

CHATHAM BOROUGH PLANNING BOARD  
 May 15, 2013 7:30 p.m.

Chairman Susan Favate called this Chatham Borough Planning Board Regular Meeting of May 15, 2013 to order at 7:40 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	
Council Member Fife	X	
Chairman Susan Favate	X	
Vincent DeNave	X – arrived 7:45 p.m.	
Matthew Wagner	X	
Donna Cali-Charles	X	
H.H. Montague	X	
James Mitchell	X	
John Bitar		X
Joseph Mikulewicz		X
Richard Crater		X
Vincent J. Loughlin, Esq.	X	
Dr. Susan Blickstein	X	

Open to the Public

A member of the audience asked if the subdivision application for 51 Summit Avenue would be heard tonight. Chairman Favate answered no. Dr. Blickstein said there was a problem with the notice handled by the applicant. A new notice will be sent giving the new hearing date.

Adoption of Minutes

The minutes of April 17, 2013 were approved as submitted. Mayor Harris and Mr. Mitchell abstained from voting because they were absent from that meeting.

Resolution

There were none.

Pending Business

M District Draft Report

Dr. Blickstein discussed her first draft of land use policy language that the subcommittee had been working on regarding the M-1 and M-3 Districts.

She noted that “The New Goal #10” will amend the Borough’s Master Plan as it currently exists for the M Districts.

Dr. Blickstein stated that the overall focus of this project is to provide greater flexibility in terms of non-residential development and to modernize the mix of standards and mix of uses, and what is permitted in these districts.

Council Member Fife pointed out that a person has to walk, not drive, River Road to get an honest feel of what’s going on in that section. Walking behind the River Road buildings appear to be wasted space. The function of certain buildings at the very end of Bonnell Street doesn’t seem clear.

Dr. Blickstein noted that it’s been a long time that industrial zones, not just in Chatham, have been evaluated from a zoning and planning perspective. The current uses in the Borough’s M Districts are very limited. Dr. Blickstein advised that a vision be set to allow these districts greater flexibility and more uses. Dr. Blickstein gave her views regarding the “Gateway Section” – where River Road and Watchung Ave. intersect. There are some environmental concerns in that section.

Dr. Blickstein found that the lots on Commerce Streets are very small. There are a number of auto repair uses that aren’t allowed by current zoning. Summit Avenue could become a secondary Gateway. Dr. Blickstein suggested the Borough develop a nice loop north of Commerce Street, for pedestrians to access the commercial area and walk along the river.

Mr. Montague pointed out the problem of front yard parking on River Road. Dr. Blickstein said she had put some standards in her report that would give direction to request future businesses to have side yard parking, rear parking, and to provide a buffer.

Mr. DeNave noted that there are a number of properties for sale in the River Road section. A number of properties have been both on and off the market. He pointed that some potential buyers do not want to go before the Board of Adjustment. Also, some of those properties have environmental clean-up issues.

Mr. DeNave discussed the zoning reviews that have been going on for the last few months regarding the industrial areas. There are currently uses existing in the M Districts that were never officially permitted. The Fire Inspector has visited a number of buildings in those districts to identify what is actually going on. Additions have been put on buildings without permits. Illegal residential is also going on in those districts. The outdoor storage situation needs to be re-visited.

Mr. DeNave reported that he has met with some of the businesses in that section of town. Surprisingly enough, these businesses owners were comfortable with current conditions down there. “It works” for them.

Dr. Blickstein added that some of the business owners had expressed an interest in putting in sidewalks, welcoming more pedestrians to the area. Streetscape components would give that area a sense of identity. Dr. Blickstein felt there had been some conflicts among the Commerce Street business owners between the existing uses and the newer uses.

Answering Mr. Montague's inquiry, Mr. DeNave reviewed who owned the power line properties and what currently goes on at those properties. For the most part, those power lines have easements. JCP & L, for the last 10 to 15 years, have retained easements to keep their power lines in place.

Mayor Harris pointed out that he has received a notice from the City of Summit that Merck will be operating near-by at the old Ciba-Geigy location on Morris Avenue. Mr. DeNave pointed out other uses that Summit has allowed close to the Chatham border. Dr. Blickstein said she would reach out to Summit's planner on these matters.

Dr. Blickstein encouraged Board members to e-mail any comments regarding the M Districts to Council Member Fife by the end of this month.

Dr. Blickstein reviewed the height issues for the M Districts.

Dr. Blickstein noted to Chairman Favate that after all Board comments have been received, the amendment to the Master Plan regarding the M-Zones will need a public hearing. The Planning Board will have to publish a notice in accordance with the MLUL provisions for Master Plan adoption. The county and all neighboring towns need to receive this notice. The amendment will have to be made available to the public in the Borough Clerk's office.

Board members and Dr. Blickstein discussed the possibility of allowing apartments on the second stories of permitted non-residential uses in the industrial districts. Dr. Blickstein felt this arrangement may not work for Commerce Street.

Mayor Harris pointed out that in the past, Planning Board hearings receive little public attention. He suggested the Board, in some way to reach out to the business owners in the M Zones. Dr. Blickstein discussed the possibility of holding a joint Planning Board and Council Meeting for a presentation. Mayor Harris suggested that notices be sent to the business owners in the M District.

Dr. Blickstein and the Board members noted that this wouldn't be a formal hearing. She explained how a workshop could be held. A hand-out could be given out in the beginning.

Mrs. Cali-Charles pointed out that cleaning up the M Districts are a good idea; however, where will the auto-shops, lawn mower repair shops tattoo parlors, etc. be allowed to set up.

Mr. DeNave said the vision is not to change Commerce Street all that much with regard to auto-repair shops, lawn-mower repairs, etc. He envisioned the big change to be for the Gateway section – where River Road and Watchung Avenue meet. However, the infrastructure has to be improved. Dr. Blickstein noted the analyses that would have to be done on waste water management, storm water management, community impact generation, etc.

Mr. DeNave noted that DeFalco's towing business, from Commerce St., will be coming before a future Zoning Board of Adjustment meeting.

Dr. Blickstein and the Board decided the tentative date for the M Districts M-1, M-3 workshop meeting would tentatively be July 17<sup>th</sup>. Mayor Harris recommended the meeting start at 6 p.m.

#### Porticos

Mr. DeNave noted that when the Board looked at FAR about two or three years ago, porticos were incorporated. Twenty-five square feet of portico was to be excluded from the FAR calculations. Unfortunately, this decision failed to accommodate the building coverage component. Mr. DeNave recommended that the Board should relieve the requirement of building coverage to allow for 30 sq. ft. for porticos. Mr. DeNave said he wanted to provide more of a buffer. The porticos won't be allowed to go beyond the existing steps. If the homeowner proposes to go beyond the existing steps, they must seek a variance.

Dr. Blickstein recommended that this amendment be put in the yard exemption section, not the definition section of the LDO.

Mayor Harris asked who will come up with the language for this amendment. Mr. DeNave offered to do the appropriate diagrams for this concept so that Dr. Blickstein and Attorney Loughlin can draft the language.

On other matters, the Board discussed what date the subdivision application for 51 Summit Avenue will be heard. Dr. Blickstein indicated that she was not available for the June 5<sup>th</sup> meeting. The Board decided to schedule the hearing for Wednesday, June 19<sup>th</sup>. If a second hearing is needed, it could be continued to Wednesday night, July 3<sup>rd</sup>.

On another situation, Mr. DeNave asked Attorney Loughlin if he had reached out to Attorney Pantel regarding the Chatham Gateway matter. Attorney Loughlin will request that Attorney Pantel put all specific requests in writing and address it to Mr. DeNave and the Planning Board. A very important condition is at stake here. Mr. DeNave said he will reiterate that request if he sees the property owner.

Mr. Montague reported on the Zoning Board of Adjustment meeting held on April 24, 2013.

At 8:40 p.m. the meeting adjourned.

The next Planning Board meeting will be held on Wednesday, June 5, 2013, 7:30 p.m., Council Chambers, Chatham Municipal Building.

Respectfully submitted:



Elizabeth Holler  
Recording Secretary