

The October 4, 2004 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 meeting included Lyons, Shoher, Cross Acceptance, Proposed Ordinance 2004-016, Master Plan, Chestnut Road and Executive Session.

Roll Call

Those present included Chairman Jacobson, Mr. Caprioglio, Mrs. Chambers, Mr. McCutcheon, Mr. Cohn, Mrs. Fair and Mrs. Hoag. Planning Board attorney Donald Malehorn and Planning Board engineer Marshall Frost were present, as was Eileen Banyra, Planning Board planner.

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Minutes

Mrs. Hoag moved to accept the minutes of the September 13, 2004 meeting and Mr. Caprioglio seconded, with all in favor.

Mr. Malehorn indicated an error in the minutes for the September 20, 2004 meeting, which was noted. Mrs. Hoag moved to accept the amended minutes and Mr. Caprioglio seconded, with all in favor.

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Applications

Lyons

Mr. Steven Schaffer was present with engineer Richard Schommer and the applicant to request a waiver of the EIS. Mr. Schaffer referred to the property located at 296 Lafayette Avenue, Block 106, Lot 18. The existing four-family home is a pre-existing, non-conforming home and is proposed to be a minor subdivision with two single-family homes. Mr. Schaffer

stated the reasons supporting the request include that the property is currently developed and contains no flood hazards, wetlands or steep slopes. Mr. Schaffer stated the proposed homes will be served by public sewers and water and the runoff from the roofs of the house will be directed to dry wells and recharged into the ground.

Mr. Schaffer presented Mr. Schommer, who reiterated that the proposed dwellings will be served by public utilities; there is no major change in character of the site; the lot is developed; and it is a residential area. Mr. Schommer stated there was a field investigation, which confirmed there are no transition or wetlands area. Mr. Schaffer asked if the lot was heavily wooded; Mr. Schommer stated it was not, however, some trees would have to be removed and others would be planted.

Board members asked about the past use of the property; Mr. Lyons (grandson of Helen Lyons) was sworn in and stated that, to his knowledge, the home had not been a farm and had been residential in nature throughout its history. Mr. Frost asked about fuel tanks on the property and Board members asked if the house had been part of a farm; Mr. Lyons felt the house was built in the 1930's and his family purchased the property in the 1950's and to his knowledge it was used only in a residential capacity and did not know of any fuel tanks. Mr. Lyons and Mr. Schommer stated there are no other tanks to their knowledge and that the existing tank would be removed during the construction process. Mrs. Fair asked about storm water management and impervious coverage; Mr. Schommer stated he had reviewed the information with Township engineer Michael Bennett and Mr. Bennett agreed it was appropriate. Ms. Banyra asked for the driveway on Floral to be tapered back in an effort to save a 36" oak tree adjacent.

After discussion, Mrs. Hoag moved to grant the waiver for the EIS and Mr. McCutcheon seconded, with all in favor. A hearing date was scheduled for October 18, 2004.

Shober

Mrs. Hoag moved to approve the memorialization for a development permit for the applicant, Frank Shober, for the property located at 121 Longhill Lane and Mrs. Fair seconded, with all in favor.

Bernardo

Mr. Jacobson referred to a letter received from the neighbor of Mr. Bernardo's property regarding tree safety; Mr. Frost will discuss this subject with the neighbor.

Gunn

There was discussion about the pending demolition and the safety issues regarding the property. Board members concurred that Mr. Gunn was dealing in good faith.

Cross Acceptance Report

Chairman Jacobson asked for input on the Cross Acceptance Report. Mrs. Fair stated she would be meeting with the County Coordinator on October 6, 2004 to review material for a state questionnaire. After discussion, Mrs. Hoag moved to approve the Cross Acceptance Report and have it submitted with attachments and Mr. Jacobson seconded, with all in favor. Mr. Jacobson thanked the committee for an excellent job.

Proposed Ordinance 2004-016

The proposed ordinance 2004-016 was forwarded from the Township Committee to the Planning Board for review. This sign ordinance relates to the sign for the movie theater. There was discussion about the size requirements and tying it in to site plan approval, which are not included in the proposed ordinance. Ms. Banyra and Mr. Frost encouraged the need for a definition of size for the sign. The Planning Board had concerns about the absence of size limitations and the Board had concerns about the meaning of a marquee sign and asked that the Township Committee add these considerations to the ordinance.

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Master Plan

Mr. Jacobson stated Ms. Banyra was participating to review the proposal from Burgis Associates regarding the Master Plan and asked that Board members consider and discuss which issues are appropriate and which are obligatory for the Planning Board and how the issues can be managed.

Ms. Banyra stated she had met with various committee members regarding the work needed on the Master Plan since a last revision on April 3, 2000. Ms. Banyra stated the background information was complete but may not represent what elected officials and Planning Board members feel about their long-range plan for the community. Ms. Banyra stated that in the fall of 1999, the natural resource inventory was completed and incorporated, with amendments through April 3, 2000. Ms. Banyra stated in terms of the statutory requirements, the reexamination report is due in October 2005. The reexamination report must address five questions listed in the Municipal Land Use Laws manual.

Ms. Banyra stated there are three requirements of the Master Plan, which must be reviewed: land use, housing and goals and objectives and the current Master Plan does include these elements. Ms. Banyra stated the Land Use element is the most important for zoning.

Ms. Banyra stated that she had outlined the options available to the Board in her proposal. The first half of the proposal is to revise the land use element and develop a land use plan; the second component is the reexamination report. There are differences in the two components in terms of notification and amending elements; the Master Plan requires public notice. The reexamination is required; the land use element is optional. Ms. Banyra stated the reexamination does not include statistical information (i.e. census) and does not answer the issues that have been brought to her attention in the Master Plan. Ms. Banyra said often the reexamination report is completed first and then the land use element is amended. There was also discussion about the budget, ordinances and funding sources in reference to this subject.

After extensive discussion about the need for each component and other topics related, Mr. Jacobson asked Ms. Banyra to submit a sample of a reexamination document and a document with a land use element for review.

A new Master Plan Committee was appointed and includes Mrs. Chambers, Mr. Browne, Mr. Ciccarone and Mr. Jacobson. Mr. McCutcheon volunteered to assist with the Ordinance Committee.

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Chestnut Road

Mrs. Fair brought a petition to the attention of the Board that was submitted by residents of Chestnut Road requesting their zoning be reviewed, as the 50' setback represents a hardship to homeowners because of the smaller and odd shaped lots. The petition requests having the zoning

changed to an R-4 zone, requiring a 25' setback. Mrs. Hoag will ask the petitioners to attend the November 1, 2004 meeting to review this subject.

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Other Business

Kirby

The pending purchase of the Kirby property was discussed.

Country Club Road

Mrs. Fair read a letter directed to members of the Township Committee from residents of Country Club Road. The letter is addressed to a builder who has purchased property and plans to tear down the existing house and replace it with a two-story colonial. The residents are requesting the builder to reconsider the choice of construction and build a house in line with the houses in the neighborhood.

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Executive Session

The Board went into Executive Session to discuss matters of litigation. Following Executive Session, the October 4, 2004 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary