

**TOWNSHIP OF CHATHAM**  
**BOARD OF ADJUSTMENT**  
**Work Meeting Minutes**

April 7, 2004

The work meeting of the Board of Adjustment of the Township of Chatham, County of Morris, and State of New Jersey commenced at 7:30 p.m., 58 Myersville Road, Chatham Township. Chairperson Lawrence Dalziel called the meeting to order.

The following members were present:

Lawrence Dalziel, Chairperson  
James Matthews, Vice-Chairperson  
Joseph Cooney  
Parker Godwin  
Jesse Benton  
Tim Walters  
Therese Hough (arrived at 8:00 pm)

Also in attendance:

Lewis Wilson, Esq., Board Attorney

Chairperson Dalziel read the Open Public Meetings Statement.

Mr. Wilson swore in Timothy Walters as Alternate #2 to the BOA.

There was discussion concerning an application for the BOA to hear a request to deny/rescind a temporary Certificate of Occupancy in the Sycamore subdivision. Chairman Dalziel related discussions involving this matter with Township officials determining that the issuance of COs is an administrative act and not an interpretation upon which the BOA should act. Mr. Craig Rieck, 7 Meyersville Road, applicant for the denial of the CO was in attendance. He informed the Board his reasons for the request (Township statutes require all roadwork, etc. must be completed and approved prior to issuance of the CO) as well as his belief, on advice from his attorney, the BOA to be the proper venue for his request. Mr. Wilson reiterated the opinion that Township Land Development regulations would preclude the BOA from hearing Mr. Rieck's request; his remedy should be addressed elsewhere. The Board acknowledged and sympathized with Mr. Rieck's situation and wished him well in his endeavor.

**APPLICATIONS COMPLETE**

**CALENDAR BOA 03-67-14 (December 16, 2003) DONALD & CAROLYN DEGOLYER – 293 FAIRMOUNT AVE. – BLOCK 67 LOT 14.** (memorialization 4/22/04)

**CALENDAR BOA 03-90-13 (December 29, 2003) CLARK & ANDREA WAGNER – 13 FAIRFAX TERRACE - BLOCK 90 LOT 13.** (memorialization 4/22/04)

There was discussion of the height ordinance and a suggestion made at the All Board Dinner to look into changing the ordinance to one less restrictive and how such a change might affect applications such as the following:

**CALENDAR BOA 03-62-99, RICHARD & DEBORAH HENNESSY**

The height variance needed being such that a D variance (and its stricter burden of proof) is required.  
(continuation 4/22/04)

**CALENDAR BOA 03-88-2 (December 16, 2003) SHEILA COLLIER – 22 YARMOUTH ROAD – BLOCK 88 LOT 2.** (continuation 4/22/04)

A brief discussion was held concerning the drainage situation and how the applicant plans to handle the drainage from the requested addition.

**CALENDAR BOA 04-62.05-17 (January 21, 2004) JOHN & CARLENE PRUIT – 11 OSTRANDER PLACE. BLOCK 62.05 LOT 17.** (continuation 4/22/04)

Mr. Godwin had a question concerning a tree removal.

**CALENDAR BOA 04-39-57 (January 30, 2004) BRIAN & SUZANNE BOUTILIER – 31 JOHNSON DRIVE. BLOCK 39 LOT 57.** (initial hearing 4/22/04)

**APPLICATIONS WAITING FOR COMPLETENESS REVIEW**

**CALENDAR BOA 04-120-3 (March 1, 2004) THOMAS NEBUS – 35 Sandy Hill Road. BLOCK 120 LOT 3.**

**CALENDAR BOA 04-78-19.02 (March 22, 2004) MR. & MRS. TAYLOR – 40 Dellwood Avenue. BLOCK 78 LOT 19.02.** Mr. Dalziel indicated the likelihood he would have to recuse himself from this application.

Chairperson Dalziel informed/reminded the newer members of the availability of state and county sponsored courses for BOA members and Township reimbursement for them. The need for additional copies of the Land Development ordinance books for some BOA members was discovered.

There was a discussion with Q&A regarding the procedures and processes of the BOA.

Ms. Hough moved to adjourn the meeting. Mr. Matthews seconded the motion. All were in favor. The meeting adjourned at 8:38 pm.

Respectfully submitted,



A. Parker Godwin