

**March 20, 2008**

**BOARD OF ADJUSTMENT**

**TOWNSHIP OF CHATHAM**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE**

The meeting was called to order at 7:30 p.m. and the Statement of Compliance was read into the record.

**ROLL CALL:**

**Mr. Lawrence Dalziel**  
**Mrs. Francine Alcorn**  
**Alt.#1 Vacant**

**Mr. Parker Godwin**  
**Mr.Karl Schmidt**  
**Alt.#2 Vacant**

**Mr. Glen Nelson**  
**Mr.Thomas Quinn**

Also Present:

Mrs. K. Tsimboukis, Secretary

Mr. Ruschke, Engineer

Mr. Steven Shaw, Attorney

Minutes of January 17<sup>th</sup> – a motion was made by Mr. Godwin, seconded by Mrs. Alcorn to accept minutes as submitted. Roll Call – all in favor

**Resolution**

**Damon & Krissy Caputo**  
**2 Overlook Road**  
**Block: 102 Lot: 1.**  
**Christopher Quinn, Attorney**

**Calendar Boa 07-102-1**

Mr. Shaw summarized the application.

A motion was made by Mrs. Alcorn to accept the resolution of Approval, seconded by Mr. Nelson.

Eligible members in vote to approve the resolution: Mr. Nelson, Mrs. Alcorn, Mr. Godwin, Mr. Dalziel.

**Michael Dezic**  
**6 Valley View Road**  
**Block: 8 Lot: 10**  
**Mr. Osmun, Attorney**

**Calendar Boa 07-8-10**

Following a summary of the application by Mr. Shaw a motion to accept the resolution with minor corrections (Pg 3 sec. 2 line 7; pg 4 sec 5 line 7) was made by Mr. Godwin, seconded by Mr. Nelson

Eligible members in vote to approve the resolution: Mr. Nelson, Mrs. Alcorn, Mr. Godwin, Mr. Dalziel.

**Michael Mccaffrey**  
**25 Britten Road**  
**Block: 48.18 Lot: 145.02.**  
**David Krasnica, Contractor**

**Calendar Boa 07-48.18-145.02**

Mr. Shaw summarized the application noting that the property had pre-existing conditions which required variances for any improvements to the property.

A motion made by Mrs. Alcorn to accept the resolution was seconded by Mr. Nelson

Eligible members in vote to approve the resolution: Mr. Nelson, Mrs. Alcorn, Mr. Godwin, Mr. Dalziel.

**Joseph Falcone**  
**38 Nicholson Drive**  
**Block: 62.08 Lot: 6.**

**Calendar BOA 08-62.08-6**

Mr. Dalziel – gave a brief outline of the procedures to be followed noting that the site visit would be the first Saturday in April.

Mr. T. Murphy – Engineer – explained that the applicant wishes to provide a larger play area for their children but in order to do that it would involve a steep slope variance. A retaining wall will be created and wrap around a rear portion of the house. The disturbance is minimal. The most severe slope affected is in the 25% where we are allowed 500 sf and we are going for 1840 sf. The next area affected is the 20-25 where we allowed 384 sf and we are affecting 575 sf. All the properties on that side of the road have walls so this is not a unique situation for this neighborhood. The height is shown on the plan.

Mr. Godwin - Mr. Ruschke identified an additional variance – change in grade.

Mr. Murphy – said he had missed that one but indicated the area affected on his site plan. The closest part of the wall to the property line is about 9 ft. and then it wraps around to the other side of the lot.

Mr. Dalziel asked how the determination was made for the placements of the walls.

Mr. Murphy – the property slopes in many directions, but the wall runs east to west. There are several trees that we do not want to disturb. The wall follows the flow of the land. The maximum height is 6 ft with a usable grade in the back yard. If I go further down the slope using a 6 ft. wall the yard becomes steeper. If you move it closer you get smaller disturbance. Because of the topography you do not gain that much in the back yard – maybe about 20 ft. of additional usable yard.

Mr. Dalziel – if I understand you maxed out the wall and that is how it got placed. Mr. Murphy agreed.

A question was raised by Mrs. Alcorn, as to the use of the wall – is it just for the children, does it define play area only, or safety measures.

Mr. Murphy – when you come out the back door the ground slopes rapidly but the proposed does defines the play area. Property slopes down to Esterney.

Mr. Dalziel advised that they would be on site at 9 AM – first Saturday of April

Mr. Murphy said he would have the area staked out.

**Joseph & Gail Maurillo**  
**51 Dale Drive**  
**Block: 102.8 Lot: 10.**

**Calendar BOA 08-102.8-10**

Mr. Osmun, Attorney

Mr. Osmun - The applicants are not here. They would speak to the reasons for this application. Their kitchen is too small and would like to expand it and keep the family room. A variance is required. The building is now built to the max (3138 sf) and they are proposing to add an additional 330 sf bring the total to 3468 sf. The lot is oversized lot. The proposed is to the rear with an approx 100 ft. set back. The additional cannot go to the northwest because of the garage. The addition is 17 ft. in length.

Mr. Chauvett, Washington Architects -Sworn in - We have made an existing family room into a dinette with a sitting area by the existing fireplace. The new addition (19 x 8) is along the right hand side of the house. The set back from the right hand corner is 15 ft. so no variance is required. A portion of the existing patio will be removed. Impervious coverage is not an issue. This is a single story addition with gabled roof. The proposed addition cannot be seen from the North West Side. The reason for the addition is for a family room.

Mr. Dalziel – thought a print of the existing house would be helpful, as he could not understand how getting a family room helps you to get a bigger kitchen.

Mr. Chauvett – extending cabinets out gave them more work area.

Mr. Osmun - it would be clearer on a site visit. It's not a hardship case but it is an attractive addition. It does not run against the zoning. There does not seem to be any adverse impacts on the neighborhood.

Mr.. Dalziel – advised the applicant of the site visit on April 5<sup>th</sup> around 9:30 am. The next hearing is on April 17<sup>th</sup>. He suggested making a case based on family room justifying the bigger kitchen.

**Gines/Yanes**  
**11 Wickham Way**  
**Block: 48.08 Lot: 5**

**Calendar BOA 07-07-48.08-5**

A letter came from applicant regarding their newspaper notifications. Unfortunately, they had not been published on time. The Property owners had been notified. They have requested carrying this application to next meeting without further notification to the neighbors. They will comply with the newspaper notification for the next meeting.

A motion was made by Mr. Godwin seconded by Mrs. Alcorn and approved by all confirming that no further notification needed to be given to the neighbors.

Motion was made to adjourn the meeting by Mr. Godwin seconded by Mrs. Alcorn

Respectfully submitted

Mary Ann Fasano  
Transcribing Secretary.