

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

May 11, 2005

The work meeting of the Board of Adjustment of the Township of Chatham, County of Morris, and State of New Jersey commenced at 7:35 p.m., 58 Myersville Road, Chatham Township. Chairperson Lawrence Dalziel called the meeting to order.

The following members were present:

Lawrence Dalziel, Chairperson  
Joseph Cooney  
Parker Godwin  
Therese Hough  
Tim Walters

Also in attendance:

Lewis Wilson, Esq., Board Attorney

Chairperson Dalziel read the Open Public Meetings Statement.

**CALENDAR BOA 04-142-4.01 (December 13, 2004) ST. HUBERT'S GIRALDA, BLOCK 142 LOT 4.01.** Preliminary site plan & Conditional Use, to expand its existing animal welfare center.

The Board received a letter from the applicants' attorney, Glenn Geiger, Esq. of Pitney Hardin LLP, dated May 9, 2005, requesting an adjournment to the Board's June or July meeting to accommodate the applicant's redesign process. Mr. Wilson read to the Board from a letter received via fax from Pitney Hardin LLP, dated May 11, asking that the next hearing of the application be at the Board's July 13 meeting. The Board voted unanimously to accept the request to carry the application to the July 13 meeting.

**CALENDAR BOA-04-130-15 (SEPTEMBER 24, 2004) MR. ANTONIO DEMATOS, 1A LAKE ROAD, BLOCK 130 LOT 15.** Front, side and rear yard setbacks to construct an addition.

The Board awaits an updated survey from the applicant as well as feedback based upon the updated survey from the Township Engineer. This needs to be completed prior to the Board's May 19 meeting for the memorialization to take place. Some concern was expressed regarding the probability of completion in time which would push the application further into an already crowded and growing BOA agenda.

In that vein a discussion was held concerning the likelihood of current applications before the Board being completed in short order given their complexities and how this might affect the meeting schedule in the upcoming months. Four or five applications are already pending a first hearing in June, with two or three more awaiting first hearings in July.

**CALENDAR BOA 04-102.11-15(JUNE 11, 2004) MR. COVIELLO, 21 SPRING STREET,** Zoning Officer's denial

Mr. Wilson read from the updated ordinance the definition of a garage. Information gathered at the May 7 site visit puzzled the Board as to the applicant's intent: is the proposed new structure a shed or a

garage? Both terms have been used during discussions but have different criteria to be considered. The Board decided to ask the applicant to specify the actual intent of the application: an oversized shed variance or a garage with a variance for driveway length. It was also noted that, if a garage is intended, there are coverage issues with the current proposal even without the rear overhang the applicant offered during the site visit as a possible item for removal. Mr. Wilson reminded the Board that this is a two-part application: part one a request that the BOA overturn the Zoning Officer's denial and part two a request for variance(s) should the Board deny part one.

**CALENDAR BOA-04-20-19 (SEPTEMBER 3, 2004) MR. N. PARISI, 27 SUSAN DRIVE, BLOCK 20, LOT 19.** Front yard setback, building height, retaining wall, steep slope disturbance.

It was noted that during the May 7 site visit the applicant claimed to have had a building permit; the Board would like to see the document. Also, the 1965 variance allowed for a 30 foot front yard setback; the current application asks for a 35 foot setback. The advantages of allowing the placement of the structure closer to the road and thus easing the rear proximity to the very steep slope were discussed.

**CALENDAR BOA 04-88-9 (December 6, 2004) MR. & MRS. MOGELVANG, 28 FALMOUTH ROAD, BLOCK 88 LOT 9.** Maximum building coverage to construct an addition.

The applicant has submitted revised plans which may extend the hearing of the application to more than the May 19 meeting. Mr. Walters asked for clarification of the requirements necessary to prove need for a building coverage variance. A brief discussion took place concerning building coverage.

In addition to the crowded docket, the summer months add the possibility of Board members not being available at all meetings which is a concern in that several upcoming applications contain use variances or other D variances requiring a broader consensus from the BOA. Several members indicated dates that they would not be able to attend and/or would check their schedules and get back to the other members.

Options were discussed as to how the Board might accommodate the many applications so as not to delay new applications for many months to the detriment of the application process. Chairperson Dalziel offered two possibilities: make the June work meeting a special meeting to accommodate the initial hearing for several of the pending applications, or allow the regular meetings to extend past the generally accepted 11:00 pm end time. Mr. Godwin inquired about the possibility of adding meetings. Mr. Wilson stated it would require proper notification/publication. It poses the added problem of coordinating schedules of the Board members and professionals. The preference of those in attendance was to make the June work meeting a special meeting with extending the meetings after 11:00 an additional possibility if necessary. Chairperson Dalziel said he would look into moving some of the upcoming applications to a special meeting of the Board on June 8.

A letter dated May 11, 2005 was received by the BOA from Mr. & Mrs. Hennessy requesting a one year extension of their resolution BOA 03-62-99 scheduled to expire May 20, 2005. After briefly contemplating considering the request at a later meeting and, if approved, making it retroactive, it was decided by the Board, and recommended by counsel, to hear the applicants and to make a decision on the request at the May 19 hearing despite the already crowded agenda and the short notice of the request.

Mr. Walters moved to adjourn the meeting. Ms. Hough seconded the motion. All were in favor. The meeting adjourned at 8:41 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. Parker Godwin". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

A. Parker Godwin