

CHATHAM BOROUGH PLANNING BOARD
December 14, 2010 7:30 p.m.

In Chairman Crater's absence, Board member H.H. Montague called the Planning Board meeting of December 14, 2010 to order at 7:35 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, Councilman Bruce Harris, Donna Cali-Charles, H.H. Montague, Vincent DeNave, James Mitchell, Joseph Mikulewicz*, Matthew Wagner.
*arrived at 8:30 p.m.

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

Members Absent:

Chairman Richard Crater, John Bitar, Susan Favate.

Open to the Public

Laura Silvius, Editor of Chatham Patch, introduced herself from the audience.

Adoption of Minutes

The meeting minutes of November 3, 2010 were approved as amended. Mrs. Cali-Charles abstained from voting because she was absent that night.

Resolutions

There were none.

Applications

There were none.

Pending Business

Sign Ordinance – Discussion regarding revised document from Board Member Montague
Board members discussed the definition for a sandwich board sign. Councilman Harris preferred the Webster dictionary definition rather than Mr. Montague's definition.

Regarding non-profit signs, Ms. Rizzuto noted that it was agreed by the Board that Mr. DeNave, the Zoning Official can permit these signs if they meet the regulations stated in the ordinance.

Ms. Rizzuto and Mr. Montague reviewed the requirements for political signs.

Ms. Rizzuto reviewed the new language allowing portable sandwich board signs in the business and industrial districts. Mr. Montague pointed out the new 7 sq. ft. limitation he had inserted for these types of signs. He noted that the Board has not decided on the

number of days times these particular signs will be allowed on properties. Mr. Montague said he inserted language specifying only 3 days, per lot, and 5 occasions per calendar year.

Mr. DeNave felt that this particular restriction would be very difficult to enforce. He said he had no problem with the ordinance regulating the size and locations of these portable signs, if these signs could be allowed by the Borough.

Recalling earlier discussions, Councilman Harris suggested that sandwich signs not be allowed on public property, particularly on sidewalks. If a business has a front lawn, perhaps portable signs could be allowed in that area.

Mr. Montague reminded the Board that sandwich board signs and easel signs easily blow away. They should be anchored down. Mr. DeNave noted that some businesses put easel signs in their doorways. Mr. DeNave asked that the Board decide on the allowable time span for these signs. The Board discussed the matter of anchoring sandwich board signs for safety reasons.

After further discussion, Ms. Rizzuto summed up what the Board decided on for the final draft of the ordinance, regarding portable signs such as sandwich boards or easel signs:

- One sign per lot, except for corner properties, and one per principal building
- The height of portable and sandwich signs will not exceed 3 ½ feet from the ground to the top of the sign. The width may not exceed 2 ½ feet.
- These signs must be properly secured to the ground.
- These signs will not be allowed on public property.
- These signs will be non-illuminated.

Ms. Rizzuto said the Board will take one final look at this draft ordinance in January, and then forward it on to the Borough Council.

Mrs. Cali-Charles recommended a restriction be included allowing one political sign per lot in public areas.

Ms. Rizzuto suggested inserting the language: “no more than one political sign per governmental race and other public property”. Also the following language will be included: “There will be no restriction of signs on residential lots”. Mrs. Cali-Charles accepted this language.

Checklists for Application. Revised Checklists A, B, C, D and E handed out by the Board Attorney at last meeting. Ongoing review for ordinance changes and final checklists by Board Attorney and Board Member Montague.

Mr. Montague noted that Board members should have both a red-lined checklist and an accepted checklist.

Ms. Rizzuto explained how Waiver requests in Parsippany, NJ are processed.

Mr. DeNave suggested that Mrs. Maramonte could review the basic application requirements. The Board's planner could develop the checklist requirements for major applications. Ms. Rizzuto noted that the Site Plan Waiver process should be kept simple.

Ms. Rizzuto asked that the Board decide on the matter of requiring notice for Waiver of Site Plan Change of Permitted Use application. Also, the Board should decide on requiring notice for individual property owners requesting an interpretation of a zoning ordinance, also requiring notice of an appeal of a Zoning Officer's decision. Currently the ordinance doesn't require a notice for these situations.

Councilman Harris brought up how much time and money these notifications would entail. Ms. Rizzuto reviewed what has to be undertaken when a notification is required. Mr. DeNave pointed out that the required certified mailings alone can cost \$200.

Councilman Harris noted in California, signs are posted on properties, informing the public that applications and hearings that are being held for these particular lots. Perhaps the Borough could do this type of public posting, plus notification in the newspaper.

Ms. Rizzuto suggested either the Board end their discussion on notices, and make no changes to the language; or, the Board can make a recommendation to the Borough Council. Councilman Harris and other Board members agreed to leave this language unchanged for now and work on the use definitions first.

Planner Study for Business Districts

Ms. Rizzuto noted that the revised RFPs have been given out. The responses are due December 20, 2010. Ms. Rizzuto has advised Mrs. Maramonte to get the subcommittee moving as quickly as possible.

Mr. DeNave said that he will alert the planners in neighboring towns of the RFP.

Memo from Zoning Official re: exterior lighting

Mr. DeNave noted that this regulation pertains to Section 165-78C in the LDO.

Mr. DeNave reported that he has received numerous requests from residents to take light readings of spot-lights and flood lights shining over from neighboring properties. Mr. DeNave has purchased the necessary equipment and has begun taking readings. He has found every light reading to be in violation of the ordinance. The Borough Attorney has informed him that the ordinance must be enforced the way it is written.

Mr. DeNave stated that the current exterior lighting ordinance is poorly written. He reviewed the items in Section 165-78C which need improvement. Mr. DeNave and Mr. Wagner discussed the shielding for lights. Mr. DeNave noted that the majority of complaints have to do with the inability to "front shield" a lighting fixture. Lights in eaves are illegal. Mr. DeNave reviewed the issue of exterior lighting which only operates by motion sensors. Mr. DeNave explained the glare issue that exists on properties.

Residents have complained to him that lamp-post lights on neighboring properties keep them up all night.

After further discussion, Ms. Rizzuto recommended that Mr. DeNave and the Board keep in mind what would be reasonable in this town, particularly with its elevation changes. They should see how neighboring towns are handling this situation. Ms. Rizzuto noted that with the bad economy, residents may be installing more exterior lights on their homes for security reasons.

New Business

Councilman Harris reminded the Board that the Planning Board's Reorganization meeting is January 5th. A resolution is needed from the Planning Board naming the members of the Sign Committee. A registry of volunteers can be consulted if vacancies need to be filled.

On other matters, Mayor Vaughan discussed the possibility of the Zoning Board of Adjustment merging with the Planning Board. Some municipalities have done such a merger. Councilman Harris pointed out that the members of a merged Board would be saddled with many more responsibilities and projects. Mr. Mitchell and Mr. Montague noted that temporarily there have been a very small number of applications before both Boards. This situation could change. Ms. Rizzuto agreed with this point, saying the economy may change and produce an increase of applications. The number of applications could be monitored.

Mayor Vaughan suggested a standing committee to look at the possibility of this merger.

Mr. Mikulewicz pointed out there are times when long involved applications, like proposed cell towers, can take up much of a Zoning Board meeting. Residents then have a long wait for their applications to be heard. Mr. Montague stated that the work load would be extra heavy for the volunteers on a merged Board.

Mayor Vaughan asked he will obtain more information on this idea. It will be revisited at the next meeting.

At 9:30 p.m. the meeting adjourned.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

