

CHATHAM BOROUGH PLANNING BOARD
 November 6, 2013 7:30 p.m.

Chairman Susan Favate called this Chatham Borough Planning Board Regular Meeting of November 6, 2013 to order at 7:35 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	
Matthew Wagner		X
Donna Cali-Charles		X
H.H. Montague	X	
James Mitchell	X	
John Bitar		X
Joseph Mikulewicz		X
Richard Crater		X
Vincent K. Loughlin, Esq.	X	
Dr. Susan Blickstein		X

Adoption of Minutes

The meeting minutes of October 16, 2013, second draft, were approved with Mr. DeNave's amendments.

Returned Applications

Minor Site Plan Review

William T. Anastasio

338 Main Street

Block 79, Lot 3

This is a continuation of the first hearing held on this application at the Board's October 3, 2013 meeting.

Council Member Fife recused herself from the hearing because she lives within the 200 ft. radius of the applicant's property.

Mrs. Favate recalled at the first hearing concerns were expressed regarding stormwater and handicap access. Mr. Anastasio noted that Christian Kastrud, his engineer, was present tonight to testify on these issues.

Christian Kastrud came forward. He confirmed with Attorney Loughlin that he remained under oath from the previous hearing.

Mr. Kastrud submitted Exhibit A-4, a minor site plan for 338 Main St., dated Oct. 24, 2013, which was prepared pursuant to the comments the applicant received from the last hearing.

Mr. Kastrud reviewed the four points that he and the applicant were requested to address for this application:

- 1) The sump discharge
- 2) The landscaping around the building
- 3) The landscaping at the back of the property
- 4) What type of handicap access will be installed

Regarding #1, the applicant, after conferring with the Borough Engineer, will install a 3 ft. wide, 3 ft. long, 3 ft. deep pit to collect the water from the applicant's sump pump, so the water doesn't run directly onto the street.

Regarding the landscaping situation, Mr. Kastrud testified that any plantings currently on the site, pursuant to the minor site plan approval, would have to be maintained in perpetuity. Mr. Kastrud stated that most of the landscaping along the easterly property line was removed. It was overgrown. The applicant is willing to work out a landscaping plan along the easterly portion of the property.

Regarding the handicap access, Mr. Kastrud and Mr. Anastasio looked at the site's elevations. Mr. Anastasio is looking into installing an outdoor lift, with a battery back-up, at the northeast corner of the building. The garbage and recycling area adjacent to the garage will be reduced in order to provide a path to the lift.

Mr. DeNave stated that he had spoken to Mr. Kastrud about the drainage issue. Mr. DeNave said that the current dwelling has a sump pump and empties into the parking area. After a heavy rainfall a discharge runs through the parking lot, onto the street. The Borough has completed some improvements on the roadway. The road (Ward Place) has been re-paved. The water from the sump pump will be captured in a stone pit and will absorb into the ground. If the pit should ever overflow with water, the water will remain within the curb line and run into the drain.

Mr. DeNave believed the applicant's drainage plans will be a significant improvement.

Regarding the handicap access, Mr. DeNave understood that an existing window on the dwelling will be converted into a door. Mr. Kastrud stated that permits will be submitted to the Building Dept. for the changed window and the lift.

Mrs. Favate asked if the public had any questions for Mr. Kastrud.

Elyse Burton, 14 Ward Place, remained under oath from the earlier hearing. She thanked the applicant and his engineer for the new site plan. Ms. Burton pointed out two gutter releases directed close to where the sump pump will be releasing water. Is there a way to tie in the gutter drains and direct the water into other areas to avoid additional icing on Ward Place?

Mr. Kastrud answered that there is possibility that the roof drains could be tied into the proposed pit. The water could then percolate into the ground. Mr. Kastrud said he could explore that possibility.

Ms. Burton asked if the landscaping that was removed along Ward Place could be replaced with something that would stop the grade change.

Mr. Kastrud answered that suggestion could be explored. He could also explore whether the neighboring property had an approved site plan requiring certain plantings along *their* property line.

Mr. DeNave asked Mr. Anastasio who took down the shrubs in between the properties.

Mr. Anastasio answered that he didn't know.

Ms. Burton testified that there are people from Ward Place who witnessed those shrubs being removed. She showed photo she had taken recently, where shrubs had been removed at the rear of the applicant's property.

Mr. DeNave said that he will look into the resolution of the adjoining property and try to identify where the property line exists. If the adjoining property owner was responsible for removing the shrubs, he will speak with him.

Mr. Anastasio stated that he was willing to cooperate with Mr. DeNave and the Planning Board with whatever screening they felt was appropriate.

Ms. Burton asked Mr. Kastrud if it would be possible to screen the proposed lift from the residents' view.

Mr. Kastrud noted that the lift will be located behind the porch. It will be located approximately 3 feet from the pavement. A 4 ft. rail will go around it. Therefore, the lift will be 7 feet of structure. Ms. Burton felt the lift will definitely be seen by the residents.

Mr. Kastrud said that at the northwesterly side of the property is an existing telephone pole. If two or three shrubs were planted at that location, the lift would be blocked from view.

Answering another question from Ms. Burton, Mr. Kastrud agreed with her that the applicant's property flowed onto Ward Place. He testified that the only way the applicant's property drains is to Ward Place.

Mr. Kastrud's testimony was finished.

Mr. Anastasio pointed out that the use that he is proposing is an approved use. It has been determined that his site has more than adequate parking. At the Board's request, he has agreed to screening, to a handicap lift, and to business sign changes. Mr. Anastasio believed that his and his wife's practices would be a definite benefit to the community.

Nancy Tacoma, 18 White Birch Terrace, Caldwell NJ, came to the public microphone. She stated that she is a patient of Mrs. Anastasio's acupuncture practice in Caldwell. She stated that Mrs. Anastasio's services in Caldwell are run very professionally and are very much needed.

Fabian Soto, 11 Ward Place, expressed concerns about Ward Place being such a narrow street. He pointed out that Mr. Anastasio's building does not have a direct driveway going out onto Main Street.

Attorney Loughlin informed Mr. Soto that the applicant has a permitted use. The conditions of the roadway are not really under the Board's jurisdiction. The width of the roadway and what goes on with the roadway is not under the Board's jurisdiction, because the applicant is not seeking variances.

Shelia Allan, an employee of Pediatrics Therapeutics at 330 Main St., stated that the shrubs that were removed between her building and the applicant's were removed this summer. She believed the shrubs were wisteria. Her fellow employees were surprised to see it cut down. It seemed unclear at the time which property actually owned these shrubs.

Mrs. Favate said that Mr. DeNave will investigate the property line situation.

Attorney Loughlin asked the Board if they accepted the site plan as proposed, Exhibit A-4. This acceptance would be included in the motion, if it is a favorable motion. It would start a listing of the conditions. He suggested the Board discuss Exhibit A-4 with Mr. DeNave to see if any further engineering and site plan requirements would be needed.

Mr. DeNave felt the site plan shown in Exhibit A-4 is adequate. He suggested two conditions:

- 1) Additional landscaping will be planted in the northwesterly corner of the property.
- 2) The roof leaders will be tied into the pit

Mr. DeNave did not believe the plans needed to be changed to reflect these conditions in the resolution.

Attorney Loughlin confirmed with Mr. Anastasio that the trailer has been removed from the property.

With Mr. DeNave, Attorney Loughlin also confirmed with the Board that the following conditions be stipulated should the application be approved:

- 1) That the applicant's sign retain the original black color.
- 2) That the applicant's parking lot will be striped according to what is shown on the plan.
- 3) That the lift will be located as shown on Exhibit A-4.
- 4) The building lights be turned off when the building is not being used and/or operate no later than 10 p.m. as set by a timer
- 5) The landscaping plan, including a foundation plan, will be submitted for reasonable review, requirements and approval by the Borough Engineer

Mayor Harris asked if the applicant's sign had been approved by the Borough Sign Committee. Mr. Anastasio said he will comply to everything the Sign Committee has requested.

Mayor Harris asked about a possible overflow occurring with the proposed seepage pit. Should the pit be made larger? Mr. DeNave said he discussed that situation with Mr. Kastrud. The pit may be made larger or a small chamber may be created inside of it.

Attorney Loughlin made the seepage pit proposals as stated by Mr. DeNave a sixth condition. These seepage pit changes will be subject to reasonable review and approval by the Borough Engineer.

Mayor Harris made a motion to approve the Minor Site Plan Review for Application #13-06, Minor Site Plan Review for William T. Anastasio, 338 Main Street, with the agreed upon conditions. The motion was seconded by ---- ?

A roll call vote was taken:

Mayor Harris	-	yes
Mr. DeNave	-	yes
Mr. Mitchell	-	yes
Chairman Favate	-	yes

New Business

Council Member Fife returned to the Board table.

Mrs. Favate noted that the next Board meeting, November 13th, a public discussion of the M Districts will be held. She will ask Mr. Wagner to lead that discussion, since she will be absent that night.

Council Member Fife reported that Dr. Blickstein's presentation to the Borough Council on the M Districts went well.

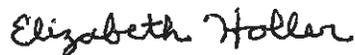
Mrs. Favate said she would like a discussion held on porticos for next week's Board meeting.

On other matters, Mr. DeNave reported that he had tried to schedule the Washington Ave. School parking plans for the December 4th Board meeting; however, the school has informed him that they would not be prepared in time. After some discussion, Mr. DeNave will suggest the school appear before the Board at their January 22nd Board meeting. It will be a Capital Review. Mr. DeNave will let the public know.

Mr. DeNave reported on the recent improvements made to the Parrott Mill structure.

At 8:30 p.m. the meeting adjourned.

Respectfully submitted:



Elizabeth Holler
Recording Secretary