

The March 7, 2005 semi-monthly meeting of the Township of Chatham Planning Board was called to order at approximately 7:30 p.m. by Chairman Joel Jacobson. The Open Public Meetings Act Statement was read into the record. The agenda for the evening included Parisi extension, The Darcy School, Hickory Tree Square parking and Executive Session.

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#### Roll Call

Board members present included Mr. Jacobson, Mr. Browne, Mrs. Chambers, Mr. Cohn, Mr. Brower, Mr. Caprioglio, Mr. Ciccarone and Mr. Hartford. Also present were Planning Board attorney Donald Malehorn, Planning Board planner Frank Banisch and Planning Board engineer John Ruschke.

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#### Minutes

Regarding the minutes of February 15, 2005, Mr. Caprioglio asked that a sentence be inserted on page 5 in the paragraph titled, "Land Use" stating, "*Mr. Cohn brought up the use of the website to access application materials.*" Mr. Caprioglio moved to accept the amended minutes and Mr. Cohn seconded, with all but Mr. Browne (abstained) in favor.

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## Applications

### Parisi

Mr. Jacobson stated there was a request from Parisi Builders for a one-year extension for preliminary and final major subdivision approval (protection of final approval expires on April 15, 2005). Mr. Ciccarone had questions for the applicant regarding comments in a letter inferring there were delays having to do with Township officials; no one was present on behalf of the applicant. It was noted that other builders had commenced and completed building during the time period in question. When asked about the requirements needed to grant the extension, Mr. Malehorn stated that grounds were not needed to request an extension and that it was within the Board's discretion. After reading an excerpt from the Parisi letter, Mr. Ciccarone made a motion to defer consideration until the next meeting so the applicant can be present to respond and Mr. Browne seconded. At voice vote, there were four Board members in favor of the motion and four against; therefore, the motion did not pass.

Following discussion, Mr. Brower moved to grant the one-year extension and Mr. Caprioglio seconded, with six votes in favor (Mr. Ciccarone abstained). Thus, the motion carried and will be memorialized at the March 21, 2005 meeting.

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### The Darcy School

Barry Osmun was present on behalf of the applicant to present testimony for the hearing for preliminary and final site plan and variance relief. Mr. Osmun stated that conditional use approval was granted for buildings marked 1, 2, and 3 and a variance was received for the existing 65 parking spaces on the property. The applicant is seeking conditional use approval to be amended to include buildings 4, 5 and 6: building 4 is a pool house, building 5 would be used for storage of maintenance equipment and building 6 would be used for general storage. Preliminary and final site plan approval are also being

sought, in addition to variance relief for existing conditions regarding buildings: building 2 has a height of 37' and building 1 has a height of 42'; the ordinance limit is 35'. There are also deficient rear yard setbacks for buildings 4 (83' vs. 100'), building 5 (54' vs. 100') and building 6 (47' vs. 100'). The applicant is also seeking a variance for the distance between buildings 1 and 2; 25' is required and there is 15'. Mr. Osmun stated no exterior changes were proposed and no construction except for the installation of an ADA ramp between buildings 1 and 3; a 4' high picket fence in front of building 1 for a play area; repairs to the fence around the pool, resurfacing of the tennis court and fence repairs around the court. Mr. Osmun stated there would be changes on the interior to make the classrooms and other rooms.

Chairman Jacobson asked Mr. Malehorn for input on the issues for the Planning Board members on the variances and pre-existing conditions; Mr. Malehorn stated the Board could revisit the parking spaces. Mr. Malehorn stated the property was already approved for conditional uses, but the incremental effect of the three additional buildings, tennis court, swimming pool and play areas should be considered. Mr. Ciccarone asked about buildings shown on the far left of the property; Mr. Osmun indicated that there were garages that would be demolished. The driveway shown near that area was described as stone and would be allowed to grow over; Mr. Ruschke asked that there be topsoil added to expedite the growing over of grass.

The applicant's engineer Chuck Thomas of Omland Engineers was sworn in and presented a rendering presented and marked A1, dated March 7, 2005. Mr. Thomas reviewed the buildings and improvements on the property and stated the septic system would be filled. Mr. Thomas testified that the sign would be refaced and there would be restrooms at the pool house.

There was discussion about parking spaces and enrollment numbers. Mrs. Chambers asked if the applicant would consider a conservation easement on the property near the area of the garages; the

applicant indicated a potential use for that area being playing fields, which would disqualify it as an area of conservation. There was also discussion of the location of the dumpsters and lighting. Mr. Hartford asked about proposed footpaths on the area; Mr. Thomas stated there was no sidewalk in the plan.

Mr. Thomas discussed the waivers being requested:

**EIS:** Mr. Thomas testified the use of the site remains the same and there is no major disturbance planned other than the playground or ADA ramp. Also a Phase 1 study has been completed on the property.

**Topography within 200' of the site:** Mr. Thomas stated that all the work on the property would be interior and present no impact on drainage.

**LOI:** Mr. Thomas stated a letter had been submitted by the applicant's wetlands consultant, which stated there were no wetlands on the property.

**Show cliffs/outcrops:** Mr. Thomas testified that there are none on the property.

**Species/size of trees:** Mr. Thomas stated the work being done was in previously cleared areas.

**Site triangles:** Mr. Thomas stated a site profile was being shown on the site plan.

**Natural Resource Inventory:** Mr. Thomas testified that there was no significant soil removal.

Mr. Ruschke stated wetlands were noted offsite in a letter from the DEP and that performance bonds should be in place for sediment control. Mr. Ruschke stated the waivers were appropriate but did add that testimony should be provided regarding storm water management.

Mr. Thomas reviewed the current storm water drainage and indicated there would not be a change to these patterns. The play areas and ramp will have grading around them to assist with the flow. Mr. Thomas testified that some of the impervious area would be removed. Mr. Ruschke asked if the storm water complied with the Great Swamp Watershed district; Mr. Thomas said, "no". Mr. Ruschke clarified that the applicant's position is that the condition is pre-existing and the proposed changes are not significant; Mr. Thomas concurred and indicated this is a well-vegetated site with overland flow. Mr. Ruschke and Mr. Thomas discussed water quality and the installation of a stormceptor and the logistics involved. Mr. Browne summarized the water quality discussion by stating the site pre-dates the

current regulations and that if it were new construction, the Board would ask for a stormceptor to be installed. Mr. Thomas reiterated that there was minimal impact to the site. Mr. Thomas also stated that there is a net decrease in impervious coverage. The applicant would consider retrofitting the existing catch basins to provide water quality inserts.

Mr. Osmun referred to a memo by previous Planning Board engineer Marshall Frost, which stated the 65 parking spaces were sufficient. The memo also stated the length of the driveway was sufficient for stacking of cars.

Mr. Jacobson asked if there were any questions from the public. Mrs. Dot Stillinger asked for figures regarding water quality on the site; Mr. Thomas addressed a reduction in suspended solids and restated that this is an existing site with the same if not less runoff off the site.

Mr. Osmun then presented Dr. Pamela Fiander, school director, who was sworn in and gave background information on the school. Dr. Fiander described a school for children ages 3 years to 6<sup>th</sup> grade, with future plans to include 7<sup>th</sup> and 8<sup>th</sup> grade. The total number of students will be 240 and there are 32 faculty members proposed presently, and 58 proposed in the future. The school is in session from 8:30 a.m. through 3:30 p.m. with after care until 6:00 p.m. The summer will include a 4-6 week academy with about 10-12 students. The school is currently negotiating with a local business neighbor for the use of parking for overflow in the case of special events.

Mr. Jacobson asked for public questions. Mr. Jim Jenkins of Gibbons Place made comments about maintenance of the property along Gibbons Place; it is the intention of the applicant to maintain the property. A resident from Alma Avenue in Madison asked about repairs to the fence; it is the intention of the applicant to repair the fence. There was a discussion of the existing fence. There was also the recommendation of the Board to include landscape screening in the back of buildings 4,5,6 and the pool; the applicant was amenable to this suggestion.

Mr. Jacobson suggested the Board consider the variances and waivers. Mr. Brower moved to grant the waivers and variances and Mr. Jacobson seconded, with all in favor. The Board directed Mr. Malehorn to prepare a resolution setting terms at the March 21, 2005 meeting. At that time, the Board will consider the topics of a conservation easement allowing for passive recreation, fencing and issues pertaining to COAH obligations. Mr. Brower raised the issue of payment by The Darcy School in lieu of real estate taxes. Revised plans will be created to show the removal of the driveway, the water quality skimmers and the landscape plan.

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#### Hickory Tree Square Parking Lot

Mr. Sal Davino was present to discuss a conceptual plan for the realignment of the parking lot. Mr. Davino referred to page 3 of the plans submitted and indicated the dark shaded areas as the existing islands and stated the parking would be changed to make it perpendicular to the stores. Twenty-four new parking spaces will be added by this change. New lighting would include 10' gothic fixtures (with a downcast light) on the perimeter of the property and 18' shoebox fixtures in the parking area. Mr. Banisch commented positively on the lighting. Mr. Davino stated the maximum impervious coverage allowed is 60%; at the conclusion of the proposed project, the impervious coverage will be 89.7% due in part to a dedication to the county. Mr. Davino also pointed out that the 2 story buildings were the maximum and that the building is a 3-story building; Mr. Davino stated that at no point were there 3 stories. Mr. Davino also indicated there would be a new entrance and exit on to Green Village Road, moving toward Shunpike Road. In response to a question about the ramp from ShopRite, Mr. Davino stated the new ramps will be much longer. Mr. Hartford asked about increasing spaces behind the stores; Mr. Davino stated that was considered but rejected because of the tractor-trailers that deliver to the stores. Storage for return carts was discussed; it was concluded that two areas would be placed in

front of ShopRite. Mr. Banisch was supportive of this idea as a space saver. Mr. Davino referred to the drawings and stated the sign would be replaced and revert to its original name “Hickory Tree Square” and a decorative fence in the vicinity of Shunpike Road and Southern Boulevard was proposed. There was discussion about providing crosswalks within the parking lot and the placement of parking in front of the stores. Mr. Ciccarone asked about a timetable for Mr. Davino to return with an application; Mr. Davino felt that would be imminent as he hoped to renovate the parking lot during July and August. Mr. Browne asked about storm water; Mr. Davino offered to put separators in and Mr. Ruschke thought a stormceptor would be more efficient. Mr. Davino outlined a 750’ expansion of existing space, using existing space for storage and a conference room; Mr. Ciccarone will review this matter. Mr. Davino stated he would file an application.

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The Board voted to go into Executive Session. Following Executive Session, the March 7, 2005 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary