

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT

November 29, 2017

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 for this Zoning Board of Adjustment meeting was given by the Open Public Meetings Act.

Names	Present	Absent
Chrmn. Michael Cifelli	X	
Helen Kecskemet	X	
Frederick Infante	X	
Douglas Herbert		X
H.H. Montague	X	
Jean-Eudes Haeringer	X	
Patrick Tobia – 1 <sup>st</sup> Alternate		X
Alida Kass		X
Patrick Dwyer, Esq.		X

Vincent K. Loughlin, Esq., served as Board Attorney at this meeting, in Attorney Dwyer's absence.

Vincent DeNave, Zoning Official and Borough Engineer, was present for part of the meeting.

Resolution #ZB 2017-14

A voice vote was taken on Resolution #ZB 2917-14. All Board members present voted to approve the minutes of the October 25, 2017 Zoning Board of Adjustment meeting.

Old/New Business

Mr. Montague reported that the Planning Board will be updating the language of Chapter 165 of the Borough Code's Land Development Regulations relating to the bulk standards for the Borough's Residential Districts.

Chrmn. Cifelli reported that he has asked Dr. Blickstein, the Borough's Planner, to give feedback on the recently revised FAR and bulk variances. These changes have created a tension among Board members when deciding on these variances.. Hopefully Dr. Blickstein will respond by the end of this year. Chrmn. Cifelli will forward her response on to Board members in time for a discussion at the Board's December meeting.

Resolutions

Application ZB #17-22

Main Street Development Group, LLC

34 Orchard Road

Front Yard/Rear Yard

Block 93, Lot 2

A motion was made/seconded to approve the resolution confirming the Board's approval of the Front Yard and Rear Yard variances for 34 Orchard Road. A roll call vote was taken:

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

Application ZB #17-23

Matthew & Jennifer Dunn

21 Coleman Avenue West

Front Yard/Rear Yard/Building Coverage/FAR

Block 79, Lot 32

A motion was made/seconded to approve the resolution confirming the Board's approval of the Front Yard, Rear Yard, Building Coverage, and FAR variances for 21 Coleman Avenue West. A roll call vote was taken:

Mr. Montague	-	yes
Mrs. Kecskemet	-	yes
Mr. Haeringer	-	yes
Chrmn. Cifelli	-	yes

Application ZB #17-27

Jack Van Schiver & Linda Braun

21 Oliver Street

Building Coverage

Block 93, Lot 18

A motion was made/seconded to approve the resolution confirming the Board's approval of the Building Coverage variance for 21 Oliver Street. A roll call vote was taken:

Mr. Montague	-	yes
Mrs. Kecskemet	-	yes
Mr. Haeringer	-	yes
Chrmn. Cifelli	-	yes

Public Comment

There was none.

New and Returned Applications

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

Application ZB #16-020: REO Development – 94 Washington Ave.

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

Application ZB #17-26: Sullivan/Grant – 53 Garden Avenue

Application ZB # 17-28: Snarr – 58 Lincoln Avenue

After some discussion regarding the order of the applications, Chrmn. Cifelli consented to hear Application ZB #17-26: Sullivan/Grant first tonight.

Application ZB #17-26

Sullivan/Grant

53 Garden Avenue

Block 21, Lot 12.06

Side Yard/Building Coverage/FAR

The following were sworn in to testify:

Neil Sullivan & Carol Grant, the applicants

Carolyn Young, the architect for the applicants

Ms. Grant gave an introductory statement for the application.

Chrmn. Cifelli reminded Ms. Young and the applicant that at least five affirmative votes are needed to approve their FAR variance. Only five Board members are present tonight. Normally seven Board members are present. Perhaps Ms. Young and the applicants may want to wait until more Board members are present.

Ms. Young and the applicants conferred briefly in privacy concerning which direction to take on their application.

Mr. Sullivan asked that the application be adjourned to the December 13, 2017 meeting. The Board consented.

Application ZB #17-26: Sullivan/Grant – 53 Garden Avenue will adjourn to the December 13, 2017 Zoning Board of Adjustment meeting.

Application ZB #17-28

Snarr

58 Lincoln Avenue

Block 17, Lot 12

Front Yard, Building Coverage, Lot Coverage

The following were sworn in to testify:

Thomas & Kimberly Snarr, the applicants

Dana Napurano, architect for the applicants

Richard Keller, professional planner for the applicants

Mr. Snarr gave an introductory statement on his application. His home was constructed in the 1940s. The proposals in this application will make the house more functional, but it will be in keeping with the neighborhood.

Ms. Napurano testified that the home is a 2 ½ story colonial-style home. However, from the street, the house appears 1 ½ stories. Currently the home has 5 bedrooms and 3 ½ bathrooms. Currently there is no garage on the property. A driveway runs along the righthand side of the property with a parking area existing at the back.

Ms. Napurano testified that the scope of the project is to add to the curb appeal at the front of the house. A front portico is being proposed. An addition is proposed at the rear of the house to create a mudroom and expand the breakfast area. The proposed addition will provide enough room to insert a breakfast table. The existing driveway will be extended 4 ½ feet in front of the proposed detached garage.

Ms. Napurano testified that another proposal is to move the existing basement stair to make it easier to access the basement. The current access is tight and awkward. An existing first floor bathroom will be renovated.

Ms. Napurano described the existing first floor. Currently the family uses the front door as their main entrance. The dining room serves as a mudroom. Ms. Napurano described the existing tight conditions of the kitchen. The proposed addition will give more breakfast and table space. Ms. Napurano reviewed the proposed mudroom.

Ms. Napurano testified that the front porch will be made a little wider, and a portico will be added. She explained how the relocation of the basement stair would improve conditions in both the basement and the kitchen. Needed pantry space will be created.

Chrmn. Cifelli confirmed with Ms. Napurano that the proposed construction on the right side of the home will not impact the side yard setback. This section of construction will conform with Borough regulations.

Chrmn. Cifelli confirmed with Ms. Napurano that the proposed garage was really the factor driving the variance calculations. The proposed garage will be a one and a half car garage. The width of the garage will be 16 feet.

Mr. Infante confirmed with the applicant that he bought the house without a garage. Chrmn. Cifelli pointed out that since the house was built in the 1940s, it's possible that a garage may never existed.

Attorney Loughlin and Chrmn. Cifelli asked the size of the existing shed on the property. Mr. Keller answered 60 sq. ft. The shed will not be removed at this time.

Ms. Napurano testified that the proposed portico will enhance the front of the house, by adding dimensions to it. The proposed one story addition will improve the appearance of the back of the

house. She also testified that the design of the garage will complement the house. The garage will be small.

Chrmn. Cifelli asked if there was any natural screening at the back of the applicant's property.

To help address this question, Mr. Keller submitted Exhibit A-1: a photo-board of the homes in the immediate area and their garages.

Mr. Keller also submitted Exhibit A-2: a satellite photo of the applicant's property and the neighborhood. Mr. Keller described the existing landscaping. He believed that the addition will be well-shielded.

Mr. Keller testified that the proposed addition will have no detrimental impact on the neighborhood and its streetscape.

Mr. Keller pointed out that the front yard was an existing non-conformity. He stated that the proposed addition will be fairly compact.

Mr. Keller testified that the proposals, particularly the portico, will be a significant improvement to the appearance of the house. The portico will provide safer conditions for people entering and exiting the front door.

Mr. Keller testified that the proposals will have no negative impact on the public good. The proposals will not impact the Borough Zone Plan.

Mr. Keller explained how there was no other way to increase the breakfast area, other than what was being proposed. Also, there was no way to attach the garage to the house. The garage will be screened by plantings. It will be constructed as far forward as possible.

Mr. Keller testified that the proposed plans are well under the FAR limit. The proposals will benefit the neighborhood.

Mr. Haeringer asked how old was the previously constructed extension to the house.

Ms. Snarr believed that extension was constructed in the 1970s.

Mr. Haeringer asked what variance(s) were sought for this extension.

Mr. Keller indicated that info wasn't available. A previous owner had sought any needed variances.

Mrs. Kecskemet and Chrmn. Cifelli discussed the location of the proposed garage and driveway, safety-wise, with the applicant.

Chrmn. Cifelli noted that the position of the proposed garage is being driven by the position of the house on the property, as well as the shape of the property.

Mr. Keller testified that, as viewed from the street, the proposals for the applicant's house will not be out of place.

Mr. Montague noted that the proposed lot coverage is fairly high. He asked if this amount of lot coverage is typical in this neighborhood.

Mr. Keller answered that he didn't have the metrics on that situation; however, he pointed out that whenever there is a detached garage on a property, it's possible that the lot coverage is over what is allowable.

Mr. Infante and Mr. Keller discussed the safety conditions that the proposed portico will provide.

Mr. Haeringer brought up the size of the proposed garage. He asked if anything could have been done to minimize the garage.

Ms. Napurano didn't believe the garage was oversized. To reduce the garage even more, would eliminate the much-needed storage space.

Chrmn. Cifelli noted that bulk variances are being sought for this application. There are currently three structures on the property. It appears the property is being eaten up by bulk. Why are the proposals more beneficial than detrimental?

Mr. Keller stated that the three structures are low in scale. The proposed plans are way under the FAR regulations. Mr. Keller felt that the site could handle the proposals.

There were no questions and or comments from the public.

Board discussion began. Chrmn. Cifelli felt the percentages for this application are relatively high; however, the proposed addition is well designed. The proposed garage will be buffered by greenery. Mr. Infante pointed out that the garage will not be contributing to the living space. However, it will be following the Borough's ordinance requiring residences to have garages. Mr. Haeringer felt that the proposals will make much needed corrections to the house. Mrs. Kecskemetty noted that the applicant "was stuck" working with the design of the original house. The garage and the mud room are needed for the home. Mr. Montague was concerned that the deck, among other factors, was pushing the lot coverage over the allowable limit.

Mr. Infante made a motion to approve Application ZB #17-28: Snarr – 58 Lincoln Avenue, with the applicant to follow any stipulations from the Borough Engineer regarding stormwater runoff. Mr. Haeringer seconded the motion. A roll call vote was taken:

Mr. Haeringer	-	yes
Mr. Montague	-	yes
Mr. Infante	-	yes
Mrs. Kecskemetty	-	yes
Chrmn. Cifelli	-	yes

The application was approved.

Peter Rosen, Esq., attorney for Application ZB #16-020: REO Development – 94 Washington Avenue, asked that his client's application be adjourned to the December 13, 2017 Zoning Board meeting. The Board consented.

The attorney for Application ZB #16-006: 8 Watchung Avenue, LLC – 8 Watchung Avenue, asked that his client's application be adjourned to the December 13, 2017 Zoning Board meeting. The Board consented.

At 9:00 p.m. the meeting adjourned.

The next Zoning Board of Adjustment meeting will be held Wednesday, December 13, 2017, 7:30 p.m., Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary