

Borough of Chatham

Annual Report

2010

Zoning Board of Adjustment

January 29, 2011

Subject: 2010 Annual Report of the Chatham Borough Zoning Board of Adjustment

Board Organization

The annual organizational meeting was to be held on January 26, 2011, but was postponed due to inclement weather to February 23, 2011. Officers for the coming year will be elected at the rescheduled reorganization meeting.

During 2010 the Board had a full complement of members (7) and alternates (2).

Effective December 31, 2010, Mr. Walter Voytus, the Board Chairman, elected to resign after seven (7) years of service to the Board, and was commended for his service.

Three applications continued to 2010 from the 2009 Board caseload were heard. One was approved, one was withdrawn after being heard, and one withdrew without hearing. Seven (7) new applications for variances were presented to the Building office in 2010. All new applications were approved. A synopsis of the eight (8) applications that were approved are as follows:

Two (2) were commercial involving use variances

Of the residential cases:

Four (4) involved FAR;

Two (2) involved Building Coverage;

Five (5) involved side yard setbacks;

One (1) involved a front yard setback.

The total number of cases eight (8) was significantly lower (approximately half) than the caseload of the past several years.

The Board heard one other case, an appeal of the decision of the Zoning Officer. The Zoning Officer had ruled that a proposed rehabilitation facility (Tri-Care) in the former space of a bed and breakfast (Parrott Mill Inn) was a continuing non-conforming use. His decision was appealed by a group of residents. Upon hearing the case the SBOA upheld the appeal, ruling that the proposed use was a new use and required a variance. The ZBOA was subsequently sued by the developer.

Activities:

There were only eleven (11) regular scheduled meetings as the November meeting was cancelled due to lack of caseloads. No special sessions were required this year. During the year the Board was informed that the court case regarding the 2008 denial of the expansion of Little Angel's School house from approved residential use (5 children or less) to commercial use (10-12 children) had been decided in the Borough's favor.

The ZBOA's attorney was named to defend the SBOA in the Tri-Care case. The case will likely continue into 2011.

Recommendations and 2011 Plans:

- The Board continues to have an interest in the activities of the Planning Board as evidenced by the effect of the side yard setback rule changes and looks forward to seeing the effect of the recently approved changes in the FAR regulations and the anticipated sign ordinance changes. The Board thanks H. H (Monte) Montague for his continued diligent work as the Planning Board liaison.
- With the resignation of the former Chairman, the ZBOA had a vacancy which was filled by Ms. Alida Kass. As a result, completion of state-mandated municipal land use law planning/zoning training will need to be conducted.

Respectively submitted,

Peter Hoffman
Vice Chairman, Zoning Board of Adjustment

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