

**November 20, 2008  
Board Of Adjustment**

**Township Of Chatham**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE**

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

**Roll Call:**

Mr. Parker Godwin  
Mr. Glen Nelson  
Mr. Karl Schmidt

Mrs. Therese Hough  
Mr. Tom Quinn  
Alt.#1 Vacant

Mrs. Francine Alcorn  
Alt.#2 Vacant

**Also Present:**

Mary Ann Fasano, Transcribing Secretary    Steven Shaw, Board Attorney;  
Mr. Turek, Board Engineer

**Minutes:**

**September 18, 2008** A motion was made by Mr. Nelson and Seconded by Mr. Godwin to approve minutes as submitted. All in favor.

**October 16, 2008** a motion was made by Mr. Godwin and Seconded by Mr. Nelson to approve minutes with minor correction. All in favor.

**New York SMSA Ltd.**

**Calendar BOA 08-48.21-179**

**Partnership – d/b/a Verizon Wireless – Chatham 2,  
529 Green Village Road,  
Block: 48.21 Lot: 179**

Correspondence has been received requesting that the matter be carried to the December Board meeting with a provision that they would grant an extension for time for action through that meeting. .

Mrs. Hough affirmed that all members agreed to said request

**Village Super-Markets, Inc.,  
641 Shunpike Road.  
Block: 48.23, Lot: 126.04**

**Calendar BOA 08-48.17-126.04**

A request was received from the applicant to have this carried to the next meeting as Applicant wishes to have all board members present.

Mrs. Hough asked if the Board was in favor of carrying the application to the next meeting. All in favor.

**Raj & Tejaswini Maganti**  
**42 Mountain Ave.**  
**Block: 39 Lot: 13.01.**

**Calendar BOA 08-39-13.01**

**Attorney: Mr. B. Osmun**

Mr. Osmun requested that this application be carried to the next meeting, as the plans requested are not yet completed. Time extensions were granted

Mrs. Hough asked for a motion to carry this application. The motion was made by Mr. Godwin, seconded by Mr. Nelson with all in favor.

**Paul Magistro**  
**428 River Road**  
**Block: 62 Lot: 79.**

**Calendar BOA 08-62-79**

**Mr. Magistro, Applicant**  
**Mr. Robie Wood, Architect**

Site Visit report was read into the record.

Mr. Wood presented 3 variations of the site plan (Option 1 – A24; Option 2 – A25 and Option 3 – A26). The plans were inclusive of comment by the Board at the site visit.

Upon review of the plans, some discussion and because of the peculiarity of the property it was requested that the applicant present plans with more information, including zone table, comparison to adjacent properties, impervious coverage proposed/existing, in other words a compilation of figures. It would be best to decide which plan you want to present.

Mr. Shaw advised that the Board could not choose between options. It was their function to reduce variances wherever possible. He was in agreement that more information was needed.

The application will be carried to the next meeting without further notice.

**Parry & Laura Gosling**  
**21 Fairfax Terrace**  
**Block: 90 Lot: 9**

**Calendar BOA 08-90-9**

**Mr. Gosling, Applicant**  
**Brian Siegel, Architect from Siegel Arch.,**

Mrs. Alcorn read the site visit report into the record.

Mr. Siegel gave a brief summary of the application noting that what was proposed was consistent with the neighborhood. Having nothing further to present he asked the board for their considerations.

Mrs. Hough asked if there were any questions from the Board or the Public. There being none the public portion of the meeting was closed.

Mrs. Alcorn thought the proposed addition was very well done.

Mrs. Hough thought the lot size contributed to the granting of the variance. She thought it was aesthetically pleasing and added to the neighborhood.

Mrs. Hough asked for a motion.

A motion was made by Mr. Godwin, seconded by Mr. Quinn to approve the application as proposed. Roll call – Mr. Nelson, Mr. Schmidt, Mrs. Alcorn, Mr. Quinn, Mrs. Hough and Mr. Godwin.

**St. Hubert's Giralda  
575 Woodland Road  
Block: 142 Lot 4.01.**

**Calendar BOA 08-142-4.01**

Mr. T. Malman, Attorney  
Mr. R. Schomer

Mr. Malman said that this was a continuation of a prior approval. There were a couple minor changes made. He asked that Mr. Schomer outline what has been done.

Mr. Schomer – referred to Exhibit A25, which was a colored rendering of a Site Plan, dated November 20, 2008. He pointed out that the application had preliminary approval several years ago. The property, a 15.46 ac. tract, was located on Woodland Road. He outlined the buildings (caretakers house, free standing multi purpose bldg, existing bldg.), parking area (213 additional parking spots), lawn areas and the wooded areas, which served as buffers. He noted that there was a smaller building that had to be replaced (no change in impervious coverage – still at 24%). The Septic System located in the front portion of the property required various approvals from NJDEP, TWA's etc. all of which have been granted. The Morris County Planning Board had given their approvals as well. Mr. Ruschke has submitted correspondence regarding stormwater management and other aspects of this application. At this time the stormwater management was still not completed but they would have no problem bringing it into compliance.

Mr. Ruschke's letter of 10/29/08 was reviewed. Applicant had complete most items and any that were not completed could be conditioned in a Resolution.

Mr. Turek, Engineer pointed out that the Stormwater plans had been received but needed some additional work. A soil conservation sign off was needed as well.

Mrs. Hough asked if the conditions outlined in the preliminary approval had been addressed. She was advised that they had.

Mr. Shaw said he would review the ordinance as to this type of approval. Rather than taking action this evening he suggested that it might be possible to just draft the resolution for final Site Plan Approval.

Mrs. Hough asked for questions from the audience.

Mrs. Stillenger, Environmental Commission asked if the Conservation Easement had been recorded. She was advised that the Commission would provide proof of Record of Easement before construction.

Mrs. Stillenger asked who would approve it. Mr. Shaw said he and the Township Attorney, Mr. Woodward would review/approve. She also asked if the easement could be granted to the Town.

Mr. Malman asked if there was a DEP form.

Mr. Turek thought that the Board should check to make sure that the Township doesn't have its own form as well. He advised that markers would be installed.

Mr. Malman – said that applicant would comply with all DEP requirements.

Mrs. Hough asked for a motion.

Mr. Godwin made a motion to authorize Mr. Shaw to prepare a resolution of approval to include all of the Engineer's recommendations. Applicant will check with the Township regarding Final Approvals. Mr. Quinn seconded. **Roll Call in favor** - Mr. Nelson, Mr. Schmidt, Mrs. Alcorn, Mr. Quinn, Mrs. Hough and Mr. Godwin.

Mr. Schmidt made a Motion made to adjourn, seconded by Mrs. Alcorn.

Adjournment 9:30 pm

Respectfully submitted;

Mary Ann Fasano  
Transcribing Secretary