

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT MEETING

August 26, 2020

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. Chrmn. Cifelli, the Board Members, and Attorney Patrick Dwyer were present by Zoom, a virtual meeting. Chrmn. Cifelli 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, Esq.	X	
Frederick Infante	X	
Douglas Herbert	X	
H.H. Montague	X	
Jean-Eudes Haeringer	X	
Patrick Tobia	X	
Alida Kass	X	
Peter Hoffman	X	
Patrick Dwyer, Esq.	X	

Public Comment

There was none.

Resolution #ZB 2020-1

Vice Chrmn. Herbert made a motion to approve the minutes of the June 24, 2020 Zoning Bd. of Adjustment meeting as amended. Mr. Montague seconded the motion. A voice vote was taken. The minutes of the June 24, 2020 ZB meeting were unanimously approved.

Mr. Haeringer made a motion to approve the minutes of the July 22, 2020 Zoning Bd. of Adjustment meeting as amended. Mr. Montague seconded the motion. A voice vote was taken. The minutes of the July 22, 2020 ZB meeting were unanimously approved.

Resolutions

Application ZB #20-003

Springbrook at Chatham

534 Main Street

Block 33 Lot 5

Preliminary & Final Site Plan

Attorney Dwyer summarized this application which proposed additional parking at the rear of this garden apartment complex. He reviewed what proposals remained the same from a previous resolution in 2013. The application will have to comply with the Borough tree ordinance. Chrmn. Cifelli made a motion to approve the resolution confirming the Board's approval of Application ZB #20-003. Mrs. Kass seconded the motion. A roll call vote was taken:

Mrs. Kass	-	yes
Mr. Herbert	-	yes
Mr. Infante	-	yes

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

Application ZB # 17-013A

First Student, Inc

29 River Road

Block 140, Lots: 7.01, 8, 9 & 10

Amended Preliminary & Final Site Pla

Attorney Dwyer summarized this application which proposed extending a temporary D-1 Use Variance for the parking of school vehicles. The applicant claimed that due to the effect of the pandemic on the real estate market, he could not find a new location to park the vehicles. He asked for an extension of one year. Chrmn. Cifelli made a motion to approve the resolution confirming the Board's approval of Application ZB # 17-013A. Mr. Montague seconded the motion. A roll call vote was taken:

Mrs. Kass	-	yes
Mr. Herbert	-	yes
Mr. Infante	-	yes
Mr. Montague	-	yes
Mr. Haeringer	-	yes
Mr. Tobia	-	yes
Mr. Hoffman	-	yes
Chrmn. Cifelli	-	yes

Returning and New Applications

Chrmn. Cifelli announced the following applications will be heard at the September 23, 2020 Zoning Board meeting:

Application ZB #20-002: Kneebone – 187 Washington Avenue

Application ZB #20-008: Azzinaro – 19 Dellwood Avenue

Chrmn. Cifelli announced that Application ZB # 20-009: Hallahan – 18 Inwood Road will be heard tonight.

Application ZB # 20-009

Derek Hallahan

18 Inwood Road

Block 13 Lot 28

Maximum Building Coverage

Maximum Lot Coverage

The following were sworn in to testify:

Derek & Noelle Hallahan, the applicants
Janet Siegel, architect for the applicants

Ms. Siegel submitted her professional credentials to the Board. The Board accepted them.

Mr. Hallahan gave an introductory statement on his application. He is proposing to relocate the current driveway from one side of the house to the other side. The existing driveway is long and narrow driveway and does not function well. During a recent storm a tree fell on the current two-car garage, damaging it so badly that it had to be demolished. Mr. Hallahan explained how the proposed new garage will be rotated to have a front entry which would provide safer conditions. The amount of asphalt will be reduced on the property. With the new garage, family members could now enter the house from Inwood Road, instead of going all the way around the house.

Mr. Montague asked if he planned to remove the large fir tree that is in front of the garage.

Ms. Siegel answered yes that fir tree will be removed. The fir tree closest to the street will remain. The applicant will replace the tree that will be removed. The Borough's tree permit process will be followed.

At this point in the meeting, Mr. Haeringer remembered he had done some work for the Hallahan family two years ago. To avoid any possible legal challenge on this application, Mr. Haeringer recused himself from the hearing. Mr. Hoffman, the Alternate Member of the Board, took his place.

Ms. Siegel explained the Site Plan. She pointed out that the idea of entering the garage from the front yard would be a better solution. The new proposed garage will have the dimensions to allow for two garage doors. She testified that the front facing, measuring 24 feet, will allow for these two garage doors. From the original footprint, the garage is changing size four feet from both directions. The side property line, minus a couple of inches, will be maintained. The foundation of the new garage will be 4 feet from the property line. The new garage will be pulled forward 6 ½ feet toward the street, thereby opening more space in the rear yard.

Ms. Siegel pointed out, with this new proposed garage arrangement, the neighbors no longer will see cars in the backyard. The existing full-paved area will no longer exist. Ms. Siegel explained the functionality of the small raised patio area. Ms. Siegel noted that 250 sq. ft. of building coverage is being proposed, which is triggered by the new garage and a walkway for someone walking from the garage to the home's front door. With the old garage completely being removed from the east side of the property, a much softer property line will be created, probably of grass or plantings. Also, the back depth of the applicant's property will be opened up.

Ms. Siegel testified that currently there are no water issues on the applicant's property. It is a relatively flat lot. The proposed patio will be less pervious than the existing driveway. Ms. Siegel stated that Andrew Clarke, the applicant's engineer, has prepared the survey that was used for this application. Mr. Clarke will remain active in this application. He will be consulted if any permit issues or water issues arise.

Chrmn. Cifelli confirmed with Ms. Siegel, that it is really 50 sq. ft. of lot coverage that is the trade-off for switching driveway locations.

Board members had no further questions on the lot coverage.

Ms. Siegel discussed the building coverage for the new garage. The proposed garage will be 1.4% over the allowable amount. She testified that there will be 10.5 feet between the applicant's home and the garage, which conforms with the required distance between two structures. Using the elevations, Ms. Siegel explained how the architectural details will help the new garage blend well with the house. The new garage will sit 6 feet further towards the front yard than the original garage.

Ms. Siegel reviewed her analysis of neighborhood garages. Of the 25 garages in the immediate area, all of them have garages. Twelve of these homes have detached garages eight of which are two-car garages. Ms. Siegel testified that a good portion of two-car garages exist in this neighborhood. All of these two-car garages face the street, like what the applicant is proposing. Ms. Siegel felt therefore, that the proposed garage will be in keeping with the neighborhood.

(At this point the recording ended. The rest is from my notes. – E. Holler)

Chrmn. Cifelli asked Ms. Siegel if any of the garages in her neighborhood analysis faced the street. Ms. Siegel answered none.

The Board and Ms. Siegel further reviewed the neighborhood garages. Ms. Siegel pointed out that the proposed detached garage will be fulfilling one of the Land Use goals. The new driveway will be more functional for the applicant and his family, than the original driveway.

Mr. Infante confirmed with Ms. Siegel that the proposed design will provide safer conditions for the family. He noted the newly created green space in the back would benefit the applicant's children. Ms. Siegel also discussed the installation of fences and a small retaining wall to be installed. She felt that moving the garage forward would be a logical move.

The Board had no further questions for Ms. Siegel.

The public had no questions for Ms. Siegel.

The public had no questions or comments on the application.

There was no further testimony.

Mr. and Mrs. Hallahan submitted their application to the Board for a vote.

Board discussion began. Chrmn. Cifelli believed that the benefits of this application will outweigh the detriments. He pointed out that the applicant's property is wide, and a larger garage will not impact the neighbor's light and air. Mr. Infante felt it was a smart design and it

would create more space in the back for the family. He will support it. The following Board members also expressed support for the application: Mrs. Kass, Mr. Montague, Mr. Tobia, Mr. Hoffman, Vice Chrmn. Herbert.

Chrmn. Cifelli made a motion to approve Application ZB # 20-009: Hallahan – 18 Inwood Rd., with the applicant to follow any recommendations made by the Borough Engineer regarding stormwater. Mrs. Kass seconded the motion. A roll call vote was taken:

Vice Chrmn. Herbert	-	yes
Mr. Infante	-	yes
Mrs. Kass	-	yes
Mr. Montague	-	yes
Mr. Tobia	-	yes
Chrmn. Cifelli	-	yes

Application ZB # 20-009 was approved.

At 8:20 p.m. the meeting adjourned.

The next Chatham Borough Zoning Board of Adjustment Meeting will be held on Wednesday, September 23, 2020, 7:30 p.m. It will probably be a virtual meeting held by Zoom.

Respectfully submitted:

Elizabeth Holler
Recording Secretary