

CHATHAM BOROUGH PLANNING BOARD
June 6, 2012 7:30 P.M.

In Chairman Crater's absence, Vice Chair Susan Favate called the Chatham Borough Planning Board meeting of June 6, 2012 to order at 7:35 p.m. in the Council Chambers, Chatham Municipal Building. Mrs. Favate announced that all legal notices have been posted for this meeting.

Name	Present	Absent
Mayor Bruce Harris	X	
Chairman Richard Crater		X
Councilman Collander		X
Donna Cali-Charles	X	
Vincent DeNave	X	
Joseph Mikulewicz	X	
John Bitar	X	
Susan Favate	X	
H.H. Montague	X	
James Mitchell	X	
Matthew Wagner	X	
Vincent J. Loughlin, Esq.	X	
Dr. Susan Blickstein	X	

Open to the Public

No one came forward.

Adoption of Minutes

The meeting minutes of May 2, 2012, second draft, were approved as submitted.

Application PB #1105

Chatham Gateway, LLC – KinderCare (child care center)

47 Main Street

Block 129, Lot 5

This is the second hearing on this application, which began on May 2, 2012.

The following were present:

Glenn Pantel, Esq., attorney for the applicant.

Alfred Coco, engineer for the applicant.

Gary Dean, traffic consultant for the applicant

Robert Brightly, engineer for the Planning Board.

Harold Maltz, traffic consultant for the Planning Board.

Mrs. Favate reviewed the material which the Board has received on this application since the last hearing.

Gary Dean, the traffic consultant for Chatham Gateway, was sworn in to testify. Mr. Dean, a principal of Dolan & Dean, Martinsville NJ, submitted his professional credentials to the Board. The Board accepted them.

Mr. Dean stated that he has prepared a traffic impact analysis for the proposed KinderCare center. Mr. Maltz, the Planning Board traffic engineer, has reviewed this analysis. Included in this analysis are traffic counts, and evaluations on traffic movements during commuter peak hours in the area of Main Street and Parrot Mill Road.

Mr. Dean reviewed how much traffic KinderCare may generate. Using the size of the proposed building yielded the most conservative traffic projection as opposed to using enrollment. Using the size of the proposed building and the existing Inn building, 72 entering vehicles were projected at peak hours in the morning, and 63 vehicles exiting. In the afternoon, the projections are almost a reverse of that pattern.

Mr. Dean stated that a forecast was done on how this facility would impact the local street system and how motorists would enter and leave the site. The original driveway scheme has now been revised. No direct left turns onto Main St. will be allowed. The impact at the traffic signal at Main St. and Parrot Mill Road. and University Place will be “virtually negligible”. The applicant has initiated the review process with the NJ DOT to receive approval to re-construct the driveway and prohibit left turns.

Mr. Dean testified that his office submitted an official response to Mr. Maltz’s letter of April 12, 2012. Dolan & Dean submitted the data requested by Mr. Maltz. Mr. Dean discussed traffic studies that his firm had undertaken for other daycare facilities, to determine the required parking.

Utilizing ITE data, Mr. Dean noted that on a given day, about 90 students could be present on the KinderCare site, yielding a requirement of 22 parking spaces. Mr. Dean stated that with 18 employees on site, the parking requirement would also be 22 spaces.

Mr. Pantel confirmed with Mr. Dean that KinderCare will produce safe entry and egress to and from the site. Mr. Dean stated that the existing traffic signal at the intersection of Main St. and Parrot Mill Road has the ability to safely process vehicles to and from the KinderCare facility.

Mr. Montague asked for information on how the parents will arrive to deliver their children to KinderCare. Mr. Dean believed, from the studies taken, that 60% of the parents would come in on Parrot Mill Road from the west. Forty per cent of the drivers may elect to come through the traffic signal and turn directly into the site itself. Mr. Dean testified that the site is designed for a two-way traffic flow. Mr. Pantel pointed out that with parents arriving at different times on the site, there will be a turnover of parking spaces.

Mr. Montague asked what would happen, with the situation of drop/off, pick-up and parking, when bad weather occurs. Mr. Dean answered that this age-group children will always be driven by their parents or caregivers day in and day out. He didn't see inclement weather increasing the traffic activity on this site.

Mrs. Favate asked about queuing and circulation on the site. Mr. Dean testified that not a great deal of queuing took place today. Mrs. Favate said she was concerned about the site's driveway being blocked by vehicles. Mr. Dean explained that the timing of the traffic signal will always favor Main Street. Parents may also choose to travel on Parrot Mill Road, not Main Street.

Mayor Harris confirmed with Mr. Pantel that the NJ DOT will have comments on whether or not to allow drivers to turn left from Main Street into the KinderCare driveway.

Mayor Harris asked how many parking spaces would improve the traffic flow on the site. Mr. Dean answered that more parking would increase the impervious area. He explained why he felt the proposed 22 spaces would be adequate.

Mr. Wagner asked about the average time for a car to turn at this particular intersection. He was concerned about a possible back-up of traffic on Parrot Mill Road, particularly the possibility of parents trying to make a left turn from Main Street onto Parrot Mill Road in the evening rush hours. A traffic back-up may occur. Mr. Dean answered that particular turn has been classified as Level B, which is between a 5 and 15 second delay. Many times it depends on how good a driver is trying to make that turn in a timely fashion.

Mr. Maltz, the traffic engineer for the Board, stated that Mr. Dean has given satisfactory answers to Mr. Maltz's questions and review of his report. Mr. Dean said he reviewed Mr. Tobia's findings on parking utilization and found them consistent.

Mrs. Favate asked if the public had any questions for Mr. Dean.

Walter Nugent, 9 Tallmadge Ave., noted that there are 22 parking spaces for KinderCare employees. How many spaces would be left for the parents when they drop off and pick up?

Mr. Dean clarified that the 18 KinderCare employees will not be present all at once on site. There will be a rotation of staff members throughout the day.

Mr. Nugent expressed concern about a possibly back-up of vehicles. He asked if parking was allowed along Parrot Mill Road.

Mr. Dean answered that parking is allowed on the westerly side of Parrot Mill Rd. A 3-hour limit is enforced. There is no parking allowed on the easterly side of Parrot Mill Road where the site is located.

Mr. Nugent asked how often the dumpsters would pick up at the KinderCare facility. What would the pick-up times be?

Mr. Pantel said another KinderCare witness will answer that concern.

Michael Tobia, the professional planner for KinderCare, was sworn in. Mr. Tobia submitted his professional credentials. The Board accepted his credentials.

Mr. Pantel asked Mr. Tobia to review the recent revisions made to the plans.

Mr. Tobia submitted Exhibit A-9, renderings requested by the Planning Board to better understand the proposed retaining wall at the back of the site and the proposed fencing.

Mr. Tobia described the tiered retaining walls now being proposed instead of the originally one solid wall. He pointed out the proposed evergreens that will buffer the walls. The proposed fence will be 6 feet high and made of black aluminum. This will replace the originally proposed chain-link fence on the site.

Also using Exhibit A-9, Mr. Tobia showed the existing Inn structure, the proposed building, the playground area, the parking lot, the screened-in dumpster area, and the new proposed signage.

Mr. Tobia submitted Exhibit A-10, a sheet showing the elevation with the new signage and fence. There will be a wall sign on the canopy. A free-standing sign will stand on Parrot Mill Road. Mr. Tobia testified that the windows of the KinderCare facility have been reduced to a residential size.

Mr. Tobia submitted A-11, proposed new sign plan. The sign panel has been made 50% smaller. He didn't feel it was very attractive.

To show a comparison, Mr. Tobia submitted Exhibit A-12. An illustration of the newly proposed KinderCare sign on Main Street. Mrs. Favate and Dr. Blickstein reviewed the dimensions and design of this new sign with Mr. Tobia. Mr. Tobia suggested, as an alternative, a brick base, a panel, and no columns. This suggestion was well received.

Mr. Tobia submitted Exhibit A-13, a revised engineering rendering by Engineer Coco, showing changes to the proposed retaining wall. Two walls are shown. The walls take a curve now, instead of a sharp angle, making the playground smaller.

Mr. Tobia summed up his presentation. He reminded the Board that child care centers are a permitted use for the B-3 zone. It would be an inherently beneficial use. KinderCare would also be an appropriate transitional use between two neighborhoods. Mr. Tobia discussed the existing front yard setback. He pointed out that Parrot Mill Road curves back into the site and affects this setback. Mr. Tobia testified that the applicant's front yard setback is "a minor departure".

Mr. Tobia brought up the maximum building size in the B-3 zone. He explained how the KinderCare facility could not meet the 2500 sq. ft. bulk regulation because of practical difficulty.

Mr. Tobia discussed the parking variance being sought. The one parking stall that was proposed for the front has now been eliminated at the request of the Historic Preservation Commission. He explained how the proposed number of parking spaces was calculated. Mr. Tobia stated that the 31 parking space requirement is a worst case conservative number that doesn't take any liberties with any other testimony.

Mr. Tobia noted that he had looked at 3 nearby daycare centers that would have comparable parking levels as the one KinderCare is proposing. He reviewed the counts he had taken of parking spaces being used at these daycare centers, at different intervals. Mr. Tobia concluded that his study showed that 90% to 95% of the time the 22 parking spaces worked fine. Isolated incidents have occurred when one or two vehicles may have to wait for a stall to free up. Mr. Tobia reported that, on an average, it took 7.8 minutes for a driver to park, drop off the child, return to the parking space and vacate the stall.

Mr. Tobia testified that the site would be able to have up to 33 parking spaces if the Inn structure was taken down. He submitted and explained Exhibit A-14, a hand-drawn alternate concept plan showing the site if the Inn wasn't standing.

Mr. Tobia testified that the applicant's parking plan will really work.

Harold Maltz, the Board's traffic engineer, had questions and comments for Mr. Tobia on his parking survey results.

Mr. Maltz recommended that the applicant consider, if the application is approved, a condition of no more than 88 children on the site at any one time. That enrollment would equal 70% occupancy. Mr. Pantel said the applicant will take that recommendation under advisement.

At 9:40 p.m. a break was taken in the meeting.

At 9:55 p.m. the meeting resumed.

With regard to circulation, Mrs. Favate asked about school buses using the site after school. Will there be a turning radius and room for the queuing of buses?

Mr. Tobia answered that he wasn't aware of school buses being on the site. There will be an occasional use of vans to pick up children.

Dr. Blickstein asked how KinderCare will use the existing Inn structure.

Mr. Tobia answered that KinderCare will probably not use the Inn structure. Their administrative area will be located in KinderCare's main building. He reviewed the improvements KinderCare will make on the Inn structure.

Mrs. Favate asked what type of maintenance KinderCare will undertake for the Inn structure. Mr. Tobia assured her that KinderCare has a good reputation for taking care of all buildings they own.

There were no questions for Mr. Tobia from the public.

Matthew Taylor, Operations Manager for KinderCare, came forward. He remained under oath from the previous hearing.

In answer to a resident's earlier question about trash pick-up, Mr. Taylor stated that typically the dumpsters will be emptied out at mid-day. Answering Mr. Wagner's question about the KinderCare's service door facing Main Street, Mr. Taylor said only small deliveries will be received through that door.

Mr. Taylor testified that he was comfortable with KinderCare's site design. Mr. Taylor agreed to a condition, if the application was approved, that KinderCare would address any traffic problem that may come up, post-occupancy.

Mr. DeNave asked if KinderCare would be willing to pay for a Borough police officer to be present at the KinderCare facility for the first couple of weeks of operation. The officer could both observe and help with traffic flow. Hopefully the police officer could catch any traffic problems during peak times early on. Mr. Taylor agreed with this arrangement.

Mr. Taylor confirmed Mr. Tobia's statement that KinderCare will not be using the Inn structure; however, KinderCare will maintain the building. Mr. Taylor and Mr. Pantel agreed to a condition that the Inn structure will not be sub-leased to a third party.

At Mayor Harris's suggestion, Mr. Taylor and Mr. Pantel agreed to a general condition that KinderCare will explore options for community use after hours at the Inn building.

Board Attorney Loughlin stressed that the Borough expects the Inn building to be preserved. He recommended a deed restriction be put in place regarding the renovation. Mr. Pantel agreed to this deed restriction.

Mrs. Favate noted that KinderCare had testified earlier that special needs children will be accommodated. How will that be done? Mr. Taylor answered that the proposed facility will be fully ADA compliant. He pointed out that he wasn't qualified to speak on what exact programs are planned for special needs children on the site. KinderCare's playground is required to be handicap accessible.

Mr. Brightly, the Board's engineer, and Mr. Taylor further discussed the proposed playground. Field turf will be used more than concrete. The applicant will comply with impervious coverage regulations.

There were no questions from the public for Mr. Taylor.

Mr. Pantel gave his summation of the application and asked for the Board's approval.

Board Attorney Dwyer reviewed all the conditions agreed upon by KinderCare, should the application be approved.

Among the listed conditions, Mayor Harris asked that the revised architectural plans be submitted to the Historic Preservation Commission for review. Mr. Pantel agreed to that condition.

Mr. DeNave made a motion to approve the application of Chatham Gateway, LLC (KinderCare) for Preliminary and Final Site Plan Approval with all the conditions that were outlined by Attorney Loughlin. Mr. Montague seconded the motion. A roll call vote was taken:

Mrs. Cali-Charles	-	yes
Mr. DeNave	-	yes
Mr. Bitar	-	yes
Mr. Mikulewicz	-	yes
Mr. Montague	-	yes
Mr. Mitchell	-	yes
Mr. Wagner	-	yes
Mayor Harris	-	yes

Mrs. Favate abstained from voting because she was absent from the first hearing and did not listen to the tape.

Discussion

221 Main Street – Extension

Attorney Dwyer reported that he had received a phone call from Barry Osmun, Esq., the attorney for 221 Main St. Mr. Osmun asked if the Planning Bd. had a policy for extending approvals. Mr. Osmun informed Attorney Loughlin that the application dates back to 2008. Attorney Dwyer asked Mr. Osmun why this application was never acted upon. Mr. Osmun answered that there were a variety reasons.

Attorney Loughlin noted that Board members should have copies of Mr. Osmun's May 14, 2012 letter responding to his questions.

Attorney Loughlin asked for the Board's permission to request Mr. Osmun to return to the Board to seek a formal extension. Notice should be made to the nearby property owners. Mr. Osmun should appear before the Board and explain what has transpired, if

anything, on this application and property. The Board can then decide whether an extension can be granted.

A voice vote was taken by the Board giving Attorney Loughlin permission to request Mr. Osmun to come before the Board to discuss this extension for 221 Main Street. All Board members present voted aye.

On other matters, Mr. DeNave noted that renovation is taking place at 258 Main Street. This renovation work has nothing to do with the yogurt business which is proposing to use that store. The yogurt business still has to come before the Planning Board with a full site plan.

At 10:50 p.m. the meeting adjourned.

The next Planning Board meeting will be held Wednesday, June 20, 2012, 7:30 p.m., in the Council Chambers, Chatham Municipal Building.

Respectfully submitted:



Elizabeth Holler
Recording Secretary