

CHATHAM BOROUGH PLANNING BOARD
July 18, 2012 7:30 p.m.

Chairman Richard Crater called the Chatham Borough Planning Board meeting of July 18, 2012 to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Crater announced that all legal notices have been posted for this meeting.

Name	Present	Absent
Mayor Bruce Harris	x	
Chairman Richard Crater	x	
Council Member Fife	x	
Donna Cali-Charles	x	
Vincent DeNave	x	
John Bitar		x
Susan Favate	x – arrived at 7:45 p.m.	
H.H. Montague	x	
Joseph Mikulewicz	x	
James Mitchell	x	
Matthew Wagner	x	
Vincent K. Loughlin, Esq.	x	
Dr. Susan Blickstein	x	

Open to the Public

No one came forward.

Adoption of Minutes

The minutes of June 20, 2012 were approved as amended. Council Member Fife abstained from voting because she was not a Board member at the time.

Resolution

Application PB #12-05
Chatham Gateway, LLC
47 Main Street

Glenn S. Pantel, Esq., attorney for Chatham Gateway, LLC (KinderCare) came forward.

Board Attorney Loughlin reported on the revisions to the resolution that he and Mr. Pantel had worked on. Eight items needed clarification. Additional language also needed to be inserted.

Among the items discussed was the public usage of the Parrott Inn structure. Language was modified for the fence.

On other matters, Mr. Pantel felt that if there was no charge for the usage of the structure, the condition of the structure may eventually suffer. Mr. Pantel requested that some

reasonable controls be put in place for community groups wanting to use the Inn structure. Perhaps a user fee should be instituted. Mr. Pantel agreed with Mayor Harris suggestion that the Borough should be the entity to schedule the meetings of civic groups at the Inn structure. Mr. Pantel inserted agreed upon language into the resolution about the usage of the Parrott Mill structure subject to a mutual acceptable agreement between the Borough and the applicant.

Mr. Loughlin brought up Mr. DeNave's suggestion that a police officer be on site when the KinderCare facility begins its operation. Mr. DeNave agreed with Mr. Loughlin's suggested language for this traffic safety issue.

Mr. Loughlin reviewed the language Mr. Pantel asked for with regard to the Affordable Housing fees for commercial use. Dr. Blickstein gave her views on this matter.

Mr. Montague made a motion to approve the Resolution for Application PB #12-05 for Chatham Gateway, LLC, 47 Main Street, with the modifications agreed on tonight. Mrs. Cali-Charles seconded the motion. A voice vote was taken of all members present. All Board members voted aye, except for Chairman Crater, Council Member Fife, and Mrs. Favate who abstained. These Board members abstained because they were absent from one or more hearings for this application.

Applications

Application PB #12-06

Berkeley Business Concepts, LLC (New Yogurt Shop)

258 Main Street

Block 63, Lot 4.01

Gary Haydu, Esq., attorney for the applicant came forward.

Mr. DeNave noted that this application was advertised as a Site Plan application with a variance for parking. Mr. DeNave stated that he had not contacted Mr. Haydu before the applicant's notice was made. Mr. DeNave said after he consulted with Dr. Blickstein, it was determined that this application could be heard as a Waiver of Site Plan.

Anthony LaSalle, a representative of Berkeley Business Concepts, was sworn in to testify.

Mr. LaSalle testified that this frozen yogurt business will be self-serviced. He explained the process a customer would follow. The customer will have his completed cup of yogurt weighed at the end of the process, pay for his cup, and sit down or take it out.

Mr. LaSalle stated that somewhere between 17 and 20 seats will be provided. The average stay for a customer is for an average of 15 minutes. There will be trash containers located inside the store. The applicant is willing to purchase a Borough

approved trash container for outside the store. Employees will be instructed to keep the inside and outside of the premises clean at all times.

Mr. LaSalle discussed the municipal parking available for customers. The applicant is looking into purchasing Borough permits for the managers. He reviewed the different work shifts. The store hours will be Monday through Thursday, will be 11 a.m. to 10 p.m. Fridays and Saturdays the hours will be 11 a.m. to 11 p.m. On Sundays the hours will be 11 a.m. to 10 p.m. Mr. LaSalle reviewed the schedules of the supply deliveries. Gourmet soup may be offered in the winter months. The employees, not the customers, will serve the soup.

Dr. Blickstein confirmed with Mr. LaSalle that this yogurt business is independently owned. It is not a franchise.

The Board and Mr. LaSalle further discussed the outside trash receptacles for this business. Mr. DeNave felt that additional removal may be needed for this business. He recommended the staff be instructed that when their trash receptacles are full to capacity, particularly on weekends, they should empty them and store them in bags for the next pick-up. A dumpster can be installed at the rear of the building. A service door will be located at the side of the store on Center Street.

Mrs. Cali-Charles and Mr. LaSalle discussed the coffee service that the yogurt business will provide. Coffee will not be a major item on the menu. Aside from the soup, there will be no hot cooking on the premises.

The Board and Mr. LaSalle discussed the lighting for the store, particularly for the signage. Mr. LaSalle said the store will follow whatever the Borough requires for lighting.

Mr. LaSalle stated that the name of the business is “Yo-Lotta- Love”.

Regarding permanent signage, Mr. Haydu stated that the permanent sign rendering for over the front window is being worked on. It is not complete yet. The sign will comply with all the municipal requirements and will not need a variance.

There were no questions or comments from the public on this application.

Mr. Montague made a motion to approve the Waiver of Site Plan for Berkeley Business Concepts, LLC (Yo-Lotta-Love) to operate at 258 Main Street, Block 63, Lot 4.01, with the condition that a Borough trash receptacle be provided outside and emptied when it is full. Mrs. Favate seconded the motion. A voice vote was taken. All Board members present voted aye.

Application PB # 12-07
The Whimsical Way, LLC (Children’s Parties/Retail

14A Roosevelt Avenue
Block 52, Lot 33

The following were sworn in to testify:

Carolyn Rehm

Emily Rehm

Both Rehms were the applicants proposing The Whimsical Way. Emily is Carolyn's daughter.

Emily Rehm testified that The Whimsical Way will be running children's parties. A small boutique of specialty toys in this store unit is also being proposed. She clarified that the food for the parties will be brought in and will only be available for party attendees. The maximum number of children at these parties would be 20 to 25. Part-time employees will help out at these parties.

Emily Rehm testified that the Whimsical Way's boutique will operate Wednesday through Sunday, 11 a.m. to 6 p.m. Parties will probably be scheduled for Friday evenings and weekends. The boutique will operate at the front of the store unit. A door will separate the boutique and the party area. The latest children's party would end at 7 p.m. The Board asked for testimony on the parking situation.

John Boyle, of Townsquare Partners, was sworn in to testify. Mr. Boyle will be the applicant's landlord should the application be approved. Mr. Boyle testified that the parking will be allocated in their lease based on a percentage share of the William Pitt Townsquare's parking. Mr. Boyle estimated that 6.7 parking spaces will be available for The Whimsical Way.

Carolyn Rehm submitted Exhibit A-1, the printed signage being proposed. Customers will be entering at the rear of the store unit.

Mrs. Favate made a motion to approve the Waiver of Site Plan for The Whimsical Way, LLC to operate at 14A Roosevelt Avenue. Mayor Harris seconded the motion. A voice vote was taken. All Board members present voted aye.

Discussion

Review for Recommendation to Mayor and Council

Ordinance for B Zone Amendments

Dr. Blickstein noted that the draft ordinance before the Board tonight is not different from the last draft, except for the B-6 District. The B-6 District has been re-inserted in sections where it had previously been deleted.

Mr. DeNave reported that he had met with the property owners in the B-6 District. These property-owners would like to come before the Board at a future date to make the argument that their properties belong in the B-4 District.

Mrs. Favate made a motion giving the Board's approval that this amendment is consistent with the Master Plan and the Master Plan Re-examination Report and to forward this approved amendment recommendation by resolution on to the Borough Council for their consideration. Mr. Mitchell seconded the motion. A voice vote was taken. All Board members present voted aye, except Mr. Montague and Mr. Mikulewicz. Mr. Montague voted no. Mr. Mikulewicz abstained from voting because he was absent from the discussion.

Application Checklist

Attorney Loughlin reported that since the Board meeting of June 20th, the Checklist committee has held two meetings. By the end of the month, Attorney Loughlin will have the revised application form, the processing forms, and the Checklist A through F submitted to Mr. DeNave and Dr. Blickstein. After their review, these documents will be returned to the Planning Board to discuss at a September meeting.

New Business

Mr. DeNave informed the Board about a future application concerning proposed additional parking at the Jefferson and Hamilton Apartment complexes on Main Street. Board members will be receiving a whole new package on this application.

Mr. Crater asked Mr. DeNave to inform the applicant that this case will be heard at the September 5th Planning Board meeting.

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

Respectfully submitted:

Elizabeth Holler

Elizabeth Holler
Recording Secretary