

The November 1, 2004 work meeting of the Township of Chatham Planning Board was called to order by Chairman Joel Jacobson at approximately 7:30 p.m. The Open Public Meetings Act Statement was read into the record. The agenda included the Kirby property.

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#### Roll Call

Those present included Mr. Jacobson, Mr. Cashman, Mrs. Chambers, Mr. Caprioglio, Mr. Ciccarone, Mr. Cohn and Mrs. Hoag. Planning Board attorney Donald Malehorn and Planning Board engineer Marshall Frost were also present.

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#### Minutes

The Board decided to defer discussion of the minutes of the October 18, 2004 until November 15, 2004.

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#### Kirby/Block 144, Lots 20, 21

Attorney Carl Woodward was present on behalf of the Township of Chatham to seek relocation of the lot line on the property located at Block 144, Lots 20 and 21 on the corner of Loantaka and Shunpike Road. Mr. Woodward stated Lot 21 will increase to approximately 40 acres and to reduce the existing Lot 20 to 31.847 acres. Mr. Woodward explained that the Township had entered into a contract with the property owners, the Kirbys, to acquire part of the

property. Lot 21 would be restricted to conservation purposes including horseback riding, nature study, walking, hiking and potentially, a bicycle path. Lot 20, the remaining property, would be the remainder of the Kirby estate, which includes a house, barns, ponds, a pool and other structures in keeping with the agricultural use of the property. The corner would remain as is; the remaining area of Lot 20 would not be subdivided. Additional farm structures may be considered, but no subdivision would be permitted. Mr. Woodward stated waivers were requested and had been discussed with Mr. Malehorn and Mr. Frost and included EIS, NJDEP wetlands delineation, topography within 200' of the site, contours topography for the site, flood plains information, location of existing wells/septic, aquifer recharge areas and wooded areas indicating predominant species and size and areas where construction is precluded because of stream corridors or steep slopes. Mr. Frost stated he recommended the waivers be granted as the property was to be sold to the Township and placed under deed restrictions. Mr. Woodward stated that there would be deed restrictions on Lot 21 to prevent any use other than passive recreation and Lot 20 would have a deed restriction for no further subdivision and a conservation easement. Mr. Woodward reviewed the funding sources for this project.

Mr. Malehorn included a condition in the resolution that if the town did not acquire this property as planned, the subdivision would not be allowed.

After addition discussion, Mrs. Chambers made a motion to grant the waivers as requested and Mr. Caprioglio seconded, with all in favor.

Chairman Jacobson asked for comments from the public. Mr. Chuck Barton made comments relative to the discussion. Mrs. Dot Stillinger, Environmental Commission, asked that any documents from the DEP be copied to the Commission.

Mr. Malehorn reviewed the draft resolution and Mr. Frost provided additional information. Mrs. Chambers moved to accept the resolution and Mr. Caprioglio seconded. At roll call, all members voted, “yes”.

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Other Business

The Board was reminded of the site visit scheduled for the Lyons property on Saturday, November 5, 2004. Mr. Caprioglio, Mr. Cohn and Mr. Jacobson stated they would be able to attend.

Mr. Ciccarone stated a letter was received from Mr. Vince Yaniro regarding a requirement for the Board of Education to repave a section of Longwood following construction at the high school and that it was unnecessary; Mr. Bennett agreed that repaving was not needed but required by the resolution. Mr. Frost will review the roadway and the Board will discuss it at a future meeting.

There being no further business, the November 1, 2004 meeting of the Township of Chatham Planning Board was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary