

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT
June 23, 2021 7:30 p.m.

In Chairman Cifelli's absence, Vice Chrnn. Douglas Herbert called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. This was a virtual meeting. Board members, Attorney Dwyer, and witnesses were present by way of Zoom. Mr. Herbert 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, Chrnn.		X
Frederick Infante	X	
Douglas Infante	X	
H.H. Montague	X	
Jean-Eudes Haeringer	X	
Patrick Tobia		X
Joseph Treloar	X – arrived at 7:40 p.m.	
David DeGidio		X
Peter Hoffman	X	
Patrick Dwyer, Esq.	X	

Public Comment

There was none.

Resolution #ZB 2021-01

Mr. Montague made a motion to approve the Chatham Borough Zoning Board of Adjustment meeting minutes of April 6, 2021 as amended and May 26, 2021 as submitted. Mr. Infante seconded the motion. A voice vote was taken. The two sets of minutes were approved.

Resolutions

There were none.

Returning and New Applications

Vice Chrmn. Herbert announced that Application ZB 21-004: Wiekert – 3 Edgehill Avenue will be heard at the July 28, 2021 Zoning Board of Adjustment Meeting. Because of insufficient noticing, this application cannot be heard at tonight's meeting.

Application ZB 21-003

Kevin & Ashley Maher

32 Coleman Avenue East

Block: 64 Lot: 38

Maximum Principal Building Coverage

Floor Area Ratio

Lot Coverage

Rear Yard Setback

Left Side Yard Setback

Front Yard Setback

Ashley Maher, one of the applicants, was sworn in to testify.

Brian Siegel and Daniel Valvano were the architects present tonight to give testimony for the applicant. They submitted their professional credentials to the Board. The Board accepted them.

Brian Siegel and Daniel Valvano were sworn in to testify.

Mrs. Maher gave an introductory statement for the application. Her husband will be joining the meeting shortly. She and her husband have lived in Chatham for five years. Mrs. Maher stated that her family has grown since then. She believed that the home is in its original state. It was built in 1929. No alterations have been done to it. Mrs. Maher stated that she and her husband would like to bring their home up to the modern standards of their neighbors' homes. Mrs. Maher gave a brief summary of the proposed changes that will be done to the home.

Vice Chrnn. Herbert and Mr. Haeringer confirmed that the denial letter for this application had been emailed to all Board members.

Mr. Valvano put the proposed plans on the Zoom screen. He testified that Mr. and Mrs. Maher are proposing to expand their existing 3 bedroom, 3 bathroom home. They would like to enhance the home's historical features. The home has been constructed on a very under-sized lot. The home has very steeply pitched roofs and has cedar-shake sidings. Mr. Valvano testified that the bathroom and bedroom count will remain the same. However, there will be expansions of the existing living spaces, specifically the kitchen and the master bedroom. Mr. Valvano considered the house to be small. A two-story addition is proposed at the rear along with a creation of a larger yard.

Mr. Valvano testified that a functional kitchen will be created on the first floor. Second story space will be created for a bedroom and a bathroom, thus creating a master suite. A portico will be constructed over the front stoop. The steep roof-lines of this house will be preserved. The outward details of these proposals will match the historical era of the house. Mr. Valvano stated that these proposals will require the following variances: front yard, side yard, rear yard, and deck set-backs, as well as the previously non-conforming variances of building coverage, floor area ratio, and lot coverage.

Mr. Valvano understood that it sounded like a large number of variances being sought; however, many of them are pre-existing non-conformities.

Mr. Valvano gave the reasons why the Board should grant these variances. Focusing on the Zoning chart on the Zoom screen, Mr. Valvano pointed out that in regard to the yard setbacks, the plans are very disadvantaged by the current lot width. The proposed plans are looking to minimize the impact of the proposed addition by extending it off the rear of the house to align pretty much with the existing sunroom.

Mr. Valvano testified that the existing addition is 6 inches farther from the existing side yard. The proposed portico would be constructed over the existing stoop. The portico would extend 9 inches beyond what is allowed by Borough regulations. The height of the applicant's home will not be increasing.

In regard to the coverages, Mr. Valvano stated that the plans are greatly disadvantaged by the current lot size. He testified the lot sizes for this particular zone is supposed to be 9,300 sq. ft. The applicant's lot is 5,000 sq. ft. The plans will be creating better coverage conditions than the home currently has. The building coverage will be reduced by 10 sq. ft. The FAR will be reduced by 50 sq. ft. The lot coverage will be reduced by 299 sq. ft. Mr. Valvano pointed out that these three coverages are pre-existing non-conforming issues which will now be reduced.

Mr. Valvano testified that a new deck is being proposed off the back of the house. The required 3 feet off the left side of the house will be maintained. The deck will align with the right-hand side of the home. The deck will be 12 inches off the ground. It will extend 6 inches beyond the allowable rear yard deck setback. Mr. Valvano pointed out that if the applicant's property was the conforming 9,300 sq. ft. that is required by the zone, the applicant would not be seeking building coverage, lot coverage, and FAR variances.

Mr. Valvano stated that an attempt was made to craft a minimally extended home with current home and living amenities that will fit within a proportionate range and not put the scale of the proposed addition out of balance with the neighborhood. He believed what is being presented tonight is the best solution. The architecture of this 1920s home will be enhanced with these proposals. The updates being proposed will prevent this home from becoming a tear-down.

Vice Chrmn. Herbert suggested Mr. Valvano bring up Sheet A-2 and review what is existing and what is being proposed.

Using Sheet A-2, Mr. Valvano indicated the proposed addition at the rear of the home. This addition will measure approximately 8 ½ feet by 16 feet 8 inches in width. Currently a small kitchen exists at the back of the home. A powder room exists in the back rear quadrant. The plans propose to expand the kitchen size, making it more functional. An island will be created. The powder room will be re-located. A mudroom entranceway will be added off to the side. A deck addition will be constructed at the rear of the house.

Referring to Sheet A-2, Vice Chrmn. Herbert asked if a finished basement was being proposed. Mr. Valvano pointed out an unfinished storage space on the sheet. He also indicated the existing finished basement area. A door will lead into an unfinished storage room.

Vice Chrmn. Herbert confirmed with Mr. Valvano if, other than the new rear foundation being proposed, nothing else is being added to the basement.

Vice Chrmn. Herbert referred Mr. Valvano to Sheet A-3. He asked what were the existing conditions, what is being proposed, and why.

Mr. Valvano testified that the living room, the dining room, and the existing front stoop will all remain the same. A new portico will cover the front stoop. Mr. Siegel explained that the new

portico arrangement will also provide space for closet space to hang up coats before people actually enter the home. The columns of the portico will be set on the wing walls, which is the reason the portico extends the extra 9 inches.

Vice Chrmn. Herbert asked for more testimony on the new kitchen area.

Mr. Valvano explained the proposal to extend the existing kitchen by constructing a bump-out which would create a more usable kitchen with a center island that people could walk around. He pointed out on the plans, a mudroom that will be created. The existing powder room will be moved to allow more light into the kitchen, as well as help with the expansion of the kitchen. Mr. Valvano explained that the existing kitchen is not really usable. It is hard to accommodate a family in this size kitchen. The extra proposed square footage would make the kitchen more usable and up-to-date.

Vice Chrmn. Herbert asked for testimony regarding the proposed deck. Why is this size being proposed?

Mr. Valvano stated that he has kept the deck as small as possible. He explained that a four-paneled door will allow for extra light to brighten up the kitchen. The deck will be kept at a minimal size to accommodate a table. The deck will not take up too much space in the backyard because the applicant's family still would like a grassy play area for the children.

Vice Chrmn. Herbert asked for more information about the backyard and the existing garage.

Mr. Valvano testified that the existing garage is for two cars. An extension goes over the right hand side of the garage, over a patio area. The applicant is proposing to remove the existing two-car garage and replace it with a one car garage. The covered patio area will also be removed which would then yield more usable space. The proposed deck will then take up that usable space.

Vice Chrmn. Herbert asked what was the size of the old garage versus the new proposed garage.

Mr. Valvano answered that the old garage measures 24 feet wide by 20 feet deep. The new garage will measure 19 feet deep by 14 ½ feet wide. The new garage will not have an additional roof like the old garage. Mr. Siegel pointed out that the new garage will be a conforming structure.

Mr. Infante brought up the proposed deck. If the deck was moved back 3 feet, how would the functionality of the deck be affected?

Mr. Valvano explained that the deck was kept at a minimal size to allow for a table. If the deck was pulled in 3 more feet, conditions would become too tight for people to walk through and to maintain a table.

Also on the plans, Mr. Valvano pointed out the bump-out off of the side of the house which is cantilevered.

Mr. Hoffman asked what was the reason for creating a deck one foot off the ground as opposed to just putting in a patio flush to the ground. A patio would also avoid the 3 ft. side yard setback issue on the right side.

Mr. Valvano explained that the proposed deck, with the proper spacing, would allow water to flow into the ground. A patio would not allow this action. Mr. Valvano noted that as much permeability on the property should be made as possible.

Mr. Valvano and Mr. Treloar reviewed the reasons why the lot coverage in these plans was decreasing.

Mr. Valvano put the proposed second floor plans on the Zoom screen. He stated that there are currently 3 bedrooms on the second floor. He pointed out the master bedroom which will be expanded with a master closet and master bathroom to be added. Vice Chrmn. Herbert confirmed with Mr. Valvano that these proposals for the master bedroom are the only proposed changes for the second floor.

Mr. Valvano testified that nothing will change in the attic.

Mr. Infante asked how many bathrooms currently exist in the house, and how many will there be if the application was approved.

Mr. Valvano answered that currently there are two bathrooms and two half-baths. A full bathroom is being proposed for the second floor.

Mr. Valvano briefly described the cosmetic changes that will be done to the home. The siding will be replaced; however, the original size and shape of the home will be maintained. The roofing will be re-done. The necessary updating of the home is planned; however, the historic look will remain.

Mr. Treloar confirmed with Mr. Valvano that the front stoop will not change at all.

Mr. Valvano put the rear yard elevation on the Zoom screen. He pointed out the sliding doors which will let light into the kitchen. A decorative window will be installed in the attic.

Vice Chrmn. Herbert asked Mr. Valvano if he was concerned about the side view the neighbors will have of the proposed portico in the front. It would seem to make the home appear larger.

Mr. Valvano agreed that the proposed portico will make the home appear larger. However, if a much shallower pitch was created for the portico, there would be less of a mass as seen from street. This arrangement, would unfortunately destroy the 1920s look of the house.

Vice Chrmn. Herbert confirmed with Mr. Valvano that the applicant's house, with the new portico arrangement, will line up with the neighboring homes on either side.

Mr. Valvano submitted and explained Exhibit A-1: Neighborhood analysis with photos and sizes of the neighboring properties.

Using Exhibit A-1, Mr. Valvano testified that the applicant's home is in alignment with the other homes on the street. Some of the homes in the neighborhood had also been constructed in the 1920s and had similar steep roof pitches like the applicant's home.

Mr. Valvano submitted Exhibit A-2: A 3-D satellite view of the applicant's neighborhood. This exhibit shows that the applicant's front setback is in line with those of the neighboring homes.

Mr. Valvano testified that the proposed portico will not impact front line views of the neighboring homes. Mr. Siegel explained that the openness of the proposed structure will alleviate any visual impact from the street.

Answering Vice Chrmn. Herbert's inquiry, Mr. Valvano reviewed what vegetation existed at the front of the property.

Mr. Valvano submitted Exhibit A-3: A photo showing a view of the existing rear yard with the proposed addition photo-shopped in. Mr. Valvano indicated the existing garage which will be removed.

Vice Chrmn. Herbert asked if the proposed garage will be constructed in the same location as the existing garage, but on the left side. Mr. Valvano answered yes, pretty much so. He pointed out that the existing garage is sitting too close to the property line. The new garage will be pulled off the property line, and will maintain the 4 feet that is required.

Mr. Infante confirmed with Mr. Valvano that all the existing slate patio will be removed. Mr. Valvano testified that the existing garage removal and patio removal will be triggering the reduction of lot coverage. These proposals will create a much better backyard.

Mr. Haeringer felt the proposed project was good; however, would like more justification for the 8 variances being sought.

Mr. Siegel reviewed the positive proposals of the new garage placement and the new deck. He believed that the proposed enlargements for the internal portion of the home were not exceedingly large.

Mr. Infante stated that he, at first, agreed with Mr. Haeringer's concern about the number of variances being sought. However, Mr. Infante had realized that the existing non-conformities have nothing to do with the build of the home. It has to do with the property. A few of the variances only exceed the allowable by inches. Mr. Siegel added that homes, such as the applicant's home, with the unique architectural details and style of the 1920s are no longer being constructed. Many times box-like homes, built to the maximum allowable amounts, are now the preferred dwellings. They don't have the charm that the applicant's home has.

Mr. Siegel submitted Exhibit A-4: Photo showing the front view of the existing two-car garage with the extended roof over the existing patio space. Mr. Valvano penciled in where the new proposed one-car garage will be located. The remaining area, the former patio area, next to the old garage, will become just grass.

Vice Chrmn. Herbert asked Mrs. Maher if she and her husband had made any other changes to the home in the 5 years they have lived there.

Mrs. Maher answered that no structural changes have been made to the house during their ownership. Only painting, refinishing of floors, etc. have been done.

Kevin Maher, Ashley Maher's husband, joined the hearing at this point. Mr. Maher was sworn in to testify.

Mr. Siegel summarized the application. He and Mr. Valvano had tried their best to make these plans a responsible way to honor this existing home and neighborhood. The proposals for the rear yard would open up the backyard which would be a plus for the neighboring homes as well. Mr. Valvano noted that a number of variances are being requested, but some of the existing coverages on the property will be reduced, which is a rarity with applications.

Vice Chrmn. Herbert asked if the public had any questions on this application.

There were none.

Vice Chrmn. Herbert asked Mr. and Mrs. Maher if they had any final comments for their application.

Mrs. Maher discussed the small size of the existing kitchen. It's not working well for a family of five. Removing the existing patio space and constructing the deck would improve living conditions. The proposed new storage area under the house would be very helpful for storage space, since the plans propose only a one car garage now. The original two-car garage, with its storage space, will be gone. Mrs. Maher stated how excited she would be to have more green space available in the backyard.

Mr. and Mrs. Maher closed their application and submitted it to the Board for a vote.

Vice Chrmn. Herbert asked for comments from the Board. Mr. Hoffman commended the applicants and architects for the good job in designing a plan to bring this home up to modern standards. The plans also lessen the severity of the existing non-conformities of the property. Mr. Montague believed that the proposals and the testimony given for the variances have been reasonable. Mr. Infante felt that the applicant did a good job in maximizing what could be done, working with what he had to work with. If the variances were granted, he did not believe there would be an impact on the light, air, and open space of the neighborhood. The proposed portico will make the entranceway safer. Mr. Infante felt that all the proposals would be positive ones. Mr. Haeringer was very satisfied with the testimony that was given. Mr. Treloar noted that a number of variances were being asked; however, they will truly benefit the home. The proposed

deck is a good idea. Vice Chrnn. Herbert felt the applicant's home was very unique. It would be a great loss to Chatham if it was torn down. He felt the removal of the existing garage will definitely open up the backyard.

Mr. Haeringer made a motion to approve Application #ZB 21-003: Maher – 32 Coleman Avenue East, with the applicant to follow any stipulations made by the Borough Engineer on stormwater run-off. Mr. Hoffman seconded the motion. A roll call vote was taken:

Vice Chrnn. Herbert	-	yes
Mr. Infante	-	yes
Mr. Montague	-	yes
Mr. Haeringer	-	yes
Mr. Hoffman	-	yes
Mr. Treloar	-	yes

Application # ZB 21-003 was approved.

At 8:55 p.m. the meeting adjourned.

The next Chatham Borough Zoning Board of Adjustment meeting will be held Wednesday, July 28, 2021, 7:30 p.m. It will be a virtual meeting.

Respectfully submitted:

Elizabeth Holler
Recording Secretary