

The August 2, 2004 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 Open Public Meetings Act Statement was read into the record. The agenda for the work meeting included discussions of pending applications, TCC meetings, the website, ordinances, the Master Plan, and Cross Acceptance Committee.

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#### Roll Call

Those present included Chairman Jacobson, Mr. Browne, Mr. Cashman, Mr. Cohn, Mrs. Fair and Mrs. Hoag. Also present were Planning Board attorney Donald Malehorn and Planning Board engineer Marshall Frost. Mr. McCutcheon arrived late and Mr. Ciccarone, Mr. Caprioglio and Mrs. Chambers were absent.

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#### Minutes

Mrs. Fair moved approval of the minutes from the July 19, 2004 meeting and Mrs. Hoag seconded, with all in favor.

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#### Discussions

#### Applications

Mr. Jacobson reviewed the calendar and conducted a status review of the pending applications.

Regarding the Gunn application, the application is complete and subject of a TCC meeting on August 10, 2004. Mr. Frost anticipates scheduling a hearing for this application in September.

Regarding the application of the Darcy School, the application is a subject of a TCC Meeting on August 10, 2004. The Darcy School is seeking approval for a conditional use. Mr. Malehorn stated the information from the Darcy School does not contain any site plan approval request. Mr. Frost had asked about parking; Mr. Osmun, attorney for the applicant, stated the applicant would use the existing parking spaces.

Mr. Frost gave the Board background of the property prior to this applicant. Institutional use approval with restrictions was given to a non-profit group who later sold the property to a commercial use owner. This was approved with additional conditions. There were issues regarding parking, which was too close to the property lines. In response to Mr. Malehorn's question, Mrs. Hoag described the Darcy School as a family-oriented private school accommodating all levels of ability from higher levels to children who are developmentally challenged. Board members discussed traffic and playing fields.

Chairman Jacobson asked Mr. Malehorn about the Board's role in approving the conditional use request; Mr. Malehorn responded the Board can grant it provided the applicant can meet the requirements of the conditional use. Mr. Jacobson asked if the past information should be distributed to the Board prior to the applicant appears before the Board; Mr. Frost will send a memo explaining the restrictions and conditions placed on the property. Mrs. Fair

addressed the steep slopes and the recharge area of the property. Mrs. Fair also stated that at the time of the last approval, the no net increase ordinance was not in place.

#### TCC Meetings

The Board discussed the purpose of the TCC meeting versus the conceptual hearing. Board members felt that the conceptual hearings were very helpful to the applicants and the Board but were reminded that they could not ask for them -- the applicant would have to request it. Mr. Frost indicated the TCC meeting was designed for the professional staff to go over technical issues. A suggestion was made to include the conceptual hearing in the Master Plan to encourage applicants to ask for this.

#### Final Approval Discussion

Mr. Jacobson asked for clarification on the trigger for final site plan approval. Mr. Frost indicated that applicants including Peapack-Gladstone Bank had to file new applications for final approval, which will be considered by the Planning Board. Mr. Frost continued that with preliminary subdivision approval, an applicant like Rolling Hill at Candace must post bonds and then can begin building one house. No work is allowed to proceed until a pre-construction meeting has been held with Township officials.

#### Bernardo

Mr. Malehorn stated that some adjustments had been made to the plan and Mr. Frost stated there were concerns including drainage and tree removal/escrow account. The application will be heard on September 13, 2004.

### Meeting Date Cancellation

After the review of the pending applications, it was determined that there were no hearings scheduled for the August 16, 2004 meeting. The Board agreed to cancel the meeting of August 16, 2004.

### Planning Board Website

There was discussion of the Planning Board website. Members stated it would be appropriate to post the building codes on line. After additional discussion, it was determined that Mrs. Fair and Mr. Cohn would review the website and report back to the Board about the site at the September 20, 2004 meeting.

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### Ordinances

Input from the Planning Board was requested by the Township Committee on two proposed ordinances: the proposed development permit ordinance and the retaining wall ordinance.

After discussion of the development permit ordinance, Mr. Frost stated, in his opinion, (Mr. Bennett concurred) that the construction official was not qualified to review the material. Mr. Frost also did not feel the applications needed to come before the Planning Board, but instead, the Township engineer should review all development permit applications. Mrs. Fair and Mrs. Hoag expressed concern about potential delay to the applicant with this system; Mr. Frost was confident in the efficiency of the process.

Following the discussion, it was determined that the Planning Board would recommend that only Item "b" under section 30-125 should remain and Items "a" and "c" should be deleted.

Mr. Jacobson directed Mr. Malehorn to prepare a memo to the Committee outlining this recommendation.

Regarding the retaining wall ordinance, after discussion, the Board agreed to provide no comment at this time as Board members thought it was a reasonable document.

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### Master Plan

Chairman Jacobson's opinion was that working with the planner, Eileen Banyra, was necessary for the reexamination (required in 2005) of the Master Plan. Mr. McCutcheon stated that there was to be a budget for the work with the planner on the Master Plan separate from the operating budget of the Planning Board.

In reviewing the document prepared by the Master Plan subcommittee, Mr. Browne stated he had broken the list into five categories for management purposes. Mr. Browne said, in his opinion, that the redevelopment of the business area was a primary area of concern. Mr. Browne said he would like to get input from tenants and owners in the business district on their vision of the area.

Mr. Frost said a planner was needed for the Master Plan to organize it, pick several objectives and create a document that can be presented to members of the community. The Board would work with the planner to develop a Plan that is in the best interest of the town. Mr. Frost suggested the Board have Ms. Banyra in at a work session and ask her to discuss her proposal and scope of services for the Master Plan process.

The Board will invite Ms. Banyra to attend either the September 20, 2004 meeting or the October 4, 2004 meeting.

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Ten Towns Watershed Grant Support Letter

Mrs. Hoag informed the Board that the Ten Towns Watershed Association was submitting a grant application to the DEP for a water improvement project for Loantaka Brook in Morris Township. Mrs. Hoag asked the Board if they would like to send a letter of support of this application; the Board voted to support the grant proposal and Mrs. Hoag read a draft for approval, which will be sent from the Planning Board.

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Cross Acceptance Committee

Mrs. Fair asked for a concensus on a date for a meeting of the Cross Acceptance Committee. It was determined a date would be selected for late August and Mrs. Fair will email possible dates to committee members so they can prepare to report back to the Board.

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There being no further business, the Township of Chatham Planning Board meeting of August 2, 2004 was adjourned.

Respectfully submitted,

Katherine T. Hollerith  
Recording Secretary