

CHATHAM BOROUGH PLANNING BOARD
December 3, 2008 7:30 p.m.

Chairman H.H. Montague called the Chatham Borough Planning Board meeting of December 3, 2008 to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Montague announced that all legal notices have been posted for this meeting.

Members Present: Mayor V. Nelson Vaughan, Councilman Bruce Harris, John Hague, Alan Pfeil, John Bitar, Donna Cali-Charles, Susan Favate, Chairman H.H. Montague.

The Board attorney, Anne Marie Rizzuto, Esq., was not present.

Members Absent: Vincent DeNave, James Mitchell

Open to the Public

There were no comments from the public.

Approval of Minutes

The following minutes were approved as submitted:

- October 1, 2008 – Regular Meeting
- October 1, 2008 – Closed Session
- November 5, 2008 – Regular Meeting

Mr. Hague abstained from voting on the Closed Session of 10/1/08 because he had recused himself.

Mr. Pfeil and Mrs. Cali-Charles abstained from voting on the Regular Meeting of 11/5/08 because they were absent that night.

Public Hearing for Amendment to Master Plan – Housing Element & Fair Share Plan

Mr. Hague reported that a committee was appointed in August to work on this project. The committee consisted of himself, Vincent DeNave, John Eyre, and Councilman Joe Marts. Several meetings were held. A professional planner, Joseph J. Layton from Maser Associates, was retained to help prepare an amendment to the Master Plan for the Housing Element & Fair Share Plan to submit to the Council of Affordable Housing (COAH) by the end of December. This submission is required by the Third Round Regulations adopted by the State.

Mr. Hague stated that in order to protect Chatham Borough from builders' remedy law suits subsequent to January 1, 2009, it is necessary for the Borough to amend the housing element of the Master Plan. The housing plan then is submitted to the Borough Council. The Borough Council, in turn, by resolution, will submit it to the State with a request for COAH substantive certification. COAH has set a time-line which has been challenged, but not relaxed, regarding submission of plans by 12/31/08.

Mr. Hague noted that the Planning Board's committee began working on this Housing Element & Fair Share Plan in September. The committee's draft document for the Housing Element & Fair Share Plan is before the Board tonight. This document states what COAH thinks is the Growth Share obligation for Chatham Borough over the next 14 years, is 37 new units of affordable housing. In Mr. Layton's analysis of available vacant land in the Borough, the number has been reduced to 8 units. Chatham Borough will now propose this number of 8 units to COAH.

Mr. Hague reported that the draft document being reviewed tonight contains suggestions for zoning changes on a couple of properties in and around the Borough train station, along Bowers Lane, and off of Fairmount Avenue. A higher density will result if affordable units are built on those properties. The committee has talked with Mr. Richard Driscoll and asked him to make a proposal. This proposal has been forwarded to the Borough Council for their response. The proposal has not been incorporated in the Fair Share document. No deal has yet been made with Mr. Driscoll. The committee will solicit other proposals from other property owners subsequent to January.

Mr. Hague noted that a draft ordinance is attached to the Housing Element & Fair Share Plan. This draft ordinance is a suggestion. It must ultimately be adopted by the Borough Council. The Plan itself will be reviewed by COAH.

At Mr. Hague's request, Joe Layton, the Board's planner for this project, gave an overview of Chatham Borough's COAH obligations and how the Borough intends to meet these obligations.

Mr. Layton explained that the Borough's obligation consists of three components. One of the components is the rehabilitation share. The Borough must advertise that money is available to rehabilitate housing units which need major repairs, like a roof, heating system, etc. The residents or owners of these units must come forward to participate in this rehabilitation program.

Mr. Layton noted that COAH's Third Round obligation for the Borough is 37 units. Mr. Layton and the committee have now adjusted that number down to 8 units. He explained how that adjustment came about. Among the studies the committee made was looking at the planned developments that had been approved, but not yet built. The committee also looked at the vacant land available in the Borough and which properties are actually buildable.

Mr. Layton stated that the Borough's growth share obligation, resulting from his analysis, is 7 and a fraction. This number will be rounded up to 8 affordable units. The committee met with the Driscoll brothers and discussed the properties they had which are suitable for higher density development. Twenty units could probably be built on Fairmount Ave. properties owned by the Driscolls. Eighteen units could be achieved on Bowers Lane, out of these units, 8 could be affordable. Concept plans were made. Mr. Layton

reviewed the affordable unit credits that had been calculated for Bowers Lane. Parking arrangements have been taken into consideration.

Councilman Harris brought up that some planners had suggested the possibility of converting some existing apartments into affordable housing units. Mr. Hague explained how much money the Borough would have to pay to subsidize that approach. The proposals made in tonight's Housing Element & Fair Share Plan would be paid for by the developer with the enhanced density. Mr. Layton noted that currently the Borough's housing trust fund balance is \$153,000. That amount could be eaten up very quickly if 4 or 5 apartment units were to be subsidized.

The Board and Mr. Layton reviewed the entire Housing Element & Fair Share Plan, page by page. Some typo corrections were made. Board members made suggestions and asked Mr. Layton for clarification on some of the calculations and their source.

Mr. Montague asked if the public had any comments or questions.

Richard Plambeck, 28 Greenwood Ave., former Mayor, brought up infrastructure restraints. He felt it was important to "buttress" the vacant land analysis to indicate why the Borough may not be able to build everything COAH may want the town to build. Mr. Plambeck reviewed the limited water allocation which the Borough can pump. The Borough has reached that limited number. Also, the Joint Meeting has, on occasion, reached its pumping limit at the sewage treatment plant. These infrastructure situations can limit what housing the Borough can actually add.

On another point, Mr. Plambeck recommended a correction on the total square footage for Westy Storage, as stated in the Plan. Also, he recommended that the square footage calculations be checked for accuracy for the Certificate of Occupancies of Liberty Drug and Dreyer's Lumber.

Mr. Plambeck suggested more information be included on the recent demolitions done in the Borough by developers.

Mr. Plambeck referred the Board to page 34, which reported on the vacant properties with development potential. He suggested property, owned by GPU, on Brooklake Road be included in this list. He reviewed two other locations in the Borough which could be considered for development.

Mr. Hague agreed that accurate calculations be obtained for Liberty Drug and Dreyer's Lumber. He also agreed that the sewer and water situation, and the demolitions, be further investigated.

Gerald Helfrich, 6 John St., expressed concern about the Plan's language with respect to the re-zoning of the properties. He pointed out that an informal housing obligation can sometimes "take a life of its own". He discussed how a "partial" obligation may be

beneficial. Mr. Helfrich recommended that feasibility be given on a specific number of housing units and on the possibility of re-zoning.

Mr. Montague thanked Mr. Helfrich for his input.

Councilman Joe Marts thanked Mr. Layton, Mr. Hague, and Mr. Eyre for all the work they did on the Housing Element & Fair Share Plan. Mr. Marts noted there were other options available to fulfill the housing obligations, such as “transitional” housing, but they would not be as attractive or desirable for Chatham Borough.

Mr. Hague suggested that everyone needs to keep an eye on this Housing Plan in context of how it moves through the State, the legislature and the courts. Third Round Regulations have been challenged once again.

Mr. Hague distributed copies of a resolution to amend the Housing Element and Fair Share Plan in the Master Plan. He read the resolution aloud. A spelling correction was made on Maser’s name.

Mrs. Favate made a motion to approve this Resolution approving an amendment to the Housing Element and Fair Share Plan of the Master Plan of the Borough of Chatham. Mr. Pfeil seconded the motion. A roll call vote was taken:

Mayor Vaughan	-	yes
Councilman Harris	-	yes
Mr. Hague	-	yes
Mr. Pfeil	-	yes
Mrs. Favate	-	yes
Mr. Bitar	-	yes
Mrs. Cali-Charles	-	yes
Chrmn. Montague	-	yes

The Board thanked Mr. Layton and the sub-committee for all the work they did on this amendment to comply with the COAH Third Round regulation filing deadline.

Old/New Business

Mr. Montague announced that there will be no Board meeting on December 10, 2008.

Mr. Pfeil agreed to head up the nominating committee to organize a slate of Planning Board officers for the year 2009.

Mr. Hague announced that he will not be returning to the Board in 2009.

Respectfully submitted:

Elizabeth Holler
Recording Secretary