

CHATHAM BOROUGH PLANNING BOARD
 August 15, 2012 7:30 p.m.

In Chairman Richard Crater’s absence, Board member H.H. Montague called the Chatham Borough Planning Board meeting of August 15, 2012 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.

Name	Present	Absent
Chairman Richard Crater		x
Mayor Bruce Harris	x	
Council Member Victoria Fife	x	
Donna Cali-Charles	x	
Vincent DeNave	x	
John Bitar	x – arrived 7:32 p.m.	
Susan Favate		x
H.H. Montague	x	
Joseph Mikulewicz	x – arrived 7:33 p.m.	
James Mitchell		x
Matthew Wagner	x – arrived 7:35 p.m.	
Vincent K. Loughlin, Esq.	x	
Dr. Susan Blickstein	x	

Open to the Public

Bill Tackaberry, 21 Vincent Street, came forward. He stated he was present to discuss the proposed ordinance to amend provisions relating to the B zones.

Mr. Tackaberry expressed concern about a possible increase of lot coverage in the B-1 district. More impervious coverage may create drainage issues in that district. Dr. Blickstein explained that what is being recommended in the proposed ordinance is consistent with conditions that are prevailing. The addition of building coverage will ensure that not all the impervious coverage goes just to buildings and not parking.

Dr. Blickstein explained how the parking standards will be calculated for the B zones buildings. Mr. Tackaberry noted that a majority of local businesses have parking problems. He asked how the re-calculations being recommended will help these parking problems. Dr. Blickstein pointed out that much depends on what business uses are being proposed. Uses that have high parking requirements must use some of their lot coverage to accommodate their parking. Their buildings will then have to be adjusted to fit enough parking. The analysis will help these businesses determine what will fit and not fit, and to determine whether a parking variance is needed. Mayor Harris stated that the net result of these amended conditions was not intended to relax the parking requirements.

After further discussion, Mr. DeNave and Dr. Blickstein offered to review with Mr. Tackaberry some recent applications. They suggested Mr. Tackaberry make an

appointment with them to review the calculations that had been made with regard to the parking.

Adoption of Minutes

The meeting minutes of July 18, 2012, the second draft, were approved as submitted.

Application

221 Main Street, LLC

221 Main Street

Extension of Resolution #PB-2008-26

Barry Osmun, Esq., attorney for 221 Main Street LLC, came forward. Mr. Osmun stated that he was present tonight to seek an extension of the Board's approval of 221 Main Street LLC's application heard on July 14, 2008. At that time, the applicant was proposing to remove the existing building at 221 Main Street and construct a new building composing of two stories above ground.

Mr. Osmun reviewed pertinent language from Section 52 of the Municipal Land Use Law and the Permit Extension Act. He asked for a two-year extension starting on January 1, 2013.

Board Attorney Loughlin noted that there had been time-sensitive conditions in the original resolution. Mr. DeNave recalled that the existing diner was to be removed at the Borough's expense. He also recalled there had been parking issues that needed to be resolved between the applicant and the Borough.

Attorney Loughlin recommended that the applicant be entitled to a one-year extension. The applicant can then return after the one year extension expires and seek another extension, if need be. Attorney Loughlin felt that the extension request was justified since no significant changes have been made to the plans nor were any changes made in the conditions of the use.

Mr. DeNave made a motion to approve the one year extension to 221 Main Street LLC as allowed by the Municipal Land Use Law. Mr. Montague seconded the motion. A roll call vote was taken:

Mayor Harris	-	yes
Council Member Fife	-	yes
Mrs. Cali-Charles	-	yes
Mr. Montague	-	yes
Mr. DeNave	-	yes
Mr. Bitar	-	yes
Mr. Mikulewicz	-	no
Mr. Wagner	-	yes

Resolutions

Application PB #12-06

Berkeley Business Concepts, LLC (Yo-Lotta-Love Yogurt Store)

258 Main Street

Block 63, Lot 4.01

Attorney Loughlin briefly summarized Application PB #12-06 which was heard at the July 18, 2012 Board meeting. He also reviewed the conditions which Berkeley Business Concepts agreed upon. A roll call vote was taken to approve this resolution for PB #12-06:

Mayor Harris	-	yes
Councilwoman Fife	-	yes
Mrs. Cali-Charles	-	yes
Mr. DeNave	-	yes
Mr. Montague	-	yes
Mr. Mikulewicz	-	yes
Mr. Wagner	-	yes

Application PB #12-07

The Whimsical Way, LLC (Children's Parties/Retail)

14A Roosevelt Avenue

Block 53, Lot 33

Attorney Loughlin briefly summarized Application PR #12-07 which was heard at the July 18, 2012 Board meeting. A roll call vote was taken to approve this resolution for PB #12-07:

Mayor Harris	-	yes
Council Member Fife	-	yes
Mrs. Cali-Charles	-	yes
Mr. DeNave	-	yes
Mr. Montague	-	yes
Mr. Mikulewicz	-	yes
Mr. Wagner	-	yes

Ordinance #12-13

Attorney Loughlin referred the Board to Ordinance #12-13 – an Ordinance of the Mayor and Borough Council, amending and supplementing Chapter 165, Land Development Regulations, of the Borough Code. He asked that the Board vote to memorialize this recommended ordinance which contains amendments which the majority of the Board believed were consistent with the Master Plan. A roll call vote was taken:

Mayor Harris	-	yes
Council Member Fife	-	yes
Mrs. Cali-Charles	-	yes
Mr. DeNave	-	yes
Mr. Bitar	-	yes
Mr. Wagner	-	yes
Mr. Mikulewicz	-	abstained

Application Checklist

Attorney Loughlin gave a brief recap on what has been done. He reviewed what was considered a “valid” application. A valid application is not necessarily deemed a complete application. Attorney Loughlin recommended that the Board secretary or another designee control this particular process of determining completeness. Attorney Loughlin reviewed his recommendations for the intake process for application.

Attorney Loughlin reported that the new checklist requires core information which must be submitted for applications. He reviewed the different levels of applications. Checklist “C” will have to be dealt with by professionals – architects, engineers, etc. Checklist “C” also includes Waivers of Site Plan. If an applicant is seeking a Waiver of Site Plan, he must give specific reasons why.

Attorney Loughlin stated that he made a sincere effort to try and keep the application checklist simple except for major subdivisions and site plans. A formal discussion will be held in the future. Dr. Blickstein and Attorney Loughlin reviewed which applications in Checklist A required public notices.

Attorney Loughlin and Mr. Montague discussed including Conceptual Hearings for Checklist C.

Attorney Loughlin thanked Dr. Blickstein and Mr. DeNave for their assistance with this checklist work.

New Business

Mr. DeNave reported that hopefully the Hamilton Apartment Complex will present their proposed parking plan at the Board’s September 5th meeting. Some further documentation has been requested by Mr. DeNave. Also, an application may be presented on that night for 37 Main Street.

At 9:20 p.m. the meeting adjourned.

The next Planning Board meeting will be held on Wednesday, September 5, 2012, 7:30 p.m., Council Chambers, Chatham Municipal Building.

Respectfully submitted:

Elizabeth Holler

Elizabeth Holler
Recording Secretary