

MINUTES

The May 4, 2009 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 Nadguda Application, Sustainable Jersey Program and the Bikeway Plan Element.

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Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Caprioglio, Mrs. Chambers, Mr. Cohn, Ms. Hagner, Mr. Hurring and Mr. Sullivan. Board professionals present included attorney Bill Robertson, engineer John Ruschke and Angela Clerico, from planner Frank Banisch's office.

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Minutes

Mr. Hurring moved to approve the minutes from the January 26, 2009 meeting and Mr. Caprioglio seconded, with all in favor.

Mr. Hurring moved to approve the minutes from the February 23, 2009 meeting and Mr. Caprioglio seconded, with all in favor.

Mr. Caprioglio moved to approve the minutes from the April 13, 2009 meeting and Ms. Hagner seconded, with all in favor.

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Applications

Applicants Elena and Nikhil Nadguda were present with an Application to amend a condition from the Resolution and a variance to construct a deck at the property located at

296 Lafayette Avenue. Also present were surveyor/engineer Mr. Lanzafama of Casey & Keller Inc., and Jim Mancini, landscaper for the Applicants. All present were sworn in and Mr. Lanzafama was qualified as an expert.

Mr. Nadguada explained that two variances were needed in order to construct a walkway from the garage (located on the Floral Street side of the house) to the front door as there is no access currently; and to build a 2' x 6' bump out for the deck in back to create a nook for the barbecue grill.

Mr. Nadguada stated a plan was put together with Mr. Lanzafama and Mr. Mancini and he referred to a plan presented and prepared by Mr. Lanzafama dated March 2, 2009.

Mr. Robertson stated, for the Board's edification, that on the original Resolution (January 10, 2005), there was a condition which restricted the amount of impervious coverage permitted on the property. Mr. Robertson stated the original Resolution granted permission to divide what was Lot 18, Block 106 into two new building lots. Conditions were attached to the subdivision approval to prevent further development of the corner lot, Lot 18, now the Nadguada property, without an Application of approval.

Mr. Nadguada stated he was familiar with the Resolution. Mr. Nadguada stated that currently there is a walk from the front door to the sidewalk. There is no access from the garage except over the lawn or on the street.

Regarding the second variance, Mr. Nadguada stated the 2' x 6' bump out is requested for the barbecue grill. This would encroach into the side yard setback for a small portion. The remainder of the deck would be within the setbacks.

Mr. Lanzafama stated there was a difference between a prior survey and the survey done by Mr. Lanzafama's office. Mr. Lanzafama stated there were three surveyors involved:

the original construction indicating the setback to the foundation was 15.2'; another survey that was done when the Nadguada's purchased the house and the side yard setback was located at 14.89' in the rear and 14.99' in the front; Mr. Lanzafama surveyed 15.06' in the rear and 14.99' in the front. Mr. Lanzafama indicated the differences were that one was done to the foundation before the house was completed, one was done to the corner boards and Mr. Lanzafama's was done to the foundation and surveyor's equipment can have variation.

Mr. Lanzafama stated the deck will be fully compliant except for the bump out and the setback would be 13.94' for 6 linear feet. Mr. Lanzafama referred to a colorized version of the plans with supplemental photos. Mr. Lanzafama stated that by looking at the photos and the plan, he did not feel there would be a significant impact to light, air and open space so the variance could be granted under the C-2 criteria, in his opinion.

Regarding the landscaping and walkways, Mr. Lanzafama stated the Applicants wished to add about 900 square feet to the total impervious coverage. There is no expansion to the house. Mr. Lanzafama stated this is merely a matter of moving pedestrians safely. Mr. Lanzafama indicated inviting landscaping that would be installed to add to the aesthetic value. An additional dry well is proposed to handle additional run off from the site. Mr. Lanzafama stated the Applicants would comply with Mr. Ruschke's memo.

Mr. Lanzafama testified that improvements would be made to Floral Street with the addition of curbing, improving the drainage and widening the roadway slightly.

Mr. Ruschke stated he would approve the plan if the Applicants complied with the points in his memo.

Mr. Caprioglio asked what percentage beyond the impervious coverage was proposed; Mr. Lanzafama responded that it was going from 3,665 square feet to 4,565 square feet. Mr. Brower asked if the current flagstone would be replaced with conventional pavers with sand between them; the answer was "yes". Mr. Brower also reminded the Applicants to be sure to select plantings that are deer-resistant for screening between the neighbors.

Mr. Lanzafama stated a thorough landscaping plan and plant list was attached to the plans. Mr. Robertson suggested that Mr. Ruschke and Mr. Banisch review and approve the final landscaping plan.

Mr. Jacobson asked if there were comments from the public. Mr. John Nachtigel, neighbor on Lafayette Avenue, expressed concern over spotlights that shined into windows in his house; Mr. and Mrs. Nadguada stated they would not add additional spotlights and would look into redirecting the existing ones. Mr. Nachtigel asked the Board to consider action to develop a policy to prevent residents from being affected by improperly mounted lighting. It was noted that there is an ordinance in place, but the Board is not the enforcement agency.

After discussion, Mr. Brower moved to grant approval of the Application with two variances and Ms. Hagner seconded. At roll call vote, all members voted, "yes". With the limited planting season, Mr. Brower moved to provide a waiver of memorialization allowing Mr. and Mrs. Nadguada to apply for the building permit immediately and Ms. Hagner seconded, with all in favor.

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Sustainable Jersey Program

Mr. Caprioglio stated that there is a Resolution from the Township Committee approving application for the Sustainable Jersey Program.

Angela Clerico, of Banisch Associates, stated she would submit a grant application in the amount of \$10,000 to create a Sustainability Plan Element for the Master Plan. Ms. Clerico stated the proposal was due on May 7, 2009 and grants will be awarded in June. If the grant is awarded, Ms. Clerico suggested a project team be formed including one person from the Planning Board, one from the Environmental Commission and one from the Township Committee. Ms. Clerico will work with the team on the preparation of the element and ask the Board for input and feedback. The element must be completed by October, 2010.

Ms. Clerico stated there is an existing "model" for the sustainability element which examines areas including "green" building, sustainable sites, land use and transportation. The plan consists of five different categories: community development, land use landscapes and ecology, water, energy and materials and resources.

Mr. Jacobson asked Ms. Clerico to return after the determination of the grant process.

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Bikeway Plan

Ms. Hagner gave an overview of the Bikeway Plan. Ms. Hagner said that Ms. Clerico presented the draft of the Bikeway/Walkway Plan Element in 2008. Ms. Hagner stated the Open Space Committee had helped develop the final draft and asked Ms. Clerico to review this version with the Board.

Ms. Clerico indicated that since the original draft, many comments were made through the PPGIS website; both general and specific comments. The comments were categorized in the appendix.

It was discussed that for any of the proposed changes to be implemented, the Township Committee would have to approve a capital improvement.

Ms. Clerico offered an overview and referred to the PSEG easement. Ms. Clerico said there were many comments stating interest in using the easement areas to get to one place from another. However, there were also many comments saying the use of PSEG easements would bring people through private yards. For a long range plan, Ms. Clerico stated it was left in the plan as there are going to be parts of the easement that would be more feasible to use than others; so rather than scratch the whole idea, as pieces come up that might be suitable for a trail/bike path, it could be considered. Ms. Clerico stated that affected property owners would be involved. Mr. Brower expressed concern about the usage of the easement and encouraged the language to clearly state this was a proposed idea only.

Ms. Clerico stated the number one concern was safety and of getting children off the roads and keeping sidewalks maintained. Safety issues were moved up to the short term action plan. Ms. Clerico stated the final draft included short, intermediate and long term action plans, and potential funding opportunities.

Mr. Jacobson suggested that for the public hearing, Ms. Clerico be prepared to discuss the steps involved for approval for priority issues. Ms. Clerico stated she would be able to do that.

Mr. Jacobson opened the meeting to the public. Susan Hoag commented on the importance of neighbors being supportive of the Bikeway Plan.

After additional discussion, it was determined that a public hearing would be held on June 1, 2009.

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There being no further business, the May 4, 2009 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary