

The March 19, 2007 meeting of the Planning Board of the Township of Chatham 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 discussion of the Master Plan, ordinance recommendations and procedural issues and Oak Knoll School.

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#### Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Browne, Mr. Caprioglio, Mrs. Chambers, Mr. Cohn, Mr. Hartford and Mr. Hurring. Board professionals in attendance included engineer John Ruschke, planner Frank Banisch and attorney William Robertson.

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#### Applications

##### Oak Knoll School

Attorney Glen Geiger was present on behalf of the applicant to request a waiver of site plan for a proposed portable softball batting cage. Mr. Geiger stated the batting cage would be erected for the softball season, March through early June. Mr. Geiger stated there was no impervious coverage but the cage would have a base of stone dust. The batting cage would have a 1,200' sq. ft. footprint. Mr. Geiger stated a plan had been submitted showing the proposed location of the batting cage. Mr. Geiger

stated that Mr. Ruschke had informed him the setback requirement for the batting cage was 50' from the adjacent residential line, and the applicant would comply.

Mr. Geiger presented Timothy J. Saburn, Head of Oak Knoll School, who was sworn in. Mr. Geiger distributed Exhibit A1, a photocopy of the proposed batting cage. Mr. Saburn described additional exhibits which were distributed and included Exhibit A2, a photo attempting to show the grade of the land; Exhibit A3, a photo showing that there is only lawn in the proposed location; and Exhibit A4, a photo facing the upper field. Board members asked if the neighbors had been notified of the proposed addition of the batting cage; Mr. Saburn stated the Business Officer telephoned a neighbor, who voiced no objection. Mr. Saburn stated there were no lights proposed, but electricity would be run from the shed nearby for the pitching machine.

Mr. Jacobson asked Mr. Ruschke for comments; Mr. Ruschke stated his concerns had been resolved. Mr. Banisch suggested notifying the neighbors of the proposed batting cage. While notice to neighbors is not required, it was decided that the applicant would send a color photo of the proposed batting cage (return receipt) to the neighbors.

After additional discussion, Mr. Brower moved approval to draft a Resolution to grant a waiver of site plan approval, subject to the approval of the two neighbors and Mrs. Chambers seconded. At voice vote, all members present voted, "yes", except for Mr. Hartford, who voted, "no."

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### Discussion

### Land Use Element

Mr. Jacobson opened a discussion of the Master Plan and commented that the Land Use Element was the last remaining element. Mr. Jacobson also stated he had not seen a compilation of the revised

documents. Mr. Banisch suggested an electronic document be compiled and he would address this subject with Ms. Tsimboukis, Planning Board Manager.

Mr. Hurring, Mrs. Chambers and Mr. Browne agreed to work as a committee on the Land Use Element of the Master Plan. The committee will meet with Mr. Banisch and report back to the Board at the April 2, 2007 meeting. The Board agreed it was important to get public input.

### Ordinance Recommendations

Mr. Jacobson reminded the Board that discussions regarding the Landscape Ordinance and the Tree Ordinance were initiated last year. Mr. Jacobson stated that the Landscape Ordinance was part of the Board's recommendation relating to tear-downs and that follow-up is needed. Mr. Ruschke pointed out that Carl Woodward, the attorney for the Township, has raised legal questions about the right of the Township to regulate landscaping on residential lots which do not involve a land use application. Mr. Robertson, attorney for the Planning Board, will speak with Mr. Woodward on this subject. Mr. Jacobson stated that landscaping becomes an issue when a house is torn down and the property is clear cut to accommodate the construction.

Regarding the Tree Ordinance, Mr. Jacobson indicated he did not feel this was a land use issue within the jurisdiction of the Board. Mr. Jacobson asked Mrs. Chambers and other interested Board members to comment on the Tree Ordinance at their discretion.

Mr. Jacobson asked Mr. Robertson to report back on April 16, 2007 meeting on his discussion with Mr. Woodward. Mr. Jacobson stated that the Board would consider other ordinance recommendations which flow from the Master Plan.

### Procedural Issues

Mr. Jacobson asked if there was a need to adjust the application or checklist. After discussion, Mr. Cohn and Mr. Ruschke agreed to review the documents and report back at the May 7, 2007 meeting.

TCC Meetings

Mr. Jacobson stated there was a TCC meeting scheduled for April 12, 2007 with Giralda Farms. Mr. Jacobson suggested that Reckson be asked to discuss the history of the site for the benefit of the Board. Mr. Banisch will also speak with Mr. Ciccarone about his knowledge of Reckson's future plans.

Conservation Easements

Mr. Jacobson stated that Mrs. Dot Stillinger, Environmental Commission, had done a search of land records in Morris County and determined that there were many cases where conservation easements were not recorded when required as condition of approval. Mr. Robertson said he would look into the issue. Mr. Robertson felt that the easements may have been included in the subdivision deeds as restrictions instead of a grant easement to the Township. After review, there will be additional discussion.

Public Comment

Member of the public Dot Stillinger addressed the Board regarding Reckson and Chuck Barton addressed the Board regarding land use analysis.

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The Board moved to go into Executive Session to discuss personnel issues. Following Executive Session, the March 19, 2007 meeting of the Planning Board of Chatham Township was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary