

The September 10, 2007 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 RexCorp and Majmudar.

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#### Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Ciccarone, Mr. Cohn, Mr. Hartford, Mr. Hurring and Mrs. Kenny. Board professionals present included attorney Mr. Robertson, planner Mr. Banisch and engineer Mr. Ruschke.

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#### Minutes

A change was requested for the minutes of the June 18, 2007 meeting. Mr. Cohn moved to approve the amended minutes and Mr. Hurring seconded, with all in favor.

A change was requested for the minutes of the July 9, 2007 meeting. Mr. Brower moved to approve the amended minutes and Mr. Hurring seconded. All eligible members were in favor, except for Mr. Hartford who voted, "no".

Mr. Brower moved to approve the minutes from the July 23, 2007 meeting and Mr. Browne seconded. At the vote, Mr. Jacobson abstained and Mr. Hartford voted against the approval. All other eligible members voted in favor.

Mr. Browne moved to approve the minutes from the August 20, 2007 meeting and Mr. Caprioglio seconded. All eligible members voted in favor, except for Mr. Ciccarone who abstained.

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### Applications

#### Majmudar

Attorney Barry Osmun was present on behalf of the applicant to request the hearing be adjourned to October 1, 2007, with no new notice required. Mr. Brower made a motion to grant the request and Mr. Ciccarone seconded, with all in favor.

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#### RexCorp

Mr. Richard Schkolnick was present on behalf of the applicant. The Board reviewed the draft resolution. The Board discussed whether the Applicant should be required to design redundancy into the pump station and decided not to include as a condition of approval. The Board also discussed the necessity of including the requirement that the Applicant provide DEP confirmation of the absence or presence of vernal ponds. It was determined that the Applicant would apply to the DEP to determine the absence or presence of vernal ponds and appropriate documentation would be submitted to the Planning Board engineer.

Mr. Jacobson asked for clarification of the names of the developer and fee owner; Mr. Schkolnick replied that the applicant/developer is RexCorp Construction and Development, LLC and the fee owner is Giralda Farms Phase 2, SPE, LLC. Mr. Jacobson asked that the fee owner should be referenced in the Resolution. There was also discussion on the developer's agreement.

After discussion of the landscape plan, it was determined that the landscape plan would be completed to the satisfaction of the Township engineer.

Following review of the amended draft Resolution, Mr. Brower moved to adopt the Resolution as amended and Mrs. Chambers seconded. At roll call vote, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Cohn, Mr. Hurring and Mrs. Kenny voted, “yes”. Mr. Jacobson and Mr. Ciccarone abstained and Mr. Hartford was ineligible to vote.

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#### Other Business

#### Course Requirements

Mr. Jacobson reminded Board members that they needed to complete their course requirements by January 17, 2008.

#### Valle Estates

Mr. Hartford asked about the landscaping at Valle Estates; Mr. Ruschke stated that a performance bond is being held in the event there is a problem. Mr. Ruschke will have an inspector go out and check the species and number of trees on the site.

#### Improvements/Alterations to Existing Dwellings Ordinance

Mr. Hartford stated that the proposed Ordinance 2007-15 was introduced by the Township Committee on July 26, 2007. Mr. Ciccarone stated the ordinance pertained to preexisting, non-conforming structures that encroached into the front, side or rear setbacks and was intended to clarify the language of the existing ordinance. Following Mr. Ciccarone’s summary and Board discussion, Mr. Jacobson asked Board members to email comments prior to the September 24, 2007 meeting for additional discussion.

#### Conflict of Interest Ordinance

Mr. Hartford introduced the subject of this ordinance and it was determined it was not pertinent to the Planning Board.

Land Use Element

The Land Use Element of the Master Plan will be discussed at the September 24, 2007 meeting.

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There being no further business, the September 10, 2007 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary