MINUTES

The May 17, 2010 meeting of the Planning Board of the Township of Chatham was called to order by Chairperson Joel Jacobson at approximately 7:30 p.m. The Open Public Meetings Act Statement was read into the record. The agenda for the meeting included a conceptual review for Fenix.

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Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Ciccarone, Mr. Cohn, Ms. Hagner, Mr. Hurring, Mr. Sullivan and Mr. Furbish. Board professionals present included attorney Bill Robertson, planner Frank Banisch and engineer _____ from Hatch Mott McDonald.

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Fenix Conceptual Review

Mr. Robertson stated that MLUL permits for an informal presentation of a Conceptual Application for general discussion. Mr. Robertson advised the Board that no formal position on the prospective Application should be taken. Mr. Jacobson admonished Board members to keep an open mind on any future Application.

Attorney for the Applicant Tom Malman stated his client had a conceptual subdivision plan and that Fenix had met with the TCC Committee last year.

Mr. Malman described the subject property as Block 33, Lots 1, 14, 17 & 20 and Block 32, Lots 2, 6 &8 located on Long View Avenue in the Township. Mr. Malman said seven (7) lots were bought by Fenix, 5 of them through the Township 4-5 years ago. Mr. Ciccarone

clarified that the Township had liens on the properties and they were sold at Sheriff's sale; the Township did not hold the deed.

The conceptual plan showed a proposed subdivision that would create nine (9) lots: eight (8) lots would have residences and one would hold a detention basin.

Engineer for Fenix Paul Ferriero presented an existing conditions map showing seven (7) lots with an existing residence between the northern lots. Mr. Ferriero stated the goal with the conceptual plan was to find the best way to develop the area while minimizing adverse effects.

Mr. Ferriero described the principal access in the conceptual plan from Susan Drive. The conceptual plan showed proposed dwellings on temporary septic systems. Mr. Ferriero stated the plan was that these homes would be served by public sewer and water. The proposed road from Susan Drive would have a cul-de-sac at the western end of the property. The proposed road would require an easement through an adjoining property owned by another person. Fenix has a contractual agreement with the property owner for the proposed easement. Mr. Banisch stated the installation of the proposed road would dramatically change the existing area.

The conceptual plan shows steeper areas running through the property. Mr. Banisch indicated that on visiting the property, there were steep drop offs behind the proposed dwellings. The proposed houses on the south side of the proposed road are 20' from the road.

Mr. Jacobson asked how many lots would be buildable without variances; Mr. Ferriero said that while there was no improved road, no dwelling could be built without a variance.

The variances that would be required for the proposed development would include driveway access over steep slopes (steep slope disturbance); front yard setbacks for two of the bottom lots; and depth for the lot at the western end of cul-de-sac.

There was discussion over the use of shared driveways on a shortened cul-de-sac. The house on the far left would not have proper frontage if the cul-de-sac was shortened. There was also discussion about the roadway and whether it should be centered in the right of way or could accommodate the existing landscaping, which is currently in the right of way.

Pat O'Neill, principal with Fenix Chatham, addressed how the conceptual plan evolved into this specific plan. Mr. O'Neill reviewed that there had been a TCC meeting to discuss the site in 2008. Using the feedback from the TCC meetings in 2008 and fall of 2009, the plan was developed.

Mr. O'Neill stated that he had been in touch with a number of the neighbors in the area including Ms. Mears, Mr. and Mrs. Blumenthal, Dr and Mrs. Francis and additional neighbors on Jodi Lane. If notice was required, Mr. O'Neill anticipated thirty homeowners would be noticed.

While Mr. Ferriero asked for the Board's input on common driveways, Mr. Jacobson indicated that there was no real way to provide that feedback at this time. It was agreed that a site visit would be important for the Board to fully understand the property. A site visit was scheduled for June 5, 2010 at 9:00 a.m.

The Board also agreed to send the conceptual plan to the Fire/Safety Department for review and feedback.

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<u>Discussion</u>

Mr. Robertson had reviewed the bylaws to clarify the replacement of the chairperson, at the resignation of the chairperson. Mr. Robertson's opinion was that when Mr. Jacobson resigns his position, the office must be filled through action by the Planning Board. While the vice chairperson does run the meeting as acting chairperson, the vice chairperson does not assume the office of chairperson.

It was agreed that Mrs. Chambers would lead the June 5 site visit and the June 7, 2010 meeting. Elections will be held at the June 7, 2010 meeting for the office of chairperson for the remainder of the term.

There was discussion about reviewing the bylaws, which were most recently reviewed in 2004, for clarification.

Mrs. Chambers and the Planning Board thanked Mr. Jacobson profusely for his dedicated service to the Planning Board over the years and wished him well in his retirement.

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There being no further business, the May 17, 2010 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary