewed each neighborhood homes that had an addition constructed at the back.

Mr. Infante asked if the actual calculations of these homes with the rear additions be submitted for the Board's review.

Mr. Dubinett stated that within the 200-ft. radius, 30% of the homes have 4 bedrooms and 2 ½ baths or more. Mr. Dubinett felt that a neighboring home, 25 Meadowbrook Rd., had the same type of addition as the proposed one, and it fits well in the neighborhood.

Mr. Dubinett testified that the proposed addition will fit well on the site. Someone passing by could not detect a major change to the house, unless he went inside. Mr. Dubinett noted that 3 Sussex Ave. is 5.88% over on FAR, with a back addition. However, he felt there would be no impact on the streetscape.

Mr. Dubinett testified that Mr. DeNave wanted a condition in the resolution, if the application was approved, that the entire stormwater from the house and the addition, will be captured. Mr. DeNave had also requested an inlet be installed on the applicant's property to capture water running from Meadowbrook Rd. No trees will be removed for this project.

Mr. Dubinett welcomed any more questions. Chrmn. Cifelli asked the public if they had questions for Mr. Dubinett.

Gregory Helfrich, 15 Mercer Ave., confirmed with Mr. Dubinett that he had obtained the living space measurements of the neighboring homes from the Borough property tax cards.

Mr. Helfrich asked Mr. Dubinett whether he believed that living space would probably be less than what the actual size of this house is under FAR.

Mr. Dubinett answered that he could not obtain the thickness of walls, however he could obtain interior dimensions.

Mr. Helfrich confirmed with Mr. Dubinett that the FAR number would probably be greater than what the tax card showed.

Mr. Helfrich confirmed with Mr. Dubinett that the existing home is going from 1126 sq. ft. to 1647 sq. ft. That is a 46% increase. Mr. Helfrich confirmed with Mr. Dubinett that there will be a 50% increase of proposed FAR. This FAR increase will be located behind the existing house.

Mr. Helfrich confirmed with Mr. Dubinett that the proposed deck will add a 65% increase in the side of the house, on two floors.

Mr. Helfrich confirmed with Mr. Dubinett that there is an existing structure in the side yard, the garage, that is 19 feet long. The proposal is to make the structure 29 feet. Mr. Dubinett said a side yard setback variance was being sought. He agreed with Mr. Helfrich that there will be a 50% increase of what is located in the setback.

Mr. Helfrich and Mr. Dubinett agreed that there would be an average of 14 feet between his (Helfrich's) home and the applicant's home.

Referring to the left elevation, Mr. Helfrich asked what the height of the addition would be, at its very end, from grade.

Mr. Dubinett answered 27 feet.

Mr. Helfrich asked Mr. Dubinett if it was his professional opinion that the proposed bulk will not interfere with any light and space.

Mr. Dubinett answered no. He has studied the solar orientation regarding the applicant's property. Mr. Dubinett testified that even in the winter months, the addition will not block the sunshine.

Mr. Dubinett submitted Exhibit A-4: photos of the existing hemlocks located between 17 Mercer Ave. and 15 Mercer Ave.

Mr. Herbert asked how high the hemlocks were.

Mr. Dubinett answered that they were higher than 20 feet.

Mr. Helfrich believed that the hemlocks were planted on the property of 15 Mercer Avenue. He stated that he had planted those hemlocks about 20 years ago.

Mr. Helfrich confirmed Mr. Dubinett that water currently pools behind both 15 Mercer Ave. and 17 Mercer Ave. Mr. Kopcsik indicated he had photos of this pooling conditions occurring in the rear yards.

Mr. Kopcsik submitted the following:

Exhibit A-5: 17 Mercer Ave. – pooling conditions

Exhibit A-6: 16 Mercer Ave. – pooling conditions

At this point, Gregory Helfrich was sworn in to testify.

Chrmn. Cifelli confirmed with Mr. Helfrich that he had made the statement that at least a portion of his existing house is 8 feet off the property line. Nine feet was required for the first floor of the 1991 addition to his home. A variance was not required at that time.

Mr. Helfrich had no further question for the witnesses.

Chrmn. Cifelli asked Mr. Kopcsik and Mr. Dubinett if they had further testimony to provide.

Mr. Kopcsik stated that there were neighbors present, who are more in line, visually, with what is being proposed.

Chrmn. Cifelli pointed out that there will be time for the neighbors to come forward if they so desire. He was just asking if Mr. Dubinett and Mr. Kopcsik if they wanted to give further testimony on the issues that were raised.

Using Exhibit A-4, Mr. Dubinett felt that 13 Mercer Ave., with its extension, would be a good comparison and 15 Mercer Ave.

Mrs. Kecskemety felt that the first-floor addition, the patio, and the deck would be quite a large extension. She was concerned about the proposed growth of the side of the building.

Mr. Dubinett submitted Exhibit A-7: Sheets B1 & B2. He explained how the roof lines would result with some jogging in.

Mrs. Kass pointed out that the existing home is not small to begin with. The existing room sizes are what they are, which limits the homeowner's options.

Mrs. Kecskemety and Mrs. Kass questioned the measurements of the proposed walk-in closet and the master bath, both for the master bedroom. They felt they were very large.

Chrmn. Cifelli asked Mr. Dubinett and Mr. Kopcsik if they had anything further to present. They indicated no.

Chrmn. Cifelli asked the public if they had any further questions for these witnesses. None of the public had further questions.

Mr. Kopcsik and Mr. Dubinett indicated they were closing their application and submitting it to the Board for a vote.

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

Gregory Helfrich, 15 Mercer Ave., came forward. He remained under oath. Mr. Helfrich stated that he didn't mean to object to this proposed addition. However, Mr. Helfrich wanted all of the facts about this application to be out in the open in order to allow for the Board to be objective. After researching the property cards for this neighborhood (Mercer Ave.), Mr. Helfrich felt that applicant's home will be the largest in the neighborhood, in square footage, if the proposals were approved and constructed.

Mr. Helfrich submitted Exhibit O-1: a chart of Mr. Helfrich's research on the square footages, lot sizes, and completed additions of the neighboring homes. Chrmn. Cifelli confirmed with Mr. Helfrich that these measurements from the property cards, usually under represent the actual FAR calculations for these homes. Mr. Helfrich noted that most of the neighboring homes had two-story additions.

Mr. Helfrich stated that his biggest concern is what happens to all the water runoff if the proposed addition was approved and constructed. Where would the water travel to? He had been informed by Mr. DeNave, the Borough Engineer, that stringent requirements would be made for this particular property.

Chrmn. Cifelli assured Mr. Helfrich that all applications, seeking variances, if approved, must follow any stipulations regarding stormwater and drainage as recommended by the Borough Engineer.

Mr. Infante added that there are times when plans are submitted, with the actual delineation of where the new drainage will be installed, where the stormwater will run, etc. Unfortunately, it's not on these particular plans.

Mr. Kopcsik stated that he was willing to sign a document that he and Mr. Dubinett will follow Mr. DeNave's directives to a T. Mr. Kopcsik also stated the only reason he was having a drywell installed was out of respect for the neighbors. He did not want any water running on to the neighboring properties.

Chrmn. Cifelli said it would be helpful if professional drawings could be submitted to show how the water will run from the proposed addition into a drywell.

After further discussion, Chrmn. Cifelli confirmed with Mr. Kopcsik that he will consult with Mr. DeNave in any respect. Whatever Mr. DeNave determines on this situation, plans could then be submitted depicting whatever he wants.

The Board and Mr. Helfrich discussed the types of garages existing in the applicant's neighborhood.

Larry Cabral, 20 Meadowbrook Rd., was sworn in. He stated that his property was on the other side of the applicant's property. Mr. Cabral testified the Mr. and Kopcsik are great neighbors. He wants them to remain as neighbors.

Mr. Herbert asked Mr. Cabral how he felt about the proposed addition. Will it directly impact him?

Mr. Cabral felt that the proposed addition will be consistent with the neighborhood. He felt his family's privacy will be maintained if this addition were to be constructed, Mr. and Mrs. Kopcsik had shown concerns about the privacy of the Cabral family when planning this addition. They had shown the proposed plans to Mr. and Mrs. Cabral to show how their privacy will be maintained.

Mr. Herbert asked Mr. Cabral what the water conditions on his property were.

Mr. Cabral answered that the water conditions were fine on his property.

Mr. Cabral thanked the Board for their time.

Gregory Helfrich came forward again. He showed photos of the neighboring backyards after a rainfall.

Elizabeth O'Donnell was sworn in to testify. She testified that she had lived at 24 Essex Road. Ms. O'Donnell had also lived at 13 Mercer Ave. until June 2018. She testified that the previous owners of 13 Mercer Ave. were not allowed to add on to this house. They moved to Meadowbrook Rd.

The public had no further comments on the application.

Board discussion was held. Chrmn. Cifelli was not happy with the proposed FAR calculation, especially because the FAR regulations had been recently revised. Mr. Montague stated he no

problem with the applicant proposing an addition, but this particular addition is too large. Mrs. Kecskemety felt the addition was too large. Mr. Herbert believed that the proposed addition will not change the front of the house. He will support the application. Mrs. Kass pointed out that if the proposed garage was a detached garage, it would eliminate the FAR variance and significantly diminish the proposed building coverage. Mrs. Kass will support the application. Mr. Haeringer stated that he agreed with everyone's comments. Mr. Infante had concerns about the water run-off issue. Chrmn. Cifelli had concerns about the proposed calculations; however, he will support the application.

Chrmn. Cifelli reminded the applicant that at least five affirmative votes would be needed to approve the application.

Mr. Haeringer stated that he will support the application.

Chrmn. Cifelli suggested that an informal poll be taken of the Board members and where they stand right now on the application:

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

Mr. Dubinett indicated that he and the applicant will work on possible modifications to the plans.

Application ZB #18-20: Kopcsik – 17 Mercer Avenue will continue to the November 28, 2018 Zoning Board of Adjustment meeting.

Chrmn. Cifelli announced that Application ZB #18-21: Marotta – 23 Oliver Street will be carried to the November 28, 2018 Zoning Board of Adjustment meeting.

At 10:30 p.m. the Board went into Closed Session to discuss ongoing litigation.

At 10:45 p.m. the Board returned to Public Session and adjourned the meeting.

The next Zoning Board of Adjustment Meeting will be held on Wednesday, November 28, 2018, 7:30 p.m., in the Council Chambers, Chatham Municipal Building.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary

