

CHATHAM BOROUGH PLANNING BOARD  
October 19, 2011 7:30 p.m.

Chairman Richard Crater called the Chatham Borough Planning Board meeting of October 19, 2011 to order at 7:32 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, Donna Cali-Charles, H.H. Montague, James Mitchell, Matthew Wagner.

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

Dr. Susan Blickstein, professional planner for the Board, was present.

Members Absent:

Vincent DeNave, John Bitar, Susan Favate, Joseph Mikulewicz.

Open to the Public

From the audience, Former Mayor and Council Member Joe Marts urged the Board to "keep up the good work".

Adoption of Minutes

The meeting minutes of September 21, 2011 were adopted as amended. The following Board members abstained from voting on these minutes: Mr. Wagner, Mrs. Cali-Charles, Chairman Crater. They were absent from that meeting.

Resolutions

None

Applications

Mr. Crater informed Board members that an application will be heard at the November 2<sup>nd</sup> Board meeting. A child care center is being proposed on the site of the Parrott Mill Inn, 94 Main Street. Residents living within the 200 feet radius will be receiving notices. Dr. Blickstein and Mr. DeNave will be submitting reports to Board members before the meeting.

Pending Business

Planner Susan Blickstein – Draft Ordinance changes for definitions & B Zones Districts, and other aspects

Dr. Blickstein reported that she had incorporated the majority of the comments received from Board members into the current document before the Board tonight. Key issues pointed out by the Board in the previous meeting have now been resolved.

Dr. Blickstein noted that there had been a concern about eating and drinking establishments and restaurants. She clarified that in the B-4 District, any table service

that currently occurs in any establishment is unaffected by the changes. Their use will not be changed from a zoning perspective at all. However, a distinction will be maintained between “eating and drinking” and “restaurants” because of the direction given by the Board. Two separate definitions will remain.

Mr. Montague strongly disagreed with this proposed language in the draft. He questioned why the Board prevents any business from either serving people at waitress tables or serving from a counter. He felt the Board had no right to tell a business owner that he/she can serve the customers from the counter or serve them at the tables. Also, there was no way the Borough could enforce this regulation.

Dr. Blickstein clarified that any use that currently functions in that district today can continue to operate regardless of how the language is modified in the ordinance. Those businesses are grandfathered. These businesses have rights under the Municipal Land Use Law. The Board will not include any language to go beyond that. Anybody who has a table service can maintain it.

Mr. Montague explained how he felt the proposed language would be discriminatory for new eateries, like pizza businesses.

Mr. Crater pointed out that the Board’s intention was to prevent heavy traffic and drive-ins circulating around buildings and causing traffic and parking problems in the B Zones. Dr. Blickstein and Ms. Rizzuto reviewed the distinctions between the eating and drinking establishments and restaurants. Eating and drinking establishments have a faster turn-over. Often these particular establishments need more parking, even though their staffing levels may be low.

On another matter, Dr. Blickstein explained why, for zoning purposes, she included licensed masseurs/body workers under the category of “Office Use”, not “Personal Services Uses”. After further discussion, Dr. Blickstein concluded that she will put clarifying language in “Personal Services” that this category will be included in “General Offices” for zoning purposes only. Dr. Blickstein believed it was the consensus of the Board members that they did not want to see retail expanded in the B-2 beyond the properties where it currently exists. She has included that provision in tonight’s draft.

Dr. Blickstein discussed the height issue of the downtown buildings. She pointed out that the majority of the buildings downtown have flat roofs. The upper floors can then be more flexible for different uses. Roof top utilities can also be installed if the 45 feet height allowed. Councilman Harris suggested the Dr. Blickstein touch base with the Historic Preservation Commission about the proposed 45 feet height regulation.

For funeral homes, Dr. Blickstein recommended one parking space per 3 permanent seats, if the funeral home has permanent seats, plus one parking for so many square feet of parlor area. She will look further into parking requirements for schools. For elementary and middle schools, Dr. Blickstein recommended one parking space per employee plus one parking space per classroom. For a high school, Dr. Blickstein

recommended one parking space per employee, plus a certain number of spaces per classroom.

Dr. Blickstein explained the separate definitions for nursing home and extended care use. Ms. Rizzuto and Dr. Blickstein discussed what should be done if a change of zone were to be made.

The Board thanked Dr. Blickstein for her hard work on this assignment. This project will be under discussion again at the Board's November 16<sup>th</sup> meeting.

Checklists for Application and ordinance changes – Draft 6 of the ordinance was handed out at the last meeting. Revisions to be discussed.

Board members indicated to Ms. Rizzuto that they had no revisions for Draft 6. The Board had Draft 7 before them tonight. Ms. Rizzuto noted that she and Mr. Montague still had to work on numbering sections and sub-sections.

At the Board's request, Ms. Rizzuto removed the term "plat" from the draft. Ms. Rizzuto will insert the words "or designee" whenever Mr. DeNave's name is mentioned for the Completeness Review. On another section, Councilman Harris noted that there are certain situations, like a question of interpretation, when a survey shouldn't be required. Ms. Rizzuto inserted language for a request for a waiver for this situation.

Ms. Rizzuto and Dr. Blickstein discussed the state legislation for applications of development. Ms. Rizzuto will develop a definition for completeness. The checklists will be re-visited at the Board's November 16<sup>th</sup> meeting.

#### New Business

Councilman Harris reported that the Borough Council has adopted the Sign Ordinance. The Council felt a guide for local businesses, informing them of Borough regulations would be a good idea. Mr. Montague noted that there is a Sign Committee meeting tomorrow. He will mention the guide idea to them.

At 8:55 p.m. the meeting adjourned.

The next Planning Board meeting will be held Wednesday, November 2, 2011, on 7:30 p.m., Chatham Municipal Building.

Respectfully submitted:



Elizabeth Holler  
Recording Clerk