



# **Borough of Chatham**

**MUNICIPAL BUILDING  
54 FAIRMOUNT AVENUE  
CHATHAM, NEW JERSEY 07928  
Tel: 973-635-0674**

## **BOROUGH OF CHATHAM ZONING BOARD OF ADJUSTMENT**

### **REORGANIZATION AND REGULAR MEETING**

**Regular Meeting on Wednesday, January 26, 2022 at 7:30 p.m.**

#### **STATEMENT OF ADEQUATE NOTICE**

Pursuant to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., adequate notice of this meeting has been provided and published in the Chatham Courier on February 11, 2021 and posted on the Municipal Bulletin Board on the main floor of the Municipal Building and filed with the Commission Secretary and the Borough Clerk also on February 11, 2021.

Please follow the link below to join the webinar:

<https://us02web.zoom.us/j/85715784976>

Or One tap mobile :

US: +19292056099,,85715784976# or +13017158592,,85715784976#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 857 1578 4976

International numbers available: <https://us02web.zoom.us/j/85715784976>

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#### **ROLL CALL**

Michael A. Cifelli  
Curt Dawson  
Douglas Herbert  
Fredrick Infante  
Patrick Tobia  
Peter Hoffman  
Jean-Eudes Haeringer  
Joseph Treboar, 1<sup>st</sup> Alternate  
David DeGidio, 2<sup>nd</sup> Alternate  
Patrick J. Dwyer, Board Attorney  
Liz Holler, Recording Secretary

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#### **ADMINISTRATION OF THE OATHS OF OFFICE**

Curt Dawson  
Patrick Tobia

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## **PUBLIC COMMENT**

### **NOTICE OF PUBLIC COMMENT TIME LIMIT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

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### **RESOLUTION #ZB 2022-01**

#### **RESOLUTION OF THE BOROUGH OF CHATHAM ZONING BOARD OF ADJUSTMENT ADOPTING MEETING MINUTES**

**BE IT RESOLVED** by the Zoning Board of the Borough of Chatham that the minutes from the December 15, 2021 meetings are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office.

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## **ANNUAL REORGANIZATION**

- a. Vote and election of Chairperson
- b. Vote and election of Vice Chairperson
- c. Vote and Election of Secretary

## **ANNUAL RESOLUTIONS**

### **RESOLUTION #ZB 2022-02**

#### **RESOLUTION TO APPOINT BOARD OFFICERS FOR 2022**

**WHEREAS**, the New Jersey Municipal Land Use Law, *N.J.S.A.* 40:55D, requires that the Zoning Board of Adjustment elect a Chairperson, a Vice Chairperson and a Secretary for the year 2022; and

**WHEREAS**, at its Reorganization Meeting on January 26, 2022, the Borough of Chatham Zoning Board of Adjustment did hold an election for Board officers; and

**WHEREAS**, the elected members did agree to accept and hold such offices.

**THEREFORE, BE IT RESOLVED**, by the Borough of Chatham Zoning Board of Adjustment, that as the result of the elections, the following offices will be held by the indicated members of the Borough of Chatham Zoning Board during the year 2022, and until replaced by a subsequent election:

Chairperson:

Vice Chairperson:

Board Secretary:

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**RESOLUTION #ZB 2022-03**

**RESOLUTION SETTING THE MEETING DATES FOR THE BOROUGH OF CHATHAM ZONING BOARD OF ADJUSTMENT FOR THE CALENDAR YEAR 2022**

**WHEREAS**, the Open Public Meeting Act, N.J.S.A. 10:4-6 et seq., requires that public bodies provide adequate notice of meetings.

**BE IT RESOLVED**, by the Borough of Chatham Zoning Board of Adjustment that during the year 2022, meetings shall be held by the Borough of Chatham Zoning Board of Adjustment to discuss or act upon office business at 7:30 p.m. prevailing time, in the Council Chambers, in Borough Hall as follows:

1. Regular Meetings of the Borough of Chatham Zoning Board of Adjustment for the year 2022 will be held on the fourth Wednesday of each month, unless indicated otherwise, at 7:30 p.m. prevailing time, in the Council Chambers, in Borough Hall on the following dates:

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February 23 <sup>rd</sup>	August 24 <sup>th</sup>
March 23 <sup>rd</sup>	September 28 <sup>th</sup>
April 27 <sup>th</sup>	October 26 <sup>th</sup>
May 25 <sup>th</sup>	November 16 <sup>th</sup>
June 22 <sup>rd</sup>	December 21 <sup>st</sup>

2. The Reorganization Meeting for 2023 will be held on Wednesday, January 25, 2023.
3. Notice is hereby given that an executive (closed) session may be convened at any of the herein referenced Board meetings
4. Certified copies of this resolution shall be e-mailed to the Daily Record, and the Chatham Courier and posted on the bulletin board outside the office of the Borough Clerk and filed in the Administration Office.
5. A copy of this resolution shall be sent to any interested person who has requested that they be sent copies of notices of the Borough of Chatham Zoning Board of Adjustment meetings pursuant to N.J.S.A. 10:4-19, and who has paid the required fee.

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**RESOLUTION # ZB 2022-04**

**RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS, PUBLICATION, FEES AND MINUTES**

**WHEREAS**, the New Jersey Municipal Land Use Law, *N.J.S.A.* 40:55D, provides that certain notices required by its terms are to be published in the official newspaper of the municipality; and

**WHEREAS**, the Open Public Meetings Act, *N.J.S.A.* 10:4-6 et seq., requires that notification be given of meetings of public bodies as therein defined and in the manner therein set forth;

**WHEREAS**, the Borough of Chatham has by resolution selected the official newspapers of the Borough for publication of legal notices;

**NOW THEREFORE, IT IS HEREBY RESOLVED** that all notices in connection with Zoning Board matters that are required to be published in the official newspapers of the Borough shall be published in the *Chatham Courier* and or the *Morris County Daily Record*;

**FURTHER RESOLVED** that all notices required to be published shall be placed upon the bulletin board on the main level of the Chatham Borough Municipal Building, outside the office of the Zoning Board;

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. 10:4-19, a copy of this resolution shall be provided to any person who requests a copy of the regular meeting schedule, special or rescheduled meetings of this public body, and upon prepayment by such person of a reasonable sum, if any has been fixed by resolution to cover the costs of providing such notice; and

**BE IT FURTHER RESOLVED** that minutes of the meetings of the Zoning Board will be made available for public viewing in the Borough Offices, in accordance with *N.J.S.A.* 10:4-14, and copies of the minutes will be provided to individuals upon payment of the fees set forth in *N.J.S.A.* 47:1A-2 and local ordinance, if applicable;

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**RESOLUTION #ZB 2022-05**

**RESOLUTION APPOINTING THE BOARD ATTORNEY AND APPROVING CONTRACT FOR LEGAL SERVICES FOR 2022**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution be adopted and publicly advertised to authorize the award of contracts for “Professional Services” without competitive bidding; and

**WHEREAS**, there exists a need for municipal legal services for the Borough of Chatham Zoning Board of Adjustment; and

**WHEREAS**, the Board has considered the professional services proposal submitted by Patrick J. Dwyer, Esq.

**THEREFORE, BE IT RESOLVED**, that Patrick J. Dwyer, Esq., 66 Towne Center Bldg., Suite 205, Succasunna, NJ 07876, is hereby be appointed Legal Counsel for the Borough of Chatham Zoning Board of Adjustment for the year 2022 at rates to be set forth in a contract with the Board; and

**BE IT FURTHER RESOLVED**, that the Borough of Chatham Zoning Board of Adjustment Chair is authorized to execute the necessary agreement with the appointed attorney on behalf of the Board.

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**RESOLUTION #ZB-2022-06**

**RESOLUTION APPOINTING CONSULTING ENGINEER AND APPROVING CONTRACT FOR ENGINEERING SERVICES FOR 2022**

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A.* 40A:11-1 et seq. requires that a resolution be adopted and publicly advertised to authorize the award of contracts for “Professional Services”;

**WHEREAS**, the Board has determined that the services of a professional engineer are necessary for the Board;

**WHEREAS**, the Board has considered the services rendered by Robert C. Brightly, P.E. during the year 2021;

**WHEREAS**, Board Attorney will review and revise the contract for services as necessary;

**NOW THEREFORE, BE IT RESOLVED**, as follows:

1. Robert C Brightly of the firm of Ferriero Engineering, is hereby appointed as Consulting Engineer to the Borough of Chatham Zoning Board of Adjustment effective from January 1, 2022 through December 31, 2022;
2. Mr. Brightly shall render services on a piecemeal basis as assigned by the Board, at a fixed hourly rate to be billed on a monthly basis. A fee schedule is attached to this Resolution;
3. The Board Attorney is directed to provide a professional services contract in accordance with this Resolution to Mr. Brightly for signature;
4. Upon recommendation of the final contract by the Board Attorney, the Zoning Board Chairman is authorized to execute the contract on behalf of the Board, and the Chairman's signature shall be duly witnessed by the Secretary to the Board;
5. Robert Brightly and the firm of Ferriero Engineering are directed to comply with all appropriate document requests of the Borough Clerk with respect to this contract, including financial disclosures and Pay-to-Play requirements.

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**RESOLUTION ZB #2022-07**

**RESOLUTION APPOINTING THE BOARD PLANNER AND APPROVING CONTRACT FOR PLANNING SERVICES FOR 2022**

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* requires that a resolution be adopted and publicly advertised to authorize the award of contracts for "Professional Services"; and

**WHEREAS**, the Board has determined that the services of a professional planner are necessary for the Board; and

**WHEREAS**, the Board has considered the services rendered by Kendra Lelie, P.P, AICP, ASLA, of the firm KMA Associates during the year 2021; and

**WHEREAS**, the Board Attorney will review and revise the contract for services as necessary.

**THEREFORE, BE IT RESOLVED**, as follows:

1. Kendra Lelie, P.P, AICP, ASLA, of the firm T & M Associates, is hereby appointed as Planner to the Borough of Chatham Zoning Board effective from January 1, 2022 through December 31, 2022;
2. Kendra Lelie shall render services based upon an hourly rate and a rate fixed for public meeting attendance;
3. The Board Attorney is directed to provide a professional services contract in accordance with this Resolution to Kendra Lelie of the firm T & M Associates for signature;
4. Upon recommendation of the final contract by the Board Attorney, the Zoning Board Chairman is authorized to execute the contract on behalf of the Board, and the Chairman's signature shall be duly witnessed by the Secretary to the Board;

5. Kendra Lelie, P.P, AICP, ASLA, and the firm T & M Associates is directed to comply with all appropriate document requests of the Borough Clerk with respect to this contract, including financial disclosures and Pay-to-Play requirements.

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## RESOLUTIONS

- a. **Application ZB 21-012**  
**Thomas & Melissa Ciro**  
13 Lincoln Avenue  
Block: 86, Lot: 25  
Side Yard Setback (Left)  
Exterior Side Yard Setback (Right) Walnut  
Rear Yard Setback  
Building Coverage
- b.

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## RETURNING AND NEW APPLICATIONS

- a. **Application ZB 21-013**  
**Nicholas & Katelyn Cedrone**  
13 Duchamp Place  
Block: 61, Lot: 11  
Side Yard Setback Left  
Side Yard Setback Right  
Building Coverage
- b. **Application ZB 21-006**  
**Stephanie Androski**  
17 Yale Street  
Block: 47, Lot: 7  
Side Yard Setback (Left)  
Side Yard Setback (Right)  
Rear Yard Setback  
Building Coverage  
Floor Area Ratio  
Deck Side Yard Setback

- c.
- d.
- e.
- f.

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**DISCUSSION ITEMS**

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**PENDING AND NEW BUSINESS**

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**CLOSED SESSION**

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**ADJOURNMENT**