

The September 12, 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, Rolling Hill, Fairmount Country Club and the Master Plan and Executive Session.

---

#### Roll Call

Those present included Mr. Jacobson, Mr. Brower, Mr. Browne, Mrs. Chambers, Mr. Ciccarone, Mr. Cohn and Mrs. Martinez. Also present were Planning Board attorney James McCreedy, Planning Board engineer John Ruschke and Planning Board planner Frank Banisch.

---

#### Minutes

Amendments were requested for the August 15, 2005 minutes and the revised version will be reviewed at the next meeting.

---

#### Public Comment

Chairman Jacobson opened the meeting to members of the public. Gerald Goldberg, owner of the subject property, made comments relative to the application for Peapack-Gladstone Bank. Mr. Goldberg requested the Board to review documents he had assembled regarding the NJDEP issues. Mr. Jacobson explained that the public hearing had been previously concluded and that it was too late to present new evidence relating to the application. Since the Board's approval was subject to compliance with the regulations of other governmental entities, Mr. Jacobson directed that Mr. Ruschke review the documents distributed by Mr. Goldberg after the

meeting. At the request of Mr. Ciccarone, Mr. Goldberg agreed to pay for Mr. Ruschke's costs. The attorney for the applicant stated he did not have a copy of the documents provided by Mr. Goldberg and felt that the presentation was untimely but did not object to the review by the Board.

---

#### Applications/Resolutions

##### Peapack-Gladstone Bank

The memorializing resolution for the approval granted on August 15, 2005 was circulated for review. Mr. McCreedy stated no specific comments were made and the applicant's attorney requested no changes in language. It was determined that Mr. Ciccarone, Mr. Jacobson, Mr. Cohn and Mr. Brower were eligible to vote. Mr. Brower moved to approve the resolution and Mr. Cohn seconded. At roll call, all eligible members voted, "yes".

---

##### Rolling Hill at Candace

Mr. McCreedy stated the resolution had been circulated for review and Board members eligible to vote included Mr. Ciccarone, Mr. Jacobson, Mr. Cohn and Mr. Brower. Mr. Ciccarone moved to approve the resolution and Mr. Brower seconded. At roll call, all eligible members voted, "yes".

---

##### Fairmount Country Club

Attorney John Suminski was present on behalf of the applicant, Fairmount Country Club. Mr. Suminski stated that the applicant was applying for amended site plan approval for the

replacement of lights in the parking lot, for landscaping in front of the club on Southern Boulevard and a variance setback for a wall.

Mr. Suminski explained that no parking spaces would be added or eliminated. The old lights will be replaced with new lights and are in compliance with the Chatham Township lighting ordinance. The club began work on the replacements and the landscaping, not realizing they needed to appear before the Planning Board. Mr. Suminski apologized for the oversight. Mr. Suminski stated the applicant was asking for a waiver from the EIS, natural resources inventory, complete metes and bounds description and location of the aquifer recharge area. Mr. Suminski stated these waivers were previously granted with regard to the original site plan. Mr. Suminski stated the applicant was also applying for a variance for a setback from the road right-of-way.

James Hoppensteadt, general manager of the club, was sworn in. Mr. Hoppensteadt described the existing lighting poles as rotted and, therefore, in need of replacement. Mr. Hoppensteadt referred to a bramble patch in front of the club and stated it was replaced to improve the curb appeal of the club. Mr. Suminski referred to Mr. Ruschke's memo dated September 1, 2005. Mr. Hoppensteadt stated three lights would be designated on the plans as security lights: two at each of the entrances to the club and one interior to the property, from dusk until dawn. The remaining lights would be from dusk until 1:00 a.m. to facilitate dismissal of the staff. Mr. Brower commented that the applicant might want to request an extension of the hours of the lights for several special occasions during the year. Regarding the sign on the crosswalk in front of the club, Mr. Hoppendsteadt stated there is only one sign and Officer Curtis of the Chatham Police Department stated it was an appropriate sign. Mr. Suminski stated that if

the Board felt the applicant needed to seek approval from the county, the applicant had no objection.

Mr. Ciccarone asked if there were additional lights planned; Mr. Hoppensteadt stated there were four additional lights to provide adequate coverage under the lighting ordinance. Mr. Jacobson asked Mr. Ruschke if the lighting was appropriate; Mr. Ruschke stated it met with the ordinance and said that the evergreens out front would mitigate some of the light.

There was discussion among the Board members regarding the process that required this applicant to come to the Board. Mr. Ruschke felt that the landscaping should have been part of the site plan. Mr. Jacobson expressed concern for work done that is a surprise to the Board members. Mr. Browne expressed concern for the storm water management of the changed area; Mr. Suminski stated the testimony of Mr. Schommer might clear it up.

Mr. Richard Schommer, engineer for the applicant, was presented and sworn in. Mr. Schommer stated the simple answer to the storm water concern is that one landscape area was changed for another. He stated that as the plantings grow, they will better assist with the uptake of water and there are stabilization measures in place in the form of stones.

Regarding the lighting, Mr. Schommer referred to the lighting plan (dated 8/24/05, sheet 3). He stated the lighting fixtures were modern cut off fixtures and were fairly standard parking lot fixtures measuring 18' in height and 16-1/2' in front of the clubhouse. There are three types: single head, double head and more decorative head fixtures. Mr. Schommer stated the focus of the lights is the parking area.

Regarding the landscape plan, Mr. Schommer stated the plantings would grow in more over the next couple of years and were placed there to create a more aesthetic look to the front of the clubhouse. Mr. Schommer agreed to the comments listed in Mr. Banisch's memo (9/6/05)

and to the recommendations in Mr. Ruschke's memo. Regarding the placement of the landscape wall in front of the clubhouse, Mr. Schommer described a natural boulder wall that varies in height. Mr. Schommer stated the setback required is 5' and the setback for the wall is about 3' for a portion of the wall. Mr. Schommer stated, in his opinion, that it was a de minimis variation and there was sufficient land area adjacent to the road or the sidewalk. Mr. Ruschke agreed that it was a de minimis variation.

After discussion, Mr. Browne moved to grant amended site plan approval and the variance and Mr. Brower seconded. At roll call, all eligible members present voted, "yes".

- - -

#### Master Plan

Mr. Jacobson reported that he and Mrs. Chambers met with Mr. Banisch on September 8, 2005 to discuss the Master Plan Elements schedule. Mr. Banisch stated there were three Elements of the Master Plan being worked on this year and the re-examination of the Master Plan. The Elements include the Conservation Plan Element (adopted in June); the Land Use Plan Element, of which a draft will be distributed during September for review and discussion; the Housing Element, which has to be adopted and submitted for certification by COAH by December 20, 2005; and the re-examination report which is the six-year review of the Master Plan. The housing element documentation is effectively compiled and copies will be sent to the subcommittee for review. Mr. Banisch stated that currently, with the calculations, Chatham Township has a net obligation credit of 23. Mr. Banisch indicated maintaining those credits is important, as they may be needed in the future. Mr. Banisch addressed the idea of a growth share ordinance to protect the Township from future obligations brought on by developers. Mr.

Brower asked about the use of affordable housing above retail spaces; Mr. Banisch stated mixed use is popular but it is important to keep in mind the need for meaningful housing.

Mr. Jacobson said he had asked Mrs. Chambers to chair the Master Plan Subcommittee, which includes Mr. Browne, Mr. McCutcheon and potentially Mr. Capriglio and Mr. Hartford. Mr. Jacobson asked Mr. Banisch to set forth the schedule for the housing element; Mr. Banisch will send a brief summary of the COAH obligation and the housing element with recommendations to the subcommittee by October 10, 2005 for discussion at the October 17, 2005 meeting. The target date for the public hearing will be November 7, 2005 for the Housing Element, which will allow the governing body to review and submit by December 20, 2005.

The Land Use Plan discussion will be during the October 24, 2005 meeting and the initial discussion of the re-examination report will be held during the November 7, 2005 meeting. The public hearing for the Land Use Plan and the re-examination report will be held during one of the December meetings.

Mr. Jacobson asked about the inclusion of private recreational areas and asked that Mr. Banisch and Mr. Brower discuss this topic. Mr. Banisch stated this topic will be brought back to the full Board.

After discussion of COAH, Mr. Jacobson stated that the Planning Board must come to a consensus on housing policies with the help of the subcommittee and then make a recommendation to the Township Committee. Regarding ordinance changes, Mr. Jacobson stated a short list of highest priorities will be developed and presented to Bill O'Connor.

- - -

### Tree Ordinance

Mr. Jacobson introduced the tree ordinance currently under review. Mrs. Chambers stated she had requested a copy for the Planning Board. Mr. Brower gave a brief overview of the ordinance and outlined four components under discussion: non-professionals will no longer be responsible for review – employees reporting to Mr. Ciccarone will conduct inspections; private homeowners will be allowed to remove three trees without a replacement requirement; an 8’ buffer would be required between properties and permission to change the area would be required; and the tree size that would trigger inspection and approval. Mr. Jacobson asked if any Board members had comments to advise Mr. Jacobson and it would be placed on the agenda.

---

### Executive Session

The Board adjourned for Executive Session.

Following Executive Session, the September 12, 2005 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary