

CHATHAM BOROUGH PLANNING BOARD

July 2, 2008

7:30 p.m.

Chairman H.H. Montague called the Chatham Borough Planning Board meeting of July 2, 2008 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.

Members Present:

Mayor V. Nelson Vaughan, Vincent DeNave, John Hague, John Bitar, Donna Cali-Charles, Councilman Bruce Harris*, Chairman H.H. Montague.

*arrived at 8:40 p.m.

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

Members Absent:

Alison Pignatello, Thomas Sennett, Alan Pfeil, James Mitchell.

Mr. Montague announced that there will be no television recording made of tonight's meeting. The recording device for Channel 21, which was damaged in a recent electrical storm, still needs to be repaired.

Approval of Minutes

The meeting minutes of April 9, 2008 were approved as amended. Mayor Vaughan and Mrs. Cali-Charles abstained from voting.

Planning Board Meeting of June 11, 2008 & Minutes

Mr. Montague explained that an electrical storm on the night of June 10th struck and damaged all the recording devices at Borough Hall. Unfortunately, the following night, when the Planning Board meeting of 6/11/08 was held, the extent of the damage wasn't known. The recording secretary's machine was lit up; however, no recording was made.

Ms. Rizzuto reviewed what transpired at the June 11th meeting. She recommended that the Board rely on the Recording Secretary's notes for all of the miscellaneous business handled that night; however, 221 Main Street had presented their new plans that night. Ms. Rizzuto notified Barry Osmun, Esq., the attorney for 221 Main Street, informing him that his client's hearing had not been recorded that night. Mr. Osmun sent her a letter, on behalf of 221 Main St., agreeing not to re-present the hearing to the Board; however, if someone actually appeals this application within the 45 days, the hearing will have to be done all over again.

Mr. Hague suggested Ms. Rizzuto send a letter to Joe Bell, the Borough Attorney, explaining the recording problem for the June 11th meeting and attach a copy of Mr. Osmun's letter.

Resolution appointing Board Engineer

Ms. Rizzuto reviewed Resolution #PB-2008-25, the Resolution approving the appointment of John E. Hansen, P.E., of Ferriero Engineering, as Planning Board Engineer for the remainder of this calendar year, ending on December 31, 2008. The resolution also approves the execution of the contract for Mr. Hansen's services.

Mr. Bitar made a motion to approve Resolution #PB-2008-25, seconded by Mr. DeNave. A voice vote was taken. The resolution was unanimously approved.

Resolution for 221 Main Street, L.L.C. – Revision of Plans

Ms Rizzuto reported that the resolution is not ready yet. She is still working on it; however, she has received revised plans that she would like to have on record. Ms. Rizzuto will try and have the resolution ready by next Wednesday after the applicant's attorney has a chance to review it. Borough Attorney Joe Bell will also receive a copy to review. The applicant has agreed to waive the fact that there is no tape recording for his hearing held on 6/11/08. Mr. DeNave reviewed what engineering revisions were made to the plans. Ms. Rizzuto will try and have a draft of the resolution to e-mail to Board members by Monday.

Open to the Public

There were no comments from the public.

Going into Closed Session

Mr. Montague stated that the Board will go into Closed Session to discuss the following matters:

- 1) Cougar Field
- 2) The professional planner for the Board
- 3) Romano application - litigation

A motion was made/seconded that the Board go into Closed Session for the above stated matters. The motion was unanimously approved by voice vote.

At 8:10 p.m. the Board went into Closed Session.

After the Closed Session, the Board took a short recess.

At 9:25 p.m. the public portion of the meeting began.

Mr. DeNave left the meeting.

Old/New Business

By-laws – Continue Draft Review

Mr. Montague suggested this topic be postponed until more Board members are present. Councilman Harris noted that the next Section to be reviewed has to do with ethics. He asked that Ms. Rizzuto review this particular section before the Board discusses it.

Complete Checklist

Ms. Rizzuto reported on the following:

- She has received Councilman Harris's comments on the check-list dated June 3rd.
- No other comments have been submitted by Board members.
- She has consulted with Mrs. Maramonte in the Construction Office concerning escrows.
- Ms. Rizzuto said she approved of the way Parsippany NJ conducted their escrow operations. Mrs. Maramonte, in the Building Dept., agreed with this method also.
- Ms. Rizzuto noted that there will always have to be basic requirements from the MLUL which would have to be included in a checklist. This checklist has these requirements.

After the Board's discussion, Mr. Hague suggested that Ms. Rizzuto review the check-list and see what items may be omitted. Councilman Harris will also review the list.

PODS Ordinance Review

Mr. Montague believed that there should be no pods, dumpsters, trash bin allowed on Borough sidewalks. He noted that Mr. DeNave did not want pods in the public right-of-way at all.

Councilman Harris discussed at what point a pod became an accessory structure. Pods come in at least three sizes. Councilman Harris reviewed the fees he had researched for the renting of pods for their property. He noted residents get upset when pods sit on properties for extremely long times.

Mrs. Cali-Charles handed over Mr. DeNave's comments on pods to Ms. Rizzuto.

Councilman Harris suggested a "hierarchy" of specific locations be designated for pod locations. He noted that not every residence in the Borough has a driveway extending to the back of their property. Ms Rizzuto reviewed Mr. DeNave's recommendations on pods. A front yard location for a pod would be the least preferable location. The Board agreed that a 60-day period should be allowed for pods, with a 30-day extension if needed and approved. The Board discussed what entity should enforce the pod requirements. The dumpster situation in the Borough was also discussed.

The Board discussed the porta-johns. Ms. Rizzuto noted that people should not be forced to obtain permits for porta-johns. Mrs. Cali-Charles suggested that applicants be asked, when they apply for a building permit, whether or not their project needs a porta-john. Councilman Harris suggested that porta-johns could be allowed in driveways, with a certain number of feet from the curb-line. Ms. Rizzuto said she would continue drafting an ordinance for pods, dumpsters, and porta-johns.

Liaison Reports

Councilman Harris reported that the Borough Council has adopted the budget.

Mr. Bitar reported that the Environmental Commission is working on obtaining proposals on work that needs to be done on Open Space properties, such as eliminating invasive species. The Commission will also be working on a Green Fair to be held in the fall.

Mr. Montague reported that the Board of Adjustment heard no application at their last meeting held on June 24, 2008. They held a closed session on the Omnipoint case.

At 10:25 p.m. the meeting adjourned.

Respectfully submitted:

Elizabeth Holler
Recording Secretary