

The November 6, 2006 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 agenda for the meeting included Thoennesen, Rolling Hill at Candace, Novick/Hagner and the Master Plan Reexamination Report.

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#### Roll Call

Board members present included Mr. Jacobson, Mr. Browne, Mr. Brower, Mr. Caprioglio, Mrs. Chambers, Mr. Cohn, Mr. Hartford, Mr. McCutcheon, Mr. Miller and Mrs. Martinez. Board professionals present included engineer John Ruschke, planner Frank Banisch and attorney Donald Malehorn.

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#### Applications

##### Rolling Hill at Candace

Before the applicant's presentation, Mr. Jacobson allowed a member of the public, Kai Heier, 50 Candace Lane, to comment about the conditions at the site. Following Mr. Caplan's response, it was determined that Mr. Ruschke would work with the applicant to develop an amended implementation schedule.

Steven Schaeffer, the attorney for the applicant, introduced engineer Kevin Page, who was sworn in and qualified. Mr. Schaeffer distributed Exhibit A1, a handout about the application. Mr. Page presented Exhibit A2, which he described as a blow up of the approved grading plan. Mr. Page pointed out the limited back yards of the houses on the original plan and stated the new plan was to move the houses forward to allow for rear yards. Exhibit A3 was also produced and referred to as the *Alternate Grading Plan*, which shows the proposed larger rear yards. Mr. Page continued that this exhibit showed lower impervious

coverage amounts, but stated the tradeoff would be a need for steep slope variances. Mr. Page presented Exhibit A4, entitled *Site Cross Sections*, which represented a series of cross sections indicating the former proposed location and the current proposed location of each home. Mr. Page presented Exhibit A5, *Useable Area Map for Alternate Grading Plan*, and discussed how architecture would be used to work with the topography.

Mr. Page stated there was a final plat approval on the conservation easement, but the map had not been filed. There was discussion about the fact that one house has a front loading garage and one exceeds 70' in width. These design elements are not in compliance with the newly adopted ordinance imposing house width limitations.

Mrs. Dorothea Stillinger, chairperson for the Environmental Commission, read a letter to the Board with the Commission's review of the application.

Following additional discussions and questions from the public, it was determined that a site visit was desirable. The site visit was scheduled for December 2, 2006, with a continuation of the hearing on December 4, 2006.

#### Thoennessen

Mr. Jacobson advised the Board that he had received a letter from the applicant's attorney requesting that the application be withdrawn. The Board agreed to accept the withdrawal.

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#### Discussions

##### Master Plan Reexamination Report

After a brief discussion, it was determined that the final review of the draft report would be conducted at the November 20, 2006 meeting. An ad will be placed to notify the public of the proposed Board action.

Novick/Hagner

Mr. Hartford recused himself from the discussion.

Mr. Jacobson reminded the Board that Mr. Ruschke had reviewed a SESC plan for the revised plans of the proposed Novick/Hagner house and was concerned the revised plans violated the condition of subdivision approval. As a result, Mr. Ruschke asked the Board for its input. Subsequently, Mr. Woodward, the Township's attorney, opined that Mr. Ruschke had the right to approve on his own. Since Mr. Ruschke had asked for the Board to clarify its intent in imposing subdivision conditions, Mr. Jacobson determined that it was appropriate for the Board to respond to Mr. Ruschke's request. The applicants were invited to attend the meeting to participate in the deliberations, but chose not to attend.

After discussion, the Board voted on whether or not the revised plan violated the intent and purpose of the conditions of subdivision approval. At voice vote, Mr. Miller, Mr. Brower, Mr. Cohn and Mr. Jacobson voted "no"; Mr. McCutcheon, Mrs. Chambers, Mr. Caprioglio, Mr. Browne and Mrs. Martinez votes "yes". Some of those voting "yes" felt additional information was needed regarding storm water management and impervious coverage before they could approve the revised plans.

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There being no further business, the November 6, 2006 meeting of the Planning Board of the Township of Chatham was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary