

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT
April 24, 2019

7:30 p.m.

Chairman Michael A. Cifelli called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. He stated that adequate notices for this Zoning Board of Adjustment meeting were given as required by the Open Public Meetings Act.

Names	Present	Absent
Michael A. Cifelli	X	
Helen Kecskemety	X	
Frederick Infante	X	
Douglas Herbert	X	
H.H. Montague	X	
Jean-Eudes Haeringer	X – arrived at 7:44 p.m.	
Patrick Tobia	X	
Alida Kass		X
William DeRosa		X
Patrick Dwyer, Esq.	X	

Public Comment

Len Resto, 35 Center St., noted that there is an application tonight for 27 Center Street. The applicant is proposing to construct a two-car detached garage. Mr. Resto stated that his property is two doors from this subject property. He noted that his property receives water run-off whenever any construction projects occur on either side. Mr. Resto wanted to know how this situation will be remediated with this proposal to cover more of the 27 Center Street property. There had been trees on that property that would have absorbed some of the run-off, but those trees are now gone.

Chrmn. Cifelli thanked Mr. Resto for his comments.

Resolutions

Application ZB #18-22

246 Main Street, LLC

246 Main Street

Block 57, Lots 17 & 19

Variances for Building Height/Building

Stories/Yard Buffer/Off-Street Parking

Attorney Dwyer summarized this application proposed to demolish an existing structure and to build a four-story building in its place. He noted that the applicant has proposed some “minor clean-ups” on the plans. Because of the grading of the subject property, the proposed building will not be as tall as regulated by ordinance. Chrmn. Cifelli made a motion to approve this resolution in its final format including the amendments as pointed out by Attorney Dwyer. Mr. Montague seconded the motion. A roll call vote was taken:

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

Application ZB #19-02

Michael & Katie Embersit

4 Jackson Avenue

Block 34, Lot 28

Building Coverage/Rear Yard Setback

Attorney Dwyer summarized this application which proposed an addition to the rear of the home. The distance of the home's placement triggered a rear yard setback variance. There are no neighbors at the rear of the property, just a Green Acres woodland. The Board approved the variances. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mrs. Kecskemety	-	yes
Mr. Infante	-	yes
Mr. Herbert	-	yes
Chmn. Cifelli	-	abstained

Application ZB #19-04

Raymond & Rose Crosta

6 Mercer Avenue

Block 22, Lot 4

Side Yard Setback/Building Coverage

Attorney Dwyer summarized this application which proposed adding a one story addition to the right side of the home. A right-side setback variance and a maximum building coverage variance were triggered. The Board believed the addition would not be a detriment. A roll call vote was taken to approve this resolution confirming the Board's approval of these variances:

Mr. Infante	-	yes
Mr. Herbert	-	yes
Mrs. Kecskemety	-	yes
Chrmn. Cifelli	-	abstain

Returning and New Applications

Chrmn. Cifelli announced that Application ZB #17-13: First Student, Inc. – 29 River Road will be heard at the April 29, 2019 Zoning Bd. meeting.

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

Application ZB #19-03: Neo-Princeton Investment, LLC – 27 Center St.

Application ZB #19-05: Ed English – 16 Van Doren Avenue

Application ZB #19-06: Jill & Mike Lane – 53 Minton Avenue

Attorney Dwyer informed Chrmn. Cifelli that First Student will be submitting their revised plans to the Zoning Office tomorrow.

Application ZB #19-03

Neo-Princeton Investment, LLC

27 Center Street

Block 63, Lot 8

Building Coverage

The following were sworn in to testify:

Rosemary Stone-Dougherty, Esq.

Nassir Almukhtar, the architect for the applicant

Lilian Shi, the applicant

Attorney Dougherty stated that the applicant is seeking two C-2 bulk variances. One of the bulk variances is for building coverage. The other bulk variance is for lot coverage. These variances are needed for the applicant's proposal to construct a two-car detached garage for her two-family home at 27 Center Street. Currently a significant upgrade is being done to the house. This upgrade, so far, did not need any variances. Attorney Dougherty noted that there is no requirement that the applicant construct a two-car garage or create any additional parking on the property. She called forward Mr. Almukhtar, the applicant's architect, to testify and answer questions. Mr. Almukhtar submitted his professional credentials to the Board. The Board accepted his credentials.

Mr. Almukhtar testified that the existing house is a two-family three-story dwelling. He and the present owner have undertaken a great deal of up-grading needed to be done to the home. He reviewed some of the improvements being done.

Attorney Dougherty confirmed with Mr. Almukhtar that the driveway shown on the site plan is what exists today. He believed that the existing driveway was very narrow and was hazardous for a car to back out onto Center Street. A good parking lay-out is needed for the future tenants of this dwelling.

Mr. Almukhtar testified that the proposal is to extend the driveway a little farther from the dwelling. About 650 sq. ft. of paving will be added, to create two additional parking spots and a kick-out. The kick-out will allow for a vehicle to have an on site turning capability, so a tenant's car won't have to back out onto Center Street. This proposed arrangement contributes to the proposed lot coverage and building coverage. Attorney Dougherty reviewed the square footage for these proposed variances.

Attorney Dwyer noted that a revised denial letter for this application had been submitted, dated April 5, 2019. The two variances had been included in this latest denial letter.

Chrmn. Cifelli asked if the footprint of the house has expanded.

Attorney Dougherty answered yes, the foot-print has expanded. Mr. Almkhtar noted that two new bedrooms have been added to the house. He estimated that the expansion was about 400 sq. ft.

Mr. Haeringer asked Mr. Almkhtar when did the work begin on the house.

Mr. Almkhtar answered five or six months ago.

Mr. Haeringer answered why wasn't the proposed garage plans submitted when the addition plans had been submitted to the Zoning Officer.

Mr. Almkhtar answered that initially just the addition was being thought of. The garage idea came afterwards.

Chrmn. Cifelli explained that often residents will build to the maximum allowable amount to their homes. As an afterthought they will come to the Board seeking an additional amount for items such as a garage. They should have incorporated these later proposals into the original design, to have a minimum impact in terms of the variances.

Attorney Dougherty pointed out that what is existing today, the building coverage, is still under on building coverage by 200-plus sq. ft. of what is proposed. She believed that the applicant wasn't one of those who maxed out to the allowable and has returned with additional proposals. Attorney Dougherty believed there was not enough guidance provided when the applicant, her architect, and Mr. DeNave had met multiple times to review the plans. She felt the Board would not want cars backing out onto Center Street. These proposed garages will have no impact on the dwelling.

Chrmn. Cifelli asked, in terms of what is being built, how much are the plans under on building coverage.

Attorney Dougherty answered currently the building coverage is 1,498 sq. ft. The allowable amount is 1,651 sq. ft. As it stands now, the building coverage is under by 153 sq. ft.

Mr. Haeringer asked what would be the size of a one car garage.

Mr. Almkhtar answered 10 ft. by 20 ft. – 200 sq. ft. The two-car garage will be a shared arrangement.

Attorney Dougherty asked what would be the overall size of the detached garage.

Mr. Almkhtar answered that the two-car garage being proposed is 20 ft. by 21 ft. He felt that size could accommodate two cars. There would not be enough room for storage.

Regarding the exiting from the driveway, Mr. Infante believed that 95% of local residents back out of their driveways. They have no turning-around space.

Attorney Dougherty answered that new construction these days tries to avoid having driveways where cars have to back out, especially on the busier streets in town. An effort is made to have driveways that allow cars to exit nose first.

Mr. Herbert asked if the owner will be residing in the dwelling.

Attorney Dougherty answered no.

Attorney Dougherty noted the concerns of the resident at 35 Center Street. She stated that if the plans were approved, the applicant would have no problems following instructions from the Borough Engineers concerning water run-off and things of that nature.

Chrmn. Cifelli reminded her that the Board also has to consider the visual impact of the proposals as well. A planner is not present to testify as to any impact the proposals may have on the neighborhood. He asked if the witnesses had any aerial photos or information concerning the streetscape.

Attorney Dougherty said she could talk with the applicant about returning to the Board with a planner.

Chrmn. Cifelli pointed out that even if the applicant had a planner to testify, there is no guarantee that the application will be approved.

Mr. Infante asked what the dimensions for would be for the proposed kick-out for the driveway.

Mr. Almukhtar mentioned the kick-out will measure 10 ft. by 5 ft. or 50 sq. ft.

Chrmn. Cifelli asked Mr. Almukhtar if he knew the elevations of the property in terms of where the proposed garage is located and the curb of the property. Is it level?

Mr. Almukhtar answered that it was pretty level.

Attorney Dougherty confirmed with Mr. Almukhtar that there will be paving to allow for two vehicles to park outside the garage. A total of four cars would be able to park without blocking in each other in the driveway.

Attorney Dougherty asked Mr. Almukhtar if the blocking of vehicles could occur with the existing driveway used today.

Mr. Almukhtar answered that blocking could occur, since he felt the existing driveway is not wide enough to allow two tenants to park at the same time. Currently it would be difficult for four cars to park side by side in the existing driveway.

Attorney Dougherty confirmed with Mr. Almukhtar that he had looked at other locations to put the garage. Mr. Almukhtar explained how the side-loading of vehicles influenced his final decision for the garage location. The proposed garage was set back in a way, so it would not be

very visible from the street. He testified that there are no residential buildings at the rear of the property. The rear portion of the property backs on to a street (Elmwood Ave.).

Mr. Infante asked if the kick-out was not there, could both tenant cars back out.

Mr. Almukhtar answered yes.

Attorney Dougherty confirmed with Mr. Almukhtar that if the kick-out area was removed from the plans, the lot coverage would then measure 323 sq. ft.

Mrs. Kecskemety asked, if the proposed garage were to be constructed, what would be the side yard measurement from the garage to the neighbor on the left?

Mr. Almukhtar answered 4 feet to the property line. That is the the required setback.

Attorney Dougherty confirmed with Mr. Almukhtar that the neighbor to the left is not in compliance with the side yard setback.

Chrmn. Cifelli brought up if the garage was eliminated and the driveway was extended up where the garage would sit, would the lot coverage be under?

Mr. Almukhtar answered no, he explained how the lot coverage would remain the same.

Chrmn. Cifelli asked if the public had any questions for Mr. Almukhtar.

Len Resto, 35 Center St., stated that when he moved into his home 25 years ago, the driveway at 27 Center Street was gravel. When the driveway was paved, water then flowed into Mr. Resto's backyard. When a deck was constructed at 39 Center Street, on the other side of Mr. Resto's property, even more water has collected on his property. Mr. Resto was concerned that this addition being constructed on 27 Center Street, with a possible two-car garage, would create more water on his property. Currently, Mr. Resto stated that when a light rain has fallen, standing water collects in his backyard. After a heavy rain falls, Mr. Resto could walk ankle-deep in his backyard. He plans to install a second sump pump because more and more water comes on his property. Mr. Resto asked Mr. Almukhtar how he will prevent water from finding its way to the lowest point, which unfortunately is 35 Center Street.

Mr. Almukhtar answered that the applicant will follow any directions from the Borough Engineer to eliminate Mr. Resto's water problems. Perhaps one measure could be the installation of a seepage pit.

Regarding Mr. Infante's comments about backing cars out onto residential streets, Mr. Resto reported that he backs his car out of his driveway onto Center Street for 25 years with no problem.

Mr. Resto also reported that loose items from the construction site at 27 Center Street, blow onto his lawn. The construction vehicles on site feature no business name or phone number, so he has nowhere to call.

Chrmn. Cifelli asked Mr. Resto to save those observations for the Public Comment portion of the meeting. This current portion of the meeting is just for questioning the witness.

Attorney Dougherty stated that, after listening to the Board's comments, the applicant is willing to eliminate the proposed kick-out and is proposing to push the garage forward 10 feet, which would eliminate 200 sq. ft. from the lot coverage. The revised lot coverage would then be 123 sq. ft.

Answering Chrmn. Cifelli's inquiry, Ms. Shi reviewed what other two-family homes exist on Center Street, going north.

There were no further questions from the public for Mr. Almukhtar.

Attorney Dougherty called the applicant, Lilian Shi, forward.

Attorney Dougherty confirmed with Ms. Shi the amendments to the plans that she had agreed to tonight, thereby removing 250 sq. ft. of impervious coverage. The lot coverage variance would now be for 123 sq. ft.

Attorney Dougherty asked Ms. Shi, that with these revisions, there would still be sufficient parking for four vehicles for her tenants.

Ms. Shi answered that the parking would be a little on the narrow side, but the parking could still work.

Attorney Dougherty confirmed with Ms. Shi that she originally had planned to hide the proposed garage behind the house. It was not practical. Ms. Shi and her architect had looked at different types of garages. She ultimately had selected a garage that was small and tight, but she felt it fit the property. This garage will have a hip roof to minimize the height of the garage.

Attorney Dougherty noted a neighbor, Mr. Resto, had expressed concerns about stormwater run-off onto his property. She confirmed with Ms. Shi that she is doing work on her house at 27 Center St., with gutters and other means of capturing water. Ms. Shi testified that she will do her best to prevent any storm water run-off from the proposed garage.

Chrmn. Cifelli asked Ms. Shi if she had given any thought of instead of having a garage, create a right-hand turn space behind the house.

Attorney Dougherty said that option had been considered. However, if the driveway went further down and made the right turn, the lot coverage will increase. Attorney Dougherty believed car headlight glare would impact the neighbors, with the vehicles having to park sideways, instead of front-facing, which they do right now.

Chrmn. Cifelli noted that there is a bulk issue involved. The Borough ordinances do not favor two-car garages. The design lay-out in the back does not shield the view from Elmwood

Avenue. A Montessori School is located on Elmwood Ave. in that section. Chrmn. Cifelli stated that he has not heard any testimony on the minimal visual impact of this garage and driveway.

Attorney Dougherty reviewed the boundary measurements with Mr. Almukhtar. She asked Ms. Shi if there were any trees or shrubbery at the rear of the applicant's property.

Ms. Shi answered that on the left side of her property, trees and shrubbery exist between her and the neighbor. Currently there are no trees and shrubbery at the back line. Ms. Shi stated that she would be willing to install a fence to shield the view of the garage.

Chrmn. Cifelli pointed out that the applicant's property becomes elevated in the back. He felt a fence would not really provide visual screening from the Montessori School. As a result, all building will be seen on the applicant's property from Elmwood Ave.

Attorney Dougherty asked Ms. Shi if she was willing to then plant trees with a 3 ft. caliper to provide shielding from the Montessori School. The Montessori School would not be impacted then from headlights and the backyard construction at 27 Center.

Ms. Shi asked Chrmn. Cifelli if the Board preferred the suggested paving in the back instead of at the garage.

Chrmn. Cifelli answered that the Board cannot give any advice or preferences. The Board can only ask questions of her and express any concerns they may have on the proposals.

Mr. Tobia stated that if the garage were to be moved 10 feet closer to the house, wouldn't that put two cars too close to the house.

Attorney Dougherty said that Mr. Almukhtar had indicated that the cars could fit, but it would be tight.

Mr. Tobia and Attorney Dougherty discussed the stacking situation that exists in the applicant's driveway.

Mr. Tobia noted that the two issues that are being balanced are the aesthetics and the reduction of impervious coverage.

Chrmn. Cifelli asked Ms. Shi if the proposed garage would be providing storage.

Ms. Shi answered yes.

The public had no questions for Ms. Shi. The Board had no further questions for her. Attorney Dougherty had no further witnesses. She will give a summation before the Board votes on this application.

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

Len Resto, 35 Center St., was sworn in. He stated that he was happy to hear that the water run-off situation will be dealt with. Mr. Resto asked if the construction workers could take better care of the construction site. He suggested some temporary fencing be put up around the construction site. The neighborhood had many young children who are visiting the site. Mr. Resto asked that that bags, papers, and insulation materials have blown on his property. Since the construction trucks have no company names for him to call, he had had to contact the Borough to help with this situation.

Mr. Herbert asked Mr. Resto how he felt about the proposed two-car detached garage.

Mr. Resto answered, on the whole, he felt the garage would make that property loaded with building coverage.

Mr. Haeringer asked Mr. Resto, as a neighbor, as a visual, would he rather see a garage with two cars or multiple cars parking in the backyard.

Mr. Resto answered multiple cars parked in the backyard, behind the home. Perhaps shrubbery could be used to screen the parking area.

There were no further comments from the public.

Chrmn. Cifelli asked for comments from the Board. Mr. Infante felt that the proposals were close to being de minimus. He will support the application. Mr. Haeringer was 50/50 on approving this application. Mr. Herbert questioned the timing of this garage application. Planning testimony should have been given to clarify how this garage would fit in the neighborhood. He will not support the application. Mr. Montague will support the application. Mrs. Kecskemety believed that if shrubs were planted, some of the garage could be hidden. She will support the application. Mr. Tobia stated that he was not convinced that the garage was a good idea. Stacking may still occur on the property. He felt that paving and some shrubs may be a better alternative. Less bulk would result. Chrmn. Cifelli felt that the proposed garage should have been included in the original plans. Also, there is no guarantee that two cars will actually be parking in this garage. Storage goes on in garages. He had concerns about the garage adding to the bulk of the property.

Chrmn. Cifelli asked Attorney Dougherty to present her summation.

Attorney Dougherty noted that the applicant realized the narrowness of the driveway and the stacking of vehicles resulting. The preference is for each tenant to have their own garage. She reviewed the problems that arise when a two-family residence stacks cars. The parking of cars in a straight fashion would eliminate head-light glare impacting neighboring properties. Attorney Dougherty stated that the applicant is willing to plant landscaping to minimize the view of the garage. The applicant has expressed a willingness to amend her application to reduce the impervious coverage. If the Board were to deny the application, the effort that the applicant is trying to make to minimize the visual impact will be lost. Also lost, will be the water/drainage improvements that could have been done. Attorney Dougherty believed the benefits of this application outweigh the detriments. She thanked the Board for their time.

Attorney Dwyer asked Attorney Dougherty what the proposed buffering and landscaping would entail.

Attorney Dougherty answered that the applicant would be willing to plant bushes along the rear property line. More landscaping could be planted around the garage itself to help soften the view. There is existing landscaping to the left of the property.

Mr. Infante made a motion to approve Application ZB #19-03: Neo-Princeton Investment, LLC with the applicant to follow any stipulations on stormwater made by the Borough Engineer. Mr. Tobia seconded the motion. A roll call vote was taken:

Mr. Infante	-	yes
Mr. Montague	-	yes
Mrs. Kecskemety	-	yes
Mr. Tobia	-	no
Mr. Haeringer	-	no
Mr. Herbert	-	no
Chrmn. Cifelli	-	no

Application ZB #19-03 was denied.

At 8:55 p.m. a break was taken in the meeting.

At 9:05 p.m. the meeting resumed.

Application ZB #19-05

Ed English

16 Van Doren Avenue

Block 81 Lot 3

Side Yard/Building Coverage/Lot Coverage

The following were sworn in to testify:

Ed & Karen English, the applicants

Ken Szeles, the architect for the applicants

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

Mr. English testified that he and his wife purchased 16 Van Doren Ave. in 2014. From an aerial view, the house is currently an L-shaped structure on a narrow lot. The lot measures 50 ft. by 120 ft. A detached garage sits at the rear of the property. Mr. English is proposing to enlarge the house. The "L" will be filled in.

Chrmn. Cifelli and Mr. Szeles reviewed the variances that were being sought, and their calculations.

Chrmn. Cifelli asked about the current conditions in the house. Mr. Szeles testified that there are 3 bedrooms. There is one bathroom and one powder room. The powder room is on the first floor. Chrmn. Cifelli confirmed with Mr. Szeles that nothing exists in the ski slope roof portion of the house. At Chrmn. Cifelli's request, Mr. Szeles reviewed the dimensions of the existing bedrooms.

Mr. Szeles testified that there is a proposal to expand the first floor to make more living space on the second floor. He pointed out that there is 52 sq. ft. available for buildable space. The driveway uses up some space, as well as the lawn. Mr. Szeles testified that an earlier addition had been constructed at the back of the house, which makes up the long stem of the L-shape which extends into the backyard. Mr. Szeles explained "the elbow" of that L-shape is the only developable area on the property. The proposed addition will be constructed in this elbow-shaped space. Mr. Szeles stated that he tried hard, in his plans, not to have any wasted space in the house.

Mr. Herbert asked Mr. Szeles what he was trying to accomplish with the proposed first floor.

Mr. Szeles answered that he was trying to bring the house up to date. The house had been built when comfortable but smaller rooms were accepted. The existing dining room will be moved to the left side of the house. A dining area for the family and guests will be created. The existing living room and existing dining room will be combined to create a family room.

Mr. Haeringer noted that the plans showed two staircases. Why not reduce one of the staircases to reduce the bulk on the side yard?

Mr. Szeles explained that the staircase to the basement is extremely narrow and steep. It literally has no headroom. The existing staircase from the first floor to the second floor is technically not up to code. In order to reduce the bulk to the side yard, both staircases would have to be demolished and re-built to code. This action would not really be feasible. Mr. Szeles stated that he wanted "to work with the structure, rather than work against it".

Chrmn. Cifelli noted on the plans, a line was drawn to show what the permitted side yard setback would be. He asked if the 12 ft. setback was for the first floor or the second floor.

Mr. Szeles answered it was actually for both.

Chrmn. Cifelli asked Mr. Szeles if he could modernize the home and bring it up to code if he adhered to that line that was drawn on the first floor.

Mr. Szeles answered no. If he adhered to that dotted line, only an addition of 5 feet wide would result. It would basically be useless space.

Chrmn. Cifelli confirmed with Mr. Szeles that the footprint of the building is slightly skewed in terms of the side yard setbacks.

Mr. Herbert asked Mr. English if he stood in front of his house, and the addition was built, could it be seen from the street?

Mr. English answered yes. From its front view, the existing house does not fit in with any of the neighboring homes. He felt the proposed addition will re-balance the house.

Mr. Szeles pointed out that an effort was made to hide the bulk of the addition by pushing it towards the back of the property, thereby minimizing the impact on the front of the property. He believed the addition will improve the aesthetics of the front of the property.

Chrmn. Cifelli asked for the distance of the proposed addition from the neighbor's property line on the left.

Mr. English answered that this neighbor's garage is about 15 ft. or 20 ft. from the property line. The neighbor was present tonight, however indicated he didn't want to answer questions. Mr. English answered questions on his behalf.

Chrmn. Cifelli asked why a variance was needed for the deck. Why can't the deck have the required 3 ft. off-set from the house?

Mr. English explained that if the deck was constructed to come in 3 feet from the edge of the house, the deck would only measure 7 ½ feet wide. The deck would not be functional.

Mr. Herbert asked what the deck would be used for.

Mr. English answered for typical family outdoor dining. He also pointed out that the deck would make safer conditions for carrying food in and out of the kitchen, instead of dealing with stairs.

Mr. English and the Board discussed the existing patio. Mr. English wanted to keep the patio. He understood patios kept mosquitoes and rodents under control. Chrmn. Cifelli pointed out that if Mr. English were to remove the patio, it would reduce the lot coverage by 80 sq. ft.

Chrmn. Cifelli asked for the height of the proposed deck.

Mr. Szeles answered from the surface of the proposed deck and grade, it is 2 feet 4 inches. Mr. English offered to plant privacy screening. He pointed out the shrubbery already existing along the property line.

Mr. Infante asked Mr. Szeles to explain the proposals for the second floor.

Mr. Szeles explained how the bedrooms of the applicant's children will be enlarged. Some of the existing walls will be moved around. A laundry room will be created on the second floor. The existing laundry room in the basement is difficult to reach. Mr. Szeles testified that the headroom in the attic cannot be developed into a habitable space. It will not be included in any of the proposals.

Mr. Szeles pointed out a spare bedroom will result from the proposals on the second floor. The master bedroom will have its own bathroom and walk-in closet.

Chrmn. Cifelli confirmed with Mr. Szeles that the house will go from 1 ½ to 2 ½ bathrooms. He also confirmed with Mr. Szeles, that it was his professional opinion as an architect, that what is being proposed in this application is within modern standards, and not excessive, in terms of room size.

Mr. Szeles testified that the second floor is cantilevered about 3 feet over the first floor, in order to expand the second-floor area as much as possible. However, this cantilevering will not impact the lot coverage. This cantilevering is only for the proposed master bathroom. The master bedroom itself will stay as is.

The Board had no further questions for Mr. Szeles. The public had no questions for Mr. Szeles.

Mr. Szeles and Mr. English submitted the application to the Board for consideration and a vote.

The public had no comments on the application.

Chrmn. Cifelli asked for comments from the Board. Mr. Herbert felt that the proposed mass for the home was being put in a good place. He was glad that the proposed bulk will be behind the house and will give functional living space. Mr. Montague believed that the proposed deck is way out of proportion. He did not like the impingement on the side yard. Mrs. Kecskemety believed that the plans made good use of space. Like Mr. Montague, Mr. Tobia had concerns about the proposed side yard; however, he felt the overall project would be a good improvement to the house. Mr. Infante felt that the proposals would have no impact on the air, light, and open space. The building stock will be upgraded with this application. Mr. Haeringer had concerns about the deck; however the garage situated between the deck and the next door neighbor is a good compromise. Chrmn. Cifelli suggested that a condition be included, if the application was approved, that the patio area beneath the deck be removed. That removal would reduce the proposed lot coverage.

Chrmn. Cifelli made a motion to approve Application ZB #19-05: 16 Van Doren Avenue with the following conditions:

- 1) The applicant will remove the patio surface below the deck
- 2) There will be no living space on the third floor
- 3) Privacy screening will be maintained on the left side of the property
- 4) The applicant will follow whatever stormwater directives as stipulated by the Borough Engineer

Mrs. Kecskemety seconded the motion. A roll call vote was taken:

Mrs. Kecskemety	-	yes
Mr. Herbert	-	yes
Mr. Infante	-	yes
Mr. Montague	-	no

Mr. Haeringer - yes
Mr. Tobia - yes
Chrmn. Cifelli - yes

Application ZB #19-05 was approved.

Application ZB #19-06

Jill & Mike Lane

53 Minton Avenue

Block 127, Lot 5

Building Coverage/Lot Coverage/ Garage Side Yard

The following were sworn in to testify:

Jill Lane & Mike Lane, the applicants

Douglas Asral, the architect for the applicants

Mrs. Lane testified that the proposal is to construct a two-car garage, to take the place of the existing one car garage. She pointed out that the existing narrow driveway and garage do not fit a car. Mrs. Lane explained the awkwardness of trying to fit one of the family cars into the existing garage.

Mr. Herbert asked how many cars were in the family.

Mrs. Lane answered two cars.

Mr. Herbert asked if the existing garage was used for storage or anything else.

Mrs. Lane answered that the garage was basically used for storage.

Mr. Herbert asked Mrs. Lane if there were plans to completely tear down the existing garage.

Mrs. Lane answered probably, yes. She noted that the two-car garage would have to be pushed back a little bit to allow the family cars to safely maneuver in and out on the driveway. The three variances needed to achieve these plans variances would be needed for the side yard, the lot coverage, and for building coverage. Chrmn. Cifelli noted the proposed garage, like the existing garage, is close to the right side yard; however it will be pushed back. The proposed garage will be a little wider and deeper than the existing garage. Mrs. Lane testified that the proposed garage will measure 24 ft. by 20 ft.

Doug Asral, the applicant's architect, came forward. He submitted his professional credentials to the Board. The Board accepted them.

Chrmn. Cifelli reviewed the proposed lot coverage calculations with Mr. Asral. Mr. Asral noted that the lot coverage is needed for the cars to easily maneuver before the garage bays. He reviewed the measurements for the proposed garage. Mr. Asral testified that the existing garage cannot hold even one car at this point.

Chrmn. Cifelli asked how this garage situation would be any different from other Borough property. The ordinance favors only one car garages. A valid reason is really needed to ask for a two-car garage.

Mr. Haeringer pointed out that the proposed driveway and garage is almost half the width of the applicant's property.

Mrs. Lane noted that there are number of two car garages already existing in the neighborhood.

Mr. Cifelli and Mr. Dwyer suggested the applicant do a streetscape of not only the applicant's street the nearby neighboring streets showing which homes had two-car garages. This streetscape may show the Board that what is being proposed would not be a detriment to the public good.

Addressing a concern of Mr. Montague's, Mr. Asral testified that the proposed plans are 91 sq. ft. over the allowable building coverage. The proposed garage is well under on FAR.

Mr. Montague expressed concern about water run-off from the proposed garage traveling to a neighboring property. Mr. Asral testified that the water run-off from the garage will be mitigated by dry wells. Mrs. Lane stated that gutters will also be installed on the garage.

Mr. Asral and the applicants went off in private to confer for a couple of minutes.

Returning to the Board, Mrs. Lane asked that the application be continue to a future meeting.

Application ZB #19-06: Lane – 53 Minton Ave. will carry to the May 22, 2019 Zoning Board of Adjbustment meeting.

At 10:30 p.m. the meeting adjourned.

The next Chatham Borough Zoning Board of Adjustment meeting will be held on May 22, 2019, 7:30 p.m., in the Council Chambers, Upper Level, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

