

CHATHAM BOROUGH PLANNING BOARD  
June 16, 2010 7:30 p.m.

Chairman Richard Crater called the Chatham Borough Planning Board meeting of June 16, 2010 to order at 7:33 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Crater announced that all legal notices have been posted for this meeting.

Members Present:

Mayor V. Nelson Vaughan, Councilman Bruce Harris, Chairman Richard Crater, John Bitar\*, Donna Cali-Charles, H.H. Montague, James Mitchell, Susan Favate, Vincent DeNave\*.

\*arrived at 7:34 p.m.

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

Members Absent: Joseph Mikulewicz

Application of School District of the Chathams – Courtesy Review of Capital Project for Milton Avenue School – parking lot concepts

Mr. Crater introduced the following:

James O’Neill, Superintendent of the School District, was present

Ralph Goodwin, Business Administrator/Board Secretary for the School District

Mr. Crater noted that Mr. O’Neill and Mr. Goodwin were before the Board tonight for a Courtesy Review of a Capitol Project. They are looking for recommendations and comments from the Planning Board. They will be sharing three different concept plans for new parking on the Milton Ave. School property.

Mayor Vaughan reported that he has received e-mails from PTO members of Milton Ave. School expressing concern about the current traffic situation at the school. The situation is becoming worse. There is only one street for the school’s drop-offs and pick-ups of students. Congestion occurs and it’s “an accident waiting to happen”.

Councilman Harris and Mrs. Cali-Charles recused themselves from this hearing because they **live** within the 200 ft. radius of Milton Ave. School property.

James O’Neill and Ralph Goodwin were sworn in to testify.

There was no engineer present to testify for the School District.

Mr. O’Neill testified that because of the increase of student enrollment, an addition was added to Milton Ave. School not too long ago. When the weather is not good, many more parents drive their children to the school for drop-off and pick-up.

Mr. O’Neill stated that an architect had looked at the school property to come up with an acceptable plan to relieve the immediate streets of school staff vehicles. He has settled on a plan to preserve the existing trees on the school property and still allow for a good

entering and exit flow. Design #3 meets the goals which Mr. O'Neill and Mr. Goodwin had in mind.

Mr. Goodwin testified that Design #3 will keep the existing trees on the school property and also create the maximum number of parking spaces needed to relieve the neighborhood of excessive parking. He pointed out where the handicap parking spaces will be re-located, making them more convenient to the school. He described the new traffic signage which will be installed. He also described the new macadam. Additional **bollards** will be installed.

Mr. Goodwin stated that the alternative of using the athletic field across the street was considered; however, the Board of Recreation needs that field for games.

Mr. O'Neill testified that although the plan provides 23 new parking spaces, there is a loss of several spaces to make way for access and egress. The net gain is actually 18 spaces.

Mr. Crater asked Mr. DeNave, the Borough Engineer, for his comments.

Mr. DeNave stated that he serves on the Borough Traffic Safety Committee along with Councilman Collander. The Committee has been made aware of the current safety issues on lower Elmwood Ave. as well as Milton Avenue during school pick-up and drop-off times. During the pick-up time, the parents tend to congregate at the playground area. There is not enough room for parking. The streets in that area are lined with cars.

Mr. DeNave reported that he and Councilman Collander had met with Mr. Goodwin to see if parking can be created on the school campus. At that time, Mr. Goodwin had informed them that there were no funds to do such a project. Fortunately, Mr. Goodwin and Mr. O'Neill found sufficient money to construct the parking lot; however, they have to spend this money before the end of June. If this project moves forward, Mr. DeNave is willing to help the School District with any design issues which may arise during the construction phase. Mr. DeNave noted that the proposed plan is very straightforward.

Mr. Crater asked if there would be any system for dropping off students in the lot itself.

Mr. Goodwin answered that the parking will be designed primarily for teacher and employee parking. The new lot will remove the parking pressure currently on the neighboring streets.

Mr. Crater asked what would be the cost of this project.

Mr. Goodwin answered the construction costs would be under \$45,000.

Mr. Crater confirmed with Mr. Goodwin that the work will be done this summer.

Mrs. Favate asked where the wetlands area was in relation to the proposed parking area.

Mr. Goodwin answered on the other side of the street.

Mrs. Favate asked if the School District had an engineer looking at drainage issues as part of the project.

Mr. DeNave answered that would be *his* responsibility. The Borough plans to do something in the future with the current drainage on Duchamp Place.

Mrs. Favate asked why the proposed parking spaces were slanted.

Mr. Goodwin answered that particular arrangement would save the existing trees.

Mrs. Favate suggested that shrubbery, instead of bollards, be planted around the transformer.

Mr. DeNave noted that the Police Department's Traffic Officer, the Traffic Safety Committee, and Councilman Collander approve of these plans.

Mr. Mitchell discussed the gate situation to the mulch area with Mr. DeNave.

Mrs. Favate asked if lighting was planned for this new parking area for evening events.

Mr. Goodwin answered no. There are currently lights around the exterior of the school building. Mr. DeNave pointed out that there is a utility pole in the area if additional lighting is needed in the future.

Ms. Rizzuto confirmed with Mr. Goodwin that the entryway into the new parking lot will be one way. There will be a one way exit onto Duchamp Ave. Currently buses are not an issue at drop off and pick up times. She reviewed with Mr. Goodwin the 5 spaces which will be eliminated for this new parking arrangement. Mr. DeNave confirmed that the School District is providing the necessary ADA requirements for handicap parking.

Ms. Rizzuto confirmed with Mr. O'Neill and Mr. Goodwin that to the best of their knowledge there were no underground oil tanks or gas tanks where the new parking arrangement will go in.

Ms. Rizzuto confirmed with Mr. O'Neill and Mr. Goodwin that the proposed plans will be certified in the near future and will be followed by their contractor.

Ms. Rizzuto explained why public notice was not required for this hearing.

Mr. Crater asked if the public had any questions or comments.

Councilman Joe Marts, 14 Coleman Ave., stated as a citizen he endorsed the plans being presented tonight. He has listened to residents' concerns about the current traffic situation around Milton Ave. School.

**Marc Boisclair**, 92 Elmwood Ave., thanked the School District for proposing this new parking arrangement. The traffic situation “has been a nightmare” for the neighborhoods close to the school. He asked if a “real” one way traffic signs could be installed at the intersection of Elmwood Ave. and Weston Ave. to prevent drivers from coming the wrong way down the street.

Mr. DeNave reported that “No Parking, No Standing” signs will be installed on Tuesday by the DPW. A legible one-way sign will be installed at the intersection mentioned by Mr. Boisclair.

There were no further comments from the public.

Mr. Montague made a motion to approve the Plan 3 Parking Option with the comments and recommendations submitted by the Board at tonight’s hearing. Mrs. Favate seconded the motion. The motion was unanimously approved. Mr. DeNave abstained from voting. Ms. Rizzuto will write the resolution tomorrow.

Councilman Harris and Mrs. Cali-Charles returned to the Board table.

#### Review/Approval of Minutes

The meeting minutes of May 19, 2010 were approved as amended. Mayor Vaughan and Mr. Bitar abstained from voting because they were absent from that meeting.

#### Establishment of a Formal Sign Committee

Ms. Rizzuto proposed that membership to the Sign Committee should start January 1, 2011. A total of 7 members will be specified in the Committee’s by-laws. The current members will complete their existing terms in 2010.

Ms. Rizzuto reviewed which Committee members should be Borough residents. Mr. Montague believed that the “member of the general public” should be a Borough resident. Six of the seven members are voting members. The Administrative Secretary does not vote.

Ms. Rizzuto asked if the Sign Committee had to hold regularly scheduled meetings. Mr. DeNave answered that the meetings are held on an “as needed” basis.

Ms. Rizzuto and Board members reviewed the duties of the Sign Committee.

The Board indicated to Ms. Rizzuto that the minimum requirements for submissions should remain for Paragraph G.

Ms. Rizzuto noted that as of January 2011, the Sign Committee will be a subcommittee of the Planning Board. The Planning Board will be responsible for the appointment of the subcommittee members. One Planning Board member will serve on the Sign Committee.

Ms. Rizzuto will have the final draft of this resolution ready for the next Board meeting.

#### Checklists for Applications

Ms. Rizzuto reported that she and Mr. Montague are working on the checklists. Each checklist needs ordinance references. Mr. Montague is working on the correct references.

Ms. Rizzuto noted that she asked Mrs. Maramonte in the Building Department to send each Board member a copy of the application form. These forms may need updating while the checklists are being organized.

Ms Rizzuto expressed concern that the most recent Zoning Board of Adjustment Checklist is dated seven years ago, 2003.

Councilman Harris and Mr. Montague noted that there is an ongoing problem of applicants appearing before the Zoning Board of Adjustment and not being adequately prepared. The applicants do not have the needed professionals to testify on their behalf for the variance(s), particularly a FAR variance.

Mr. DeNave pointed out that he and Mrs. Maramonte have recommended to applicants, preparing to appear before the Board of Adjustment, to bring an attorney, architect, or planner to present the required testimony. Some of the applicants refuse to pay for any of these professionals. They want to give the testimony themselves. At the hearing, the Board of Adjustment informs the applicants that they are not qualified to give certain testimony.

Ms. Rizzuto noted that she and Mr. DeNave still have to work on a suitable application form for a Waiver of Site Plan Review. She reviewed other Borough documents which may need reviewing and revising. Mr. DeNave will look at these documents and decide which should be handled on at the Administrative level.

#### New Business

Mr. DeNave noted that the FAR regulations have recently been amended to incorporate porticos. Now a number of applications have been submitted proposing porticos. Mr. DeNave pointed out that up to 25 sq. ft. are allowed for porticos to go over stairs. Residents are now proposing porticos for multiple locations around their homes. Mr. DeNave stated that the ordinance did not specify how many porticos would be allowed. Should each of these multiple porticos be allowed 25 sq. ft.? Mr. DeNave also brought up the situation of a side entrance portico extending beyond a home's front steps. Should this require a variance?

Board members recalled that the 25 sq. ft. was meant for only *one* portico.

Mrs. Cali-Charles questioned with the bulk of the house would really be increased if a side entrance had a cover over it.

Councilman Harris recommended that the Board clarify this particular ordinance. He suggested *one* portico be allowed 25 sq. ft. If there is more than one portico being proposed, the homeowner should go before the Board of Adjustment.

Mr. Montague made a motion to clarify the LDO regulations regarding porticos to allow a portico to be 25 sq. ft., or a combination of porticos totaling 25 sq. ft. Mr. Mitchell seconded the motion. A voice vote was taken. The motion was approved by all Board members present, except Mrs. Cali-Charles who voted no. There were no abstentions.

On other matters, Mr. DeNave advised Board members that an application will be coming before them soon regarding a proposed parking expansion for 49 South Passaic Ave.

#### New Business

There was nothing to discuss.

#### Pending Business

##### Planner Recommendations for Business Districts

Mr. Montague noted that the subcommittee had planned to give a presentation on their recommendations to the Borough Council.

Councilman Harris recommended this presentation given zone by zone to the Borough Council. Also, parking recommendations should also be given. He felt this presentation may fit into the Council's August agendas.

#### Clothing Bins Ordinance

This ordinance has been introduced on First Reading by the Borough Council.

#### Riparian Buffer Ordinance

The Board eliminated this matter from their agenda. Councilman Harris pointed out that no mandate has been received from the County.

#### FAR Ordinance revisions

The Board noted that this ordinance has been adopted by the Borough Council

#### Adult Entertainment/Tattoo Ordinance

Councilman Harris reported that this ordinance has not been adopted by the Borough Council.

#### Sign Ordinance

Councilman Harris reported that this proposed ordinance was tabled by the Borough Council. The Board discussed the problem of excessive signage on the public right-of-

way. Mr. Crater suggested that he and some of the Sign Committee members work on a presentation to give to the Borough Council at one of their August meetings.

Closed Session

Mrs. Cali-Charles made a motion to go into Closed Session to discuss litigation entitled Tricare Treatment Service v. Borough of Chatham. Mrs. Favate seconded the motion. The motion was unanimously approved.

At 9:34 p.m. the Board went into Closed Session.

At 9:50 p.m. the Board returned to Open Session.

Mr. Bitar made a motion to seek the services of Alan A. Siegel, Esq. to represent the Borough Planning Board in the Tricare Service litigation. Mrs. Favate seconded the motion. The motion was unanimously approved.

The next Planning Board meeting will be held Wednesday, July 7, 2010, 7:30 p.m., Chatham Municipal Building.

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

Respectfully submitted:

Elizabeth Holler  
Recording Secretary