

The August 15, 2005 semi-monthly 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 Peapack-Gladstone Bank and Rolling Hill.

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Roll Call

Those present included Mr. Jacobson, Mr. Cohn, Mr. Brower, Mr. Ciccarone, Mr. Hartford and Mr. Miller. Also present were Planning Board attorney Donald Malehorn, Planning Board planner Frank Banisch and Planning Board engineer John Ruschke.

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Minutes

Mr. Ciccarone moved to accept the June 6, 2005 minutes and Mr. Jacobson seconded, with all in favor.

Regarding the minutes of June 20, 2005, Mr. Brower expressed concern about Master Plan recreation issues. Mr. Jacobson suggested that the minutes be moved for adoption with the understanding that recreation issues will be examined in the context of the Master Plan. Mr. Brower moved to accept the minutes and Mr. Ciccarone seconded, with all in favor.

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Applications

Peapack-Gladstone Bank

Attorney James Lamb was present on behalf of the applicant for final site plan approval. Mr. Lamb stated that preliminary approval was granted July 2004 and called for the redevelopment of a property located at 278 Green Village Road, which is an existing office building. Peapack-Gladstone plans to raze the existing building and create a bank branch.

Mr. Jacobson advised the Board that the Board's attorney had received a letter from the attorney for the property owner regarding pending litigation between the property owner and the applicant. At Mr. Jacobson's request, Mr. Lamb reviewed the history of the litigation.

The Board reviewed the conditions of preliminary approval. Mr. Ruschke stated there were minor changes to be made to the operations and maintenance manual and performance guarantees need to be secured (memo dated 7/6/05). Mr. Ciccarone made a motion to grant final site plan approval subject to memorialization at the next meeting and Mr. Brower seconded. At roll call, all present voted "yes".

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Rolling Hill

Mr. Schaeffer was present on behalf of the applicant requesting final site plan approval on the four-lot subdivision at Candace Lane. Mr. Schaeffer referred to Mr. Ruschke's memo dated July 27, 2005 and stated the plans and operations and maintenance manuals and plans reflected the changes requested (administratively). Mr. Schaeffer stated he had submitted the documentation regarding the homeowners' association and the conservation and the storm water management easements. Mr. Schaeffer stated the only outstanding item on Mr. Ruschke's memo was that of the Township engineer's approval of the location of the dry wells; Mr. Schaeffer

asked if the Board would consider the location approval be addressed at the time of lot grading and permitting as the applicant cannot determine the final locations at this time. Mr. Ruschke stated that was acceptable to him.

Mr. Schaeffer stated that the applicant was in compliance with the conditions of Mr. Ruschke's July 27, 2005 memo and the conditions of preliminary site plan approval. Mr. Malehorn stated he had concerns regarding the deeds to the individual lots; his information is dated May 27, 2005. Mr. Schaeffer presented a document with an August date; Mr. Malehorn did not have that document, but upon review Mr. Malehorn stated that was appropriate. Mr. Malehorn asked about the status of the Freda negotiation; Mr. Schaeffer read from a court document stating the applicant may discharge storm water onto the Freda property as per the settlement order dated November 29, 2004. Mr. Schaeffer and Mr. Ruschke concurred that DEP approval is not required for hook up to the sewer; approval is pending from the Township. Mr. Malehorn cautioned that no permits would be granted until the guarantees are posted.

Mr. Ciccarone moved to grant final approval to be memorialized at the next meeting with the following conditions: operations manual to be revised, no site work can commence until performance guarantees are posted, no building permits will be given until there is approval from the Township for the sewers, and the determination of the location of the dry wells will be made at the time the lot grading plans are submitted and Mr. Brower seconded. At roll call, all members present voted, "yes".

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Other Business

COAH

Mr. Hartford asked about the Housing Element of the Master Plan; Mr. Jacobson asked Mr. Banisch to reach out to the Master Plan subcommittee. There was discussion about the Township's COAH obligation.

Board Oversight of Projects

Mr. Hartford also asked about oversight of projects that have been approved by the Planning Board. Mr. Jacobson expressed concern about violations of the terms and conditions of approval since the public generally assumes that site improvements are undertaken in accordance with such approvals. Mr. Malehorn stated the Board does not have enforcement powers, but could notify the appropriate people if there was an inconsistency. Mr. Miller asked for Mr. Ruschke to give reports to the Board based on what was approved. Mr. Jacobson asked for the Board to be copied on Mr. Ruschke's communications.

Fairmount Country Club

Mr. Brower expressed concern over the time the lights are extinguished at the Club, as employees need lighting to exit safely. Mr. Ruschke stated there is security lighting, but it needs to be defined. Mr. Ruschke stated Fairmount has submitted a lighting plan with 25' lights, which would require a variance. The plan calls for lighting the perimeter only.

Mr. Hartford stated that Fairmount installed a "yield to pedestrian" sign at the crosswalk. Mr. Hartford thought that was not legal; Mr. Ruschke will follow up on that.

Education

Mr. Cohn asked about an educational requirement; Mr. Banisch was asked to look into this topic.

Executive Session

The Board went into Executive Session.

Following Executive Session, the August 15, 2005 meeting of the Planning Board of the Township of Chatham, was adjourned.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary