

MINUTES

The May 3, 2010 meeting of the Planning Board of the Township of Chatham was called to order at approximately 7:30 p.m. by Chairperson Joel Jacobson. The Open Public Meetings Act Statement was read into the record. The agenda for the meeting included review of three ordinances, land use element discussion, memorializations for Dudley and Rolling Knolls.

- - -

Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Ciccarone, Mr. Cohn, Ms. Hagner, Mr. Hurring and Mr. Sullivan. Board professionals present included attorney Bill Robertson and planner Frank Banisch.

- - -

Ordinances

The Township Committee forwarded three proposed ordinances to the Planning Board for their review and comment. Mr. Robertson stated that any Land Use Ordinance must be forwarded to the Planning Board for review to assure consistency with the Master Plan. The Board's comments must be returned to the Township Committee within 35 days.

Ms. Hagner described proposed Ordinance 2010-07 as an addition to the existing Lighting Ordinance and makes the policy for sports lighting. Ms. Hagner said the Committee reviewed neighboring community ordinances in the development of this ordinance. The proposed ordinance addresses height and foot candle of lights and distance from the road.

Ms. Hagner stated that proposed Ordinance 2010-08 and 2010-09 came to the Committee from Larry Dalziel, Chair of the Zoning Board.

Proposed Ordinance 2010-08 offers clarification of measurement of driveway length. In the existing ordinance, there was no statement of where the measurement of the driveway is taken from; Mr. Dalziel asked the Committee to consider amending the ordinance to include a point. Ms. Hagner stated that the proposed ordinance, in the R-3 district only, no driveway shall exceed 150' in length as measured from the street right of way line to a point 150' perpendicular to the street.

After discussion, it was agreed there would be a change deleting the words, "in length".

Regarding proposed Ordinance 2010-09, Ms. Hagner stated that this pertained to projections into the required yard setback. With this ordinance, Mr. Dalziel stated there were numerous applications where there is an existing house currently in the front yard setback and a covered entryway was desired.

The existing ordinance did not permit porticos and Mr. Dalziel suggested an appropriate allowance into the front yard setback for a portico could be included in the ordinance. The allowance for the R-4 zone, which requires a 25' setback, would be a projection allowed into 5' of the setback. For the remainder of the township, which requires a 50' setback, a projection of 6' would be allowed. An allowance was also given for coverage being 54 sq. ft. for the R-3 zone or 45 sq. ft. for the R-4 zone. Mr. Banisch was in support of the ordinance.

- - -

Memorializations

Dudley

Mr. Robertson reviewed the history of the Application. The Applicant had received approval in August, 2008 for minor subdivision and one variance, to create two lots. Deeds of minor subdivision are required to be filed within 190 days of the approval. In this case, there was an adjoining landowner and there was to be a driveway easement as a condition of the approval; there was some difficulty that prevented the Applicant from obtaining the easement. The matter was resolved after the 190-day period had elapsed, so the Applicant returned to the Board and asked that the prior approval be re-affirmed. There had been no substantive changes and the Board re-affirmed the prior approval.

Following the review, Ms. Hagner moved in favor of the memorialization and Mr. Hurring seconded. At roll call vote, eligible members Mr. Jacobson, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mr. Cohn, Ms. Hagner and Mr. Hurring voted "yes", and the motion carried.

Rolling Knolls

Mr. Robertson asked Ms. Hagner to step off the Board for the discussion as she had recused herself from this Application.

Mr. Robertson stated the Township Committee had directed the Planning Board to determine if the Rolling Knolls landfill is an area in need of redevelopment, according to the criteria set forth by the local redevelopment and housing law.

The Board had directed Banisch and Associates to investigate and prepare a report describing the subject property, the present use of the property and the factors that Mr. Banisch identified as making it an area in need of redevelopment. Those factors are set forth in Mr. Banisch's report. Mr. Banisch also testified and presented exhibits. The Board

reviewed and discussed the statutory criteria and the Resolution resolves that the Board recommends that the property known as Rolling Knolls is determined to be an area in need of redevelopment.

After Mr. Robertson's review, Mr. Ciccarone moved in favor of the memorialization and Mr. Brower seconded. At roll call vote, eligible members Mr. Jacobson, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Ciccarone and Mr. Hurring voted, "yes" and the motion carried.

- - -

Land Use Element

Mr. Banisch had distributed a draft report dated March 15, 2010; a revised report was dated May 1, 2010 and Mr. Banisch highlighted the differences between the two reports. Mr. Banisch also distributed a copy of ordinance standards.

Mr. Ciccarone asked about the impact of the new state regulations on steep slopes; Mr. Ciccarone said it was his recollection that the state is prohibiting development or disturbance of slopes greater than 20%, unless it is preexisting or in the interest of public safety. Mr. Banisch said the new regulations would have to be incorporated into the Township's ordinance.

Mr. Banisch referred to the colored maps showing the erodible soils and the steep slopes and said it illustrates the band of steep slopes correspond to the most undeveloped portions of the neighborhood parallel to River Road, starting with the Averitt Farm to the east and extending $\frac{3}{4}$ of the way across the Township. Mr. Banisch said in his opinion, it appears most of the good buildable areas and the marginal areas have been used. Mr. Banisch expressed concern that the remaining areas will present problem outcomes and the

downstream impacts will be offsite. Mr. Banisch said there might be a planning strategy about how to arrange growth than another layer of environmental regulation.

The Board discussed the uses of the Giralda Farms property. A residential overlay could be offered as an option for development. There was also discussion on revitalizing the business district.

Mr. Banisch explained that he wants the Board to reach a comfort level on how the policies within the Land Use Element should be refined so the Land Use Plan can be as clear as possible about what the Planning Board is trying to accomplish.

It was agreed that Mr. Banisch would develop more specific information for the Board to consider.

- - -

Open Space Committee

Ms. Chambers, the liaison to the Open Space Committee, stated that the Open Space Committee proposed updating the Open Space Plan. The committee feels the work can be done without hiring a consultant and that much of the work consists of updating certain sections.

According to Mrs. Chambers, the Open Space Plan was written in 1998. The Township has acquired approximately 200 acres of Open Space land since then. Another reason to update the plan is that the reexamination report of the Master Plan had a finding that it should be re-done.

Mrs. Chambers also noted that for the Sustainable Jersey certification, updating the Open Space Plan will gain the Township Sustainable Jersey points.

Mrs. Chambers said the Open Space Committee is asking to be charged with this responsibility and looks to the Planning Board to promote the plan to the public and conduct the public hearing.

The Planning Board agreed to the proposal of the Open Space Committee in the updating of the Open Space Plan.

- - -

There being no further business, the May 3, 2010 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary