

The December 1, 2003 regular semi-monthly meeting of the Township of Chatham Planning Board was called to order at approximately 7:30 p.m. by Chairman Bill McCutcheon. The Open Public Meetings Act Statement was read in to the record. The agenda for the work meeting included Fidelity Land correspondence, the Rebholz resolution, review of pending applications, review of the master plan goals and discussion of the by-laws.

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#### Roll Call

Those present were Mr. McCutcheon, Mrs. Twomey, Mr. Cashman, Mr. Ciccarone, Mr. Cohn, Mrs. Chambers, Mrs. Fair, Mrs. Hoag and Mr. Jacobson. Planning Board attorney Donald Malehorn was also present.

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#### Minutes

Mrs. Chambers moved to accept the minutes from the November 3, 2003 meeting and Mr. Cashman seconded, with all in favor.

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#### Bernardo

The Bernardo application will be discussed on December 15, 2003 to review the driveway issue.

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#### Board Position

Chairman McCutcheon stated the position of Board Secretary was open and asked for volunteers. Following Mrs. Twomey's description of the position's responsibilities, Mr.

Jacobson volunteered to serve. Mrs. Twomey moved to accept Mr. Jacobson as Board Secretary and Mrs. Hoag seconded, with all in favor.

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### Correspondence

#### Fidelity Land Development Corporation

Mr. McCutcheon referred to a letter received by the Board from Fidelity Land Development Corporation. Mr. McCutcheon stated that Fidelity had not filed a formal application and the Board has spent time reviewing the proposed plan and giving input regarding ordinances and county requirements. After discussion, it was agreed that Mr. McCutcheon would draft a letter with Mr. Malehorn's assistance to Fidelity indicating that no final decision has been made and the door is open for Fidelity to return to the Board before spring. The Board also discussed the importance of having Mr. Frost review the current plan with the Board to outline his concerns prior to Fidelity's return.

#### Noe Pond Club

Mr. McCutcheon directed the Board's attention to the opinion from Judge Cramp supporting the Planning Board's decision not to allow nighttime use of the Noe pavilion. Mr. Malehorn indicated the hearing was held in July and the opinion was rendered November 18, 2003.

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#### Site Walk

The site walk for Rose Valle was scheduled for Saturday, December 6 at 9:00 a.m. and Board members attending will include Mrs. Hoag, Mrs. Fair, Mrs. Chambers, Mr. Cohn and Mr. Cashman.

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### Contracts

Mr. McCutcheon reminded Board professionals to return a copy of their contracts for 2004 to the Board manager.

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### Budget

The document on hand was a status of the budget for 2003. Mr. Ciccarone and Mr. McCutcheon indicated that for 2004 there would be an addition of \$10,000 to the current budget for the Master Plan work that was outlined for the Board by Mrs. Fair at the November 3, 2003 meeting. Major issues to cover included revision of the overall goals and implementation strategies, development and drafting of special study areas for areas in transition, rewriting the recreation element, rewriting the housing element, begin researching community design elements and rewriting the historic preservation element. Eileen Banyra, planner for the Board, is in the process of preparing cost proposals to assist in the Master Plan work.

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### Applications

#### Rolling Hill at Candace

Mr. McCutcheon stated that new information was delivered on December 1, 2003 from the applicant, which has not yet been reviewed by the professionals and reminded the Board the applicant is slated to be heard on December 15, 2003.

SABE

Mr. McCutcheon indicated that SABE has an extension through December 30, 2003 and will tentatively be placed on the agenda for December 15, 2003. SABE's application for septic approval is scheduled for the December 9, 2003 meeting of the Board of Health.

Rose Pond

Mr. McCutcheon will include this applicant on the agenda for the December 15, 2003 meeting. The applicant is still working to change the DEP requirement to remove all the trees from the old dam.

Novick/Hagner

Mr. McCutcheon anticipated this application will continue but there is nothing currently pending as it is incomplete. The applicant is not scheduled for a hearing at this time.

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Resolution

Chatham Fine Beverages, LLC

The Resolution granting site plan approval to Chatham Fine Beverages, LLC was reviewed and the conditions were read into the record. Mrs. Fair made a motion to adopt the Resolution and Mrs. Hoag seconded. All members eligible (Mrs. Fair, Mrs. Hoag, Mrs. Chambers and Mr. McCutcheon and Mr. Cohn) voted "yes" and Mrs. Twomey, Mr. Ciccarone, Mr. Cashman and Mr. Jacobson abstained.

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## Discussion Items

### Master Plan Goals

Mrs. Fair reviewed the document prepared by the Master Plan Committee. There was discussion of the main headings of the Master Plan including the preservation of farming as a way of life in Chatham; the preservation of open space; conservation easement requests; protection of the environment (specifically sensitive areas like wetlands, mature vegetation, ground water and air quality); protection and development of neighborhood characteristics; preservation the link to heritage and history; and create a pedestrian and bicycle friendly system.

Mrs. Fair stated feedback was received from the Environmental Commission, which supports the pedestrian element, included concerns about zoning and conservation easements and the continuation of public open space along River Road.

Mr. Ciccarone expressed concern about the proposed housing over retail space. Mrs. Fair explained it was an option for providing affordable housing and was a positive aspect for business areas traditionally. Mr. Cashman expressed concern over the potential for high-rise apartments. It was agreed that this was preliminary and still was to be reviewed by the planner.

The topic of preserving neighborhood characteristics was discussed. Mrs. Fair stated the purpose was to retain the scale of housing in neighborhoods. Mr. Ciccarone stated he felt the zoning and development requirements control this issue. Board members reviewed neighborhoods where despite zoning, larger houses were built in a neighborhood of modest homes. There was also discussion about people who work in the area and cannot afford to live here. It was agreed the help of the planner was necessary.

Environmental Commission member Dot Stillinger addressed the Board regarding a memo from the Commission, which will be distributed to the Board. Mrs. Fair will make changes and send the information to the planner for input.

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### By-Laws

Mrs. Hoag thanked Mr. Malehorn for his assistance with the updating the by-laws. Mrs. Hoag stated that by placing all the information in one place, the by-laws would be a good resource for old and new members. Mrs. Hoag directed the Board to the ten discussion items prepared to review with the articles of the by-laws to make any changes the members had to suggest.

Mrs. Fair asked that the Tree Committee be able to look at site plans to make recommendations and it was determined that that consideration was in Section 4, page 2. Mrs. Twomey asked that the Police and Fire Department also be included in the site plan review when appropriate. Mrs. Twomey asked that as a policy, a member of the Planning Board should serve on the Board of Adjustment, Tree Protection Committee and Open Space Advisory Committee as a liaison. Mrs. Hoag added Land Use Ordinance Committee and Master Plan Committee as standing committees under Section 4.3 at the Board's request.

Mrs. Twomey noted that at the Board of Adjustment, direction was given that the Board's expert witnesses need to be sworn in for each application when providing expert testimony and Mrs. Hoag made a note for inclusion. Attendance was discussed and it was determined that missing four consecutive meetings would cause the Board to review the member's ability to continue to serve.

Training for new members was discussed. The new members expressed interest in having orientation by current members. In addition, the Board agreed to recommend one training course per year for the first three years through one of the professional education programs. The Board agreed there was a need for information listing critical dates for each application. Under site walks, Mrs. Hoag planned to add a list of issues that should be developed prior to the site walk, and an oral report from the walk should be given and the Planning Board engineer should attend the site walk upon request from the Board. Mrs. Fair offered to bring a checklist from NJAEC.

Following additional discussion, it was determined that Mrs. Hoag would make changes recommended and then send it to Mr. Malehorn for review. Then, the revised document will be presented for approval at the January 2004 meeting.

There being no further business, the Township of Chatham Planning Board Meeting of December 1, 2003 was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary