

CHATHAM BOROUGH PLANNING BOARD
February 16, 2011 7:30 p.m.

Chairman Richard Crater called the Chatham Borough Planning Board meeting of February 16, 2011 to order at 7:35 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Crater announced that all legal notices have been posted for this meeting.

Members Present:

Mayor V. Nelson Vaughan**, Councilman Bruce Harris, Chairman Richard Crater, Donna Cali-Charles, John Bitar*, Vincent DeNave, H.H. Montague, Susan Favate, James Mitchell, Matthew Wagner.

*arrived at 7:40 p.m.

**arrived at 7:43 p.m. Mayor Vaughan was late because he had to attend a League of Municipalities meeting earlier in the evening.

Anne Marie Rizzuto, Esq., attorney for the Board, was present.

Members Absent:

Joseph Mikulewicz

Open to the Public

No one came forward

Adoption of Minutes

The meeting minutes of the February 2, 2011 Regular meeting were approved as submitted.

The meeting minutes of the Closed Session of February 2, 2011 were approved as submitted.

Resolutions

Request for an extension of time for Miriam Gunn for property located at 74 North Passaic Avenue, Block 56, Lot 8, for resolution of approval of subdivision entered by the Board on or about January 13, 2010. Matter was previously extended through November 15, 2010.

Mr. Crater asked the length of the extension being requested by Ms. Gunn.

Ms. Rizzuto recommended that the Board carry the extension through the summer. Hopefully, Ms. Gunn will find a buyer and do the demolition.

Mr. DeNave reported that the demolition of the house was done today.

Ms. Rizzuto then recommended an extension of time to July 31, 2011. Ms. Gunn can then file the deeds. Mr. DeNave noted that he has reviewed and approved the metes and bounds description.

Mr. Montague made a motion to approve the extension time for Ms. Gunn to July 31, 2011. Mrs. Favate seconded the motion. A voice vote was taken. The motion was unanimously approved.

Applications

Homemade Pizza Company – Waiver of Site Plan in Connection with a Change of Permitted Use for property located at 258 Main Street, Block 63, Lot 4. The first floor commercial space is currently unoccupied.

Gary Haydu, Esq., came forward, representing the Homemade Pizza Company.

Joanna Kolakowski, Director of Architectural & Development for Homemade Pizza, was sworn in to testify. She testified that she has visited 258 Main Street on several occasions. Homemade Pizza would like to occupy that site.

At Mr. Haydu's request, Ms. Kolakowski gave the history of Homemade Pizza. This company's pizzas are all natural, no preservatives used. Local food vendors will be solicited. She described the process of making the pizza for a customer. Clear wrap, not boxes, will cover the finished product. There will be no cooking done on the premises. Customers will take their pizzas home and bake them. Ice cream in containers, frozen cookies will also be for sale. Salads, made to order, will be for sale.

Ms. Kolakowski described how Homemade Pizza's delivery process will work. This store will employ 8 people altogether. On any given shift, four employees, including the store manager, will be working. The hours of operation will be 1 p.m. to 9 p.m. No eating will be allowed on the premises. Ms. Kolakowski testified that the deliveries to customers will be done by a contractor who will be hired on an as-needed basis. A parking space will not be needed for this delivery person.

Ms. Kolakowski testified to the municipal parking areas which customers can use. She stated that all the food deliveries to the stores will be made between 4:30 a.m. and 6 a.m. The vendors will be given a key to the store. The floor plan for this store has been submitted to the Board.

Signage and lighting was discussed by the Board and the applicant. Both items will comply with the ordinance. No structural changes will be made to the building's façade.

Mrs. Favate asked about parking arrangements for employees. Ms. Kolakowski explained that the employees will be high school or college students who will either use public transit or will be dropped off.

Councilman Harris asked what the use classification would be for this store. Mr. DeNave answered that Homemade Pizza is classified as an eating and drinking establishment, which is permitted in this particular zone.

Mr. Crater asked Mr. DeNave what role the Board of Health would play in this application. Mr. DeNave answered that Homemade Pizza will have to obtain the usual

Board of Health license. The Board of Health will inspect the premises once a year, perhaps more.

Mr. Montague pointed out that there are apartment dwellers living above the store. He asked that the vendor deliveries be made **after** 6 a.m., not 4 a.m. Ms. Kolakowski agreed with this request.

Mr. Mitchell asked for information on the number of orders and their source. Mrs. Kolakowski stated that currently 30% of the pizza orders arrive on-line. The rest of the orders come from customers off the street or those who phone in ahead of time and then pick up. Homemade Pizza's peak hours have been between 4 p.m. and 8 p.m.

Mr. Crater reminded Ms. Kolakowski that particular corner experiences heavily congested traffic. Parking could be very limited in the store's immediate area. Councilman Harris confirmed with Mr. DeNave that there were no parking requirements for an eating and drinking establishment in this particular zone.

Mrs. Favate made a motion to approve the Change of Permitted Use and Waiver of Site Plan for Homemade Pizza Company for the property located at 258 Main Street. Councilman Harris seconded the motion. A voice vote was taken. The motion was unanimously approved.

Pending Business

Checklists for Applications – Ordinance changes for checklists since the last meeting

Ms. Rizzuto noted that what the Board now has her second draft, after Mr. Montague's two drafts. She and Mr. Montague will meet on Friday and finalize the section numbers. They will also check to make sure the references to the ordinance sections are accurate. Ms. Rizzuto said she will have a third draft ready for the March 2nd meeting. Mr. Wagner has formatted the checklists for Ms. Rizzuto and Mr. Montague.

Sign Ordinance – Memo to Borough Council from the Board Attorney with the ordinance revised as per last few meetings

Ms. Rizzuto has not yet submitted this ordinance to the governing body. She wanted to make sure that all the comments made by the Board have been incorporated. Ms. Rizzuto then incorporated a further revision suggested by Mr. Montague regard portable real estate signs.

Mrs. Cali-Charles brought up the language regarding political signs. She noted complaints have been made about the number of political signs put up on Coleman Avenue's circle. Councilman Harris noted that the circle is one tax lot. The Board discussed the classification for this particular lot.

After further discussion, Mr. DeNave suggested language limiting one political sign per privately owned tax lot. Councilman Harris suggested the ordinance include language excepting residential tax lots from this limit. Ms. Rizzuto will incorporate that change in another draft to be reviewed at the next meeting.

New Business

Returning to a subject from the last meeting, Councilman Harris asked Mr. DeNave if he has formulated a definition between “small retail” and “large retail”. Mr. DeNave said he hasn’t worked on that yet. This matter will be re-visited at the next meeting.

On another matter, Mr. DeNave reported that Mrs. Maramonte, the Building Department, has received a request from the Zoning Board of Adjustment Attorney, Alan Siegel. Mr. Siegel is requesting that the escrow fees be reviewed. Mr. Siegel felt the current escrow fees are not sufficient. He would like an increase made. Also, it takes a long time to collect those fees from applicant. Mr. DeNave said he will work with Mrs. Maramonte and see which applicants had to be seriously pursued for escrows and for what amounts. Mr. DeNave will return to the Board with recommendations.

Mrs. Cali-Charles noted that there had been a recent article in the Morris County Daily Record about the Parrot Mill/TriCare litigation. The article stated that Chatham Borough had hired a private investigator in this matter. Mrs. Cali-Charles wanted to put it on the record that, to her recollection, this hiring was never discussed at a Planning Board meeting. She did not vote for this hiring, or the amount of money to pay this investigator. Councilman Harris noted that the litigation is being managed by the Borough Council.

At 8:30 p.m. the Board went into Closed Session to interview a Planner candidate.

At 9:20 p.m. the Board returned to Open Session.

At 9:21 p.m. the meeting adjourned.

The next Planning Board meeting will be on Wednesday, March 2, 2011, 7:30 p.m., Chatham Municipal Building.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

