

CHATHAM BOROUGH PLANNING BOARD

November 4, 2009

7:30 p.m.

In Chairman Crater's absence, Vice Chairman John Bitar called the Chatham Borough Planning Board meeting of November 4, 2009 to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Bitar announced that all legal notices have been posted for this meeting.

Members Present:

Mayor V. Nelson Vaughan, Vice Chair John Bitar, Donna Cali-Charles, H.H. Montague, Alan Pfeil, Susan Favate, James Mitchell.

Members Absent:

Chairman Richard Crater, Vincent DeNave, Councilman Joseph Mikulewicz.

Anne Marie Rizzuto, Esq., attorney for the Board, was not present.

Open to the Public

David Gerridge, 63 Elmwood Ave, stated that he has served a recent number of years on the Planning Board and Zoning Board of Adjustment. He supported the Board's review of the FAR regulations. He was glad the Board was considering certain revisions.

Mr. Gerridge distributed copies of a spreadsheet that he and Mr. Pfeil had put together years ago when they served together on the Board of Adjustment. The spreadsheet shows how many variances were granted, how many were turned down, and how many were modified.

Mr. Gerridge and Mr. Pfeil felt that the Borough Council should give appropriate direction to the Board of Adjustment. Mr. Montague suggested that Ms. Rizzuto, the Planning Bd. attorney, give her views on this matter.

There were no further comments from the public.

Approval of Meeting Minutes

The minutes of October 14, 2009 were approved as submitted.

Planning Study – Subcommittee Report

Mrs. Favate noted that the subcommittee has not had a chance to meet yet.

Mr. Montague suggested a copy of the Planning Study report should be sent to the Zoning Board of Adjustment in case they have comments to contribute. He suggested the Borough Sign Committee and the Historic Preservation Commission (HPC) receive copies.

F.A.R. Committee Report

Mr. Bitar suggested the Board should wait until Councilman Mikulewicz is present to discuss this report.

Sign Ordinance – Status Report

Mr. Montague reviewed some of the changes in the latest draft of the sign ordinance. He pointed out that, according to the latest draft, the Sign Committee no longer exists. He didn't believe that particular situation was ever discussed. He urged Board members to closely review the latest draft and see if they agree with all the points made. Mr. Montague disagreed with some of the restrictions on political signs.

Mrs. Favate noted that definitions are still needed for the ordinance.

Mr. Pfeil brought up that the public should be notified about this sign ordinance. Hopefully they will come in and give their comments.

Checklist

Mr. Montague reported that he has given all his comments to Ms. Rizzuto. There were three or four activities which Ms. Rizzuto needed clarification on. Mr. Montague had contacted Mr. Siegel, the Board of Adjustment attorney, for his views.

Mr. Bitar recalled that Ms. Rizzuto is looking into whether the Borough is exempt from the LDO regulations.

F.A.R. Committee Report

Mr. Bitar noted that the Board is still waiting to see a revised amendment to the ordinance to reflect certain revisions.

Mr. Montague reviewed the research he had done on basement garages. The construction official had informed him that there was no building ordinance or building code regulation prohibiting a person from digging a hole in the ground and constructing a garage in that hole. Mr. Montague discussed the safety issues and flooding issues which basement garages might create.

After further discussion, Mr. Pfeil believed that if a garage is constructed below grade, it should not count as bulk. However, a massive amount of land disturbance should not be allowed in order to create a basement garage. The possibility of a three-car garage under a house needs to be seriously review.

Mrs. Favate suggested a clearer definition be made for a window dormer, as opposed to a shed dormer. Perhaps Ms. Rizzuto could help with this matter.

Mr. Bitar said he will notify Mr. DeNave that additional language from the Board Attorney is needed. Mr. Montague felt the Construction Office could give input on this particular matter.

Old and New Business

Mr. Bitar noted that the Board is waiting for another draft ordinance from Ms. Rizzuto regarding adult entertainment, tattoo parlors, body piercing, etc.

Mr. Montague reported on the Board of Adjustment meeting held on October 28, 2009.

Mr. Bitar noted that Councilman Mikulewicz has submitted a sample ordinance regulating charitable clothing bins. Mayor Vaughan noted that other towns are also looking at this particular ordinance. Mr. Bitar recommended that Board members study this ordinance, so that they can take productive action at their next meeting. He will give the Recording Secretary a hard copy to send out with her minutes.

Mr. Bitar checked which members would be available for the November 11th Board meeting.

On other matters, Mrs. Cali-Charles suggested the Board change their meeting dates for the new year. For instance, if the Board met the first and third Wednesdays of the month, it would give applicants more adequate time to public notices or submit plans. Also, it would give Board members more time to study necessary material. Mr. Montague pointed out that other Boards use the Council Chambers for night meetings. A scheduling conflict might occur. Mayor Vaughan pointed out unfortunately that the Borough Calendar for 2010 has already gone to print.

Mrs. Cali-Charles was also concerned about the cancellation of so many Board meetings recently. The Board is trying to complete certain projects. The meeting cancellations are delaying progress. Mrs. Cali-Charles asked if the reason for canceling meetings is a lack of funding for the Board Attorney. Mr. Bitar and Mr. Montague suggested she bring up this concern when Chairman Crater and the Board Attorney were both present. Mr. Pfeil agreed with Mrs. Cali-Charles' point that Board members may need more time, between meetings, to review important material. This matter will be brought up at the next meeting.

At 8:25 p.m. the meeting adjourned.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

