

The May 17, 2004 regular semi-monthly meeting of the Township of Chatham Planning Board was called to order at 7:30 p.m. by Chairman Bill McCutcheon. The Open Public Meetings Act Statement was read into the record. The agenda included nominations for vice chair and secretary, Noe Pond Club, Valle Estates, Gunn, Rolling Hill/Frida and Peapack-Gladstone Bank.

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Roll Call

Board members present included Mr. McCutcheon, Mr. Jacobson, Mr. Cashman, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Ciccarone, Mr. Cohn, Mrs. Fair and Mrs. Hoag. Also present were Planning Board attorney James McCreedy, Planning Board engineer Mr. Frost and Township engineer Mr. Bennett.

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Board Business

Chairman McCutcheon regretfully announced the resignation of Mrs. Twomey. Mr. Jacobson was nominated as Vice Chairman by Mr. Ciccarone, seconded by Mrs. Hoag and his nomination carried unanimously. Mrs. Chambers was nominated as Secretary by Mrs. Hoag and seconded by Mrs. Fair and the nomination carried unanimously.

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Applications

Noe Pond Club

Chuck Barton, the applicant, was present on behalf of the Club to request permission to use the existing pavilion on the property for four specific evening events in case of inclement weather. The Board considered this as an amended site plan and Mrs. Fair excused herself from the discussion. Mr. Barton was sworn in and stated the dates in question included June 12, 2004 until 11:00 p.m. with music; June 24, 2004 until 11:00 p.m. with music; July 16, 2004 until 11:00 p.m. with music; and September 5, 2004 until 10:00 p.m. with no music.

After discussion, Mr. Cashman moved to permit Noe Pond Club to use the pavilion four separate dates per year, with the events running no later than 11:00 p.m. The Board included in the motion the requirement for Noe Pond Club to notify the Board annually of the dates selected. Mr. Caprioglio seconded. At roll call, Mr. McCutcheon, Mr. Jacobson, Mr. Cashman, Mr. Caprioglio, Mr. Cohn and Mrs. Chambers voted "yes"; Mrs. Hoag and Mr. Ciccarone abstained and Mrs. Fair recused herself.

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Valle Estates

Attorney Barry Osmun and engineer Ed Caballero were present on behalf of the applicant to give a status report to the Board. Mr. Caballero reported that documentation was submitted to Mr. Bennett and Mr. Frost regarding the revised infiltration calculations, the revised landscape plan and the revised maintenance and operations manual. This information will be submitted to the Board. Mr. Caballero stated that through additional plantings and topsoil in the non-wooded areas, the applicant has reached 93.2% of the 100% requirement for infiltration. Mr. Caballero indicated this was the best percentage that could be achieved as they have utilized all the areas available. Mr. Bennett is reviewing that documentation.

Mr. Caballero stated that there are three items that need to be submitted: the irrigation plan, the sequence of construction in the event Fish and Wildlife doesn't give a waiver as requested and a temporary construction easement/rite of way at the intersection of Green Village Road and Shunpike Road. Mr. McCutcheon asked about the expected response time from Fish and Wildlife and Mr. Caballero stated Fish and Wildlife has scheduled a meeting with the applicant on May 28, 2004.

Mr. Osmun respectfully requested a draft resolution be developed to act on at the next meeting; Mr. McCutcheon declined this request stating it was important to be certain all aspects of the project have been resolved. Mr. Osmun requested an extension through June 8, 2004 with a hearing June 7, 2004. Mrs. Fair moved to grant the extension and Mrs. Hoag seconded, with all in favor. Mr. Frost asked that the Board and applicant to consider an application for a temporary use permit for a sales trailer on the site; Mr. Osmun and Mr. Caballero agreed to take that under advisement.

Gunn Enterprises

Attorney Douglas Henshaw and engineer Robert Cunningham were present on behalf of the applicant. Mr. McCutcheon instructed the Board that the Gunn application for minor subdivision with slope issues variance was not complete, but the applicant was requesting a waiver from the EIS and requested a meeting with the Board to discuss this matter.

Mr. Henshaw described the property located at 51 Ormont Road as a 1.08-acre lot, which consists of an existing single-family dwelling and the remnants of a garage near the street. Mr. Henshaw stated that the proposed project conforms to the ordinance requirements pertaining to lot size and setbacks but there are issues with slopes.

Mr. Cunningham was sworn in and qualified. Mr. Cunningham presented an exhibit, which is a composite plan of all the sheets in the plans submitted to the Board. The exhibit shows (in red) the major existing components including a driveway, a dwelling, swimming pool and stone retaining wall.

The pool and the dwelling are to be removed. Mr. Cunningham testified that the proposed plan is to add a new lot line down the center of the lot and to dedicate 5' of right of way along the north side of the road. Mr. Cunningham continued that a boulevard style of driveway was proposed in addition to two dwellings with garages underneath. Mr. Cunningham stated the rear yard would have two retaining walls for runoff and to minimize amount of distance of grading behind the house in an effort to limit the area of disturbance to what was disturbed in the past. Shown (in green) are the proposed limits of disturbance under the proposed conditions. Dry wells are proposed for the runoff and there will be overflow provisions to a newly installed catch basin. Mr. Henshaw asked Mr. Cunningham to compare the existing situation with the proposed; Mr. Cunningham stated that regarding siltation, there would not be an increase or decrease but there would be less gravel being washed to the road. Regarding storm water, Mr. Cunningham testified that it would be essentially the same. Mrs. Fair asked about the total area of disturbance; Mr. Cunningham responded it will be 25,140 sq. ft. and the area of impervious coverage will be 9,362 sq. ft. Mrs. Fair asked about the slope issues; Mr. Cunningham stated the average was a 17% slope. Mrs. Fair asked if the existing house is on the sewer system; Mr. Cunningham stated the existing house was on a septic system but there was a sewer lateral in place and one water service. Mrs. Hoag asked if there had been clearing done on the property; applicant Mr. Gunn was identified and responded there was clearing of small dead trees and the garage was removed. Mr. Frost stated the plans did not show the existing septic system. Mr. Frost asked about the heating of the existing house; Mr. Gunn stated there were two oil tanks in the basement, which would be dismantled. Mrs. Chambers asked if there were any underground storage tanks on the property; Mr. Gunn stated there was a tank that was related to the septic.

Mr. McCutcheon verified that the applicant was seeking a waiver from the EIS because the limits of disturbance are not much greater than what has been disturbed and, as Mr. Gunn testified, there were

no underground fuel tanks. Mr. Ciccarone asked that the applicant secure the existing dwelling until it is demolished. Mrs. Hoag asked if the property was used other than residential purposes; Mr. Gunn stated farming was a possibility but there was no indication prior to the home being constructed. Mrs. Chambers asked about if the applicant had determined if this property were an aquifer recharge area; Mr. Cunningham stated he asked that at Mr. Bennett's office and was told that it was not. Mrs. Fair stated it was more appropriate to check with the New Jersey Geological Survey; Mr. Henshaw agreed to do so.

Following additional discussion about the variance requests, Mrs. Fair suggested the need for a modified EIS with the slope disturbance. Mr. Frost also requested a drawing including the septic field location. Mr. Frost summarized that in lieu of the EIS the applicant must submit a written document describing in detail what steps will be taken to mitigate against any problems arising from construction in the steep slope area. Mr. Ciccarone moved to waive the formal EIS in place of the outline by Mr. Frost and Mrs. Hoag seconded, with all in favor.

Rolling Hill/Frida

There was a brief discussion regarding a letter about the Frida/Rolling Hill issue. The Board agreed to ask Mr. Malehorn for guidance as to the impact of the pending court action.

Peapack-Gladstone Bank

Richard Schommer, engineer for the applicant, was sworn in. Mr. Schommer presented Exhibit 8 entitled, "Rendering of Existing Conditions" which shows the property which fronts on Green Village Road in the P/I-2 zone. Mr. Schommer described the existing building as a two-story office of 5,300 sq. ft. with a single access driveway with 22 parking spaces in front. The lot is undersized and does not meet the lot width requirements. In describing the topography, Mr. Schommer stated that Green Village Road is at the lower end of the property and the property rises from Green Village Road to the rear. Mr.

Schommer stated the property has gentle to moderate slopes and drains to the front of the existing driveway.

Mr. Schommer continued with Exhibit 9 marked "Color Rendering of the Site Plan" which shows the proposed redevelopment with the construction of a new 2,550 sq. ft., 1-1/2 story building with green space in front and parking for 19 cars in the rear. There is a proposed 25' buffer from the rear property line and an 8' right of way dedicated to the county. Regarding storm water management, Mr. Schommer testified there is a detention basin in the front of the property that was designed with a controlled outflow and water is released at a controlled rate. Less storm water will be released under developed conditions than present conditions. Mr. Schommer stated the onsite soils are not suitable for recharge, therefore, the runoff from the roof will be directed to the detention basin and there would still be less discharge than present conditions. Mr. Schommer testified the detention basin was redesigned to compensate for the roof runoff. The detention basin was described as having vegetation in the bottom of the basin for water quality and a sand filter and it is designed for the 100-year storm. System maintenance will be provided by the applicant and there is a 2' retaining wall at the basin.

Mr. Schommer discussed the lighting plan, which includes lighting at the perimeter (with shields to prevent spillage), lighting for the ATM, lights at the front of the property and lights near the sidewalk. Lighting poles are 10' in height with a colonial type of fixture. The front of the building will have ground lighting directed to the sign. Regarding signs, Mr. Schommer testified that one is proposed for the building (24" x 14') and one free standing sign is proposed (24" x 36").

Mr. Schommer stated the variances required by the proposed plan included one for the undersized lot (45,000sq. ft. required; 28,202 sq. ft. available), front yard setback (74' required; 48' proposed), minimum side yard setback (50' required; proposed 27'), combined lot width (50% required; 46% proposed), impervious coverage (limited to 40%; proposed 60%) and parking 26 spaces required;

19 proposed). Mr. Schommer stated, in his opinion, the waiver for the aquifer recharge was justified as it is a small site and the soils tested were not feasible for recharge. The EIS waiver was requested because the LOI issued by the DEP for the neighboring property (Oak Knoll) indicated there were no wetlands on the property, to which Mr. Bennett agreed. Also, a Phase 1 was submitted, as was an environmental assessment summary. Mr. Bennett asked that soil borings regarding the recharge issue be submitted and asked if the changes to the storm water management system had been submitted; Mr. Schommer stated that would be submitted.

Carmela Schommer, landscape architect was presented and sworn in to testify to the proposed landscape plan. Ms. Schommer described a buffer in the back of 25' with evergreen and deciduous trees, native type species, and there are shrubs in front of the trees. On either side of the property are shade trees and shrubs. In the parking lot island, there are some shrubs about 4' in height. In the front of the building there are foundation plantings and some lawn and two street trees (white and red oak). The detention basin contains grasses and wildflowers for water quality.

Elizabeth C. McKenzie, planner, was presented and qualified. Ms. McKenzie presented Exhibit 11, which is a composite of the tax maps, highlighting the area around Hickory Tree. Ms. McKenzie stated that the piece of property in question is an existing nonconforming lot. Ms. McKenzie represented the Master Plan recommendations with which the applicant's proposal conforms including a one-way traffic pattern, unobstructed pedestrian access, a greener view than present development, addition of shade trees and the traditional design of the proposed building. Ms. McKenzie reviewed the variance requests. During discussion, the bank agreed to consider the lighting options for the freestanding sign.

Gary Dean, traffic engineer, was presented and sworn in. Mr. Dean stated he considered Peapack-Gladstone a retail bank that had a lower level of traffic than a commercial bank. Mr. Dean

presented a traffic report (December 15, 2003), which sets forth the investigation of the traffic conditions around the site and the projection of the conditions following completion of the building. In summary, reviewing peak traffic times, the level of service at the Hickory Tree area is “B” which means people are waiting 5-10 seconds to make a turn out of driveways; Mr. Dean projected that the level of service once the bank was completed would be “B”. Mr. Dean reviewed the ingress and egress of the proposed bank and stated there were unlimited site distances to the north and south. Regarding parking, Mr. Dean’s opinion was 12 spaces would be adequate; the bank is proposing 19. Mr. Dean did not feel there would be any negative effect on the street system. Mr. McCutcheon asked if Mr. Dean were aware of the additional projects in the area; Mr. Dean stated the Oak Knoll expansion was known and beyond that there was additional flexibility in the stacking and queuing. When discussing the Braemar and Valle Estates populations, Mr. Dean did not feel the numbers indicated an area of concern and that the level of service may go to level “C”, which indicates a 10-15 seconds wait. Mrs. Hoag asked about the need for a double entrance lane and a single lane exiting and asked if the entrance land could be narrower to begin with and then widen later; Mr. Dean stated that would be a possibility. Mrs. Fair asked about a walk-up ATM; Mr. Dean stated that was not in the design.

Mr. McCutcheon asked for public comment, of which there was none. Mr. McCutcheon scheduled the bank to return on June 7, 2004, although he cautioned the applicant of the full agenda.

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There being no further business, the May 17, 2004 meeting of the Township of Chatham Planning Board was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary

