

The February 15, 2005 semi-monthly meeting of the Township of Chatham Planning Board was called to order at approximately 7:30 p.m. by Chairman Joel Jacobson. The Open Public Meetings Act Statement was read into the record. The agenda for the meeting included Chatham High School scoreboards, a review of new storm water management regulations, discussion of the land use application procedures and the proposed Conservation Plan Element.

Roll Call

Those present included Mr. Jacobson, Mrs. Chambers, Mr. Cohn, Mr. Brower, Mr. Caprioglio, Mr. Ciccarone, Mr. Hartford and Mr. McCutcheon. Also present were Planning Board engineer John Rusche, Planning Board attorney James McCreedy and Planning Board planner Frank Banisch.

Minutes

A request was made to change line 6, paragraph 3 on page 3 of the minutes from the January 24, 2005. The sentence was deleted and replaced with "Mr. Banisch will submit a proposal for the job." With the amendment made, Mrs. Chambers moved to accept the minutes and Mr. Brower seconded, with all in favor.

Applications

Rocco Passomoto, Operations Foreman, was present on behalf of Vince Yaniro to present the application for waiver of site plan to relocate scoreboards at Chatham High School. Mr. Rusche stated he had reviewed the application and stated the scoreboards were to be placed in an outfield location and there was no negative impact. Mr. Rusche recommended the waiver be approved. Mr. Brower asked the Board to recommend only a lighted scoreboard be permitted; Mr. Passomoto stated the High School tries to maintain a neighbor-friendly policy and will continue to do so. Mr. Jacobson asked Mr. Possomoto to come back to the Planning Board should the scoreboards change. Mr. McCutcheon moved to grant the waiver and Mr. Jacobson seconded, with all in favor.

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Discussion

Kirby

Mr. Jacobson reviewed a letter from Mr. Malehorn outlining some changes regarding the Kirby property. Mr. Jacobson stated that the deed for the property runs to the Township and the Great Swamp Watershed Association (because of the funding) and the Great Swamp Watershed Association will convey its interest to Chatham Township. The two conservations easements will run to the County of Morris and the Morris County Parks Commission.

Seminars

Mr. Jacobson apprised the Board of seminars and reference books available and advised interested Board members to contact Ms. Tsimboukis.

Oak Knoll

Regarding Oak Knoll and the ponding situation, Mr. Rusche stated he has met with the Oak Knoll professionals and they are working on corrective action to fix the ponding and onsite drainage issues.

Reckson

Mr. Jacobson stated there was some question as to whether the Reckson parcel was properly designated on the Cross Acceptance Reoport. Mr. Jacobson reported that Mr. Browne submitted a letter to the Morris County Planning Board regarding the designation of the Reckson property.

New Storm Water Management Regulations

Michael Bennett, Township engineer, presented background on the current status of the new storm water regulations that came into force a year ago. The Township has a permit that allows the discharge of storm water. This permit requires a series of activities be completed by the Township to remain in compliance. One aspect is to adopt a municipal storm water management plan that becomes integral with the Master Plan. The municipal plan must be reviewed by the Planning Board and a public hearing must be held, then the Planning Board may adopt the plan. Originally, it was thought the governing body would adopt the storm water management plan and then have a year to go through the process of the Planning Board and ultimately adoption with new ordinances being set supporting the plan. However, the DEP recently clarified that the agency wanted the Planning Board process complete by April 1, 2005.

Mr. Bennett stated that the procedure includes the Board's review of the proposed plan, a 20-day public notice period prior to a public hearing, a copy sent to the County Planning Department and then adoption of the plan after the hearing. The plan then becomes part of the Master Plan and the Township Committee develops ordinances where necessary to implement any changes. The ordinance changes

need to be enacted by April 1, 2006. Mr. Bennett stated the enforcement people are looking for a good faith effort: a plan and a public hearing by April 1, 2005 would suffice. Mr. Bennett stated that a substantial part of the work was done in 1999 and 2001. Mr. Bennett stated that a lot of the requirements that are unique to the Great Swamp Watershed have to be applied to the rest of town. Mr. Bennett stated the practical effect of this was small as many of the requirements are in place. A copy of the draft of the Conservation Plan element will be distributed to Mr. Bennett. Mr. Bennett touched on a number of the details of the regulations and indicated that if these regulations were in place when Braemar or Valle Estates came to the Planning Board, the projects would not exist. The regulations intend to provide the Township with background information to help make decisions about land use at a planning level. Single-family residential homes are exempt. Mr. Bennett presented a map showing streams that are affected by the new regulations requiring a 300' buffer.

After giving a brief history of the regulations, Mr. Bennett stated he would distribute a summary outline for the Planning Board to review in advance of the submittal of the storm water plan. Mr. Bennett will return to the Planning Board on March 7, 2005 to review the outline.

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Land Use Application Procedures

Chairman Jacobson asked Mr. Rusche to review the application process for the newer Board members. Mr. Rusche outlined the process: the completeness determination is made and a comment letter is sent to the applicant; waivers may be requested; additional comments may be made by engineer. Should the engineer determine there is a planning issue, the engineer would ask Ms. Tsimboukis to forward it to the planner. Pre-application, the applicant has the option of presenting a concept plan to the Board or requesting a TCC meeting; a hearing would follow. Board members expressed concern that hearings have been conducted in the past when there are deficiencies in the application that should

have been resolved between the professionals prior to the arrival at the Planning Board. Board members made comments regarding simplification of the process and the use of concept meetings. The timelines and deadlines for submissions must be communicated clearly to all parties involved. There was also discussion of an overhaul of the application to make it user-friendly and more up-to-date. Mr. Cohn brought up use of the website to access application materials. There was discussion regarding the approval/memorialization process; Mr. McCreedy indicated that allowing building to begin before memorialization can cause problems for more involved applications. Mr. Jacobson stated that applications that are time sensitive have received consideration from the Planning Board whenever possible.

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Conservation Plan Element

Mr. Banisch had submitted the Conservation Plan of the Master Plan manual and examples of ordinances from other communities prior to the meeting. Mr. Brower asked the planner about the completeness of the draft conservation plan element document; Mr. Banisch stated it was a good document and felt the linkage between the objectives and strategies were meaningful. Mr. Banisch highlighted the educational curriculum as a positive note. Mr. Banisch felt there were opportunities to elaborate on specific areas. Mrs. Stilling (Environmental Commission) added that there are additional maps to be added to the Natural Resources Inventory (NRI) which are on the website.

Mr. Banisch said that the Introduction and Background portions of the draft plan could be elaborated substantially should the Board have additional information. An item that could be added would be a summary of the NRI.

The Board continued to review the draft plan objectives. The specific strategies caused concerns among some Board members. Mr. Ciccarone questioned the meaning of the first objective; Mrs.

Stillinger interpreted it as an attempt to provide innovative ways of preserving land with environmental constraints. After much discussion, Mr. Bansich suggested that he take the document and review the deficiencies he heard during the discussion and try to fill in the gaps. Mr. Banisch offered to resubmit a marked up version showing his changes on the original document to perhaps minimize the problem areas. The Board was asked to contribute their input.

Chairperson Jacobson opened the meeting to the public. Mrs. Stillinger, Mr. Miller and Mr. Barton made comments relative to the discussion.

Following public comment, the February 15, 2005 meeting of the Planning Board of the Township of Chatham was adjourned.

Sincerely,

Katherine T. Hollerith
Recording Secretary