

MINUTES

The March 3, 2008 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 the 72 Southern Estates Application and COAH.

Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Caprioglio, Mrs. Chambers, Mr. Cohn, Ms. Hagner, Mr. Hurring and Mrs. Kenny. Board professionals present included attorney Bill Robertson and planner Frank Banish.

Discussions

72 Southern Estates

Attorney Barry Osmun was present on behalf of the Applicant. Mr. Osmun stated that the Resolution for 72 Southern Estates was approved on July 23, 2007. The MLUL and the approval required that the deeds must be recorded within 190 days from the approval.

According to Mr. Osmun, the date was on or about January 29, 2008. The reason the deeds were not recorded by the deadline was because of the difficulty in getting the engineer firm to prepare metes and bounds descriptions of the two new parcels. This was beyond the control of the Applicant. Mr. Osmun stated that the Applicant was asking the Board to reaffirm the approvals so the deeds can be recorded. This approval would be subject to all the conditions

that were imposed in the approval. Mr. Osmun stated the subdivision deeds were sent both to Mr. Ruschke and Mr. Robertson and they have approved them.

Mr. Jacobson asked Mr. Robertson if there were anything affected by the passage of time; Mr. Robertson explained the purpose of the statute but stated there would be nothing to gained by not reaffirming the subdivision.

Mr. Jacobson asked Mr. Osmun about the status of the project; Mr. Osmun said he knew that there were still items pending that must be completed before the Applicant could acquire a building permit. Mr. Jacobson asked about the payment of the affordable housing developer's fee; Mr. Robertson stated that was in the Resolution.

There was discussion of calculating the affordable housing developer's fee required under the affordable housing growth share ordinance. Mr. Jacobson also asked if the building officer was prepared to deal with the growth share ordinance and other nuances of the application; Mr. Robertson stated that the building officer had participated in conversation with Mr. Ruschke and Mr. Robertson. A building permit will not be issued until Mr. Ruschke has signed off on the application.

Following the discussion, Mr. Brower moved to approve the draft Resolution prepared by Mr. Robertson reaffirming the grant of minor subdivision approval for 72 Southern Estates, LLC, and Mr. Caprioglio seconded. At roll call vote, all members voted, "yes".

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COAH Issues

Mr. Robertson outlined the issues to be discussed and stated there was an immediate issue for Board action which was whether or not the Board wanted to recommend a comment letter to COAH to be forwarded to the Township Committee. Mr. Robertson stated COAH has

provided a comment period that expires March 22, 2008. Mr. Robertson stated that Mr. Banisch had distributed a draft memo which needed to be discussed.

In addition, Mr. Robertson stated he thought it was important for the Board to have some information on what has taken place and its impact on the Township and what needs to be done going forward. Mr. Robertson stated Mr. Banisch would provide a general outline as to what has taken place with the third round regulations and provide a description in real terms of what it means to Chatham Township in numbers and the consequences of not meeting those numbers. The end product would then be determined with an appropriate time frame.

Mr. Banisch reviewed a draft comment letter dated March 1, 2008 for the Board in detail. During the discussion, Dorothea Stillinger of the Environmental Commission made comments relative to the discussion.

Following discussion, it was determined that the March 1, 2008 memo would be finalized and forwarded to the Township Committee in advance of the March 13, 2008 meeting.

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There being no further business, the March 3, 2008 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary