

CHATHAM BOROUGH PLANNING BOARD
 October 1, 2014 7:30 p.m.

In Chairman Favate's absence, Vice Chairman Matthew Wagner called this Regular Meeting of the Chatham Borough Planning of October 1, 2014 to order at 7:40 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Wagner announced that all legal notices have been posted for this meeting.

Name	Present	Absent
Mayor Bruce Harris	X	
Council Member Fife	X	
Vincent DeNave		X
Chrmn. Susan Favate		X
Matthew Wagner	X	
John Bitar		X
James Mitchell		X
Joseph Mikulewicz	X	
William Heap	X	
Donald Dinsmore	X	
H.H. Montague	X	
Vincent K. Loughlin, Esq.	X	
Dr. Susan Blickstein		X

Also present was Robert C. Brightly, P.E. of Ferriero Engineering, Inc. Mr. Brightly serves as the Engineer for the Planning Board.

Open to the Public

There was no response.

Adoption of Minutes

The meeting minutes of August 6, 2014, second draft, were approved.

Resolutions

There were none.

New Applications

Application PB #14-02

Chambon Electric

110 Summit Avenue

Site Plan

Block 133, Lot 2

Steven M. Greenberg, Esq., attorney for the applicant came forward.

Attorney Greenberg stated that the applicant is seeking to occupy the building at 110 Summit Ave. Attorney Greenberg has received the review memos and reports from the Planning Board professionals.

Attorney Loughlin noted that the application has been submitted. He reviewed Mr. DeNave's letter to Board Chairman Favate dated September 5, 2014. In his letter, Mr. DeNave had pointed out that warehousing is a permitted use in for this particular zone. Mr. DeNave's letter also stated that "the plan allocates in the same function of 3,750 square feet. Within the designated office space are bathrooms, offices and what appears to be a large break room."

Referring to the last sentence, Attorney Loughlin pointed out that under the ordinance offices are not a permitted use in this district. Attorney Loughlin anticipated testimony will be given on the number of employees, the types of activities that go on in the building. Mr. DeNave has reviewed the submitted plans and determined the ratio of square footage and the activities and functions.

Mayor Harris gave comments on Mr. DeNave's letter of September 5, 2014. He understood there was a memorandum from Dr. Blickstein, dated September 3, 2014, to Board members. Board members and Attorney Greenberg indicated that they would like copies of Dr. Blickstein's memo. The Mayor left briefly to make the necessary copies. He returned and distributed the copies.

Thomas F. Ercolano, A.I.A., architect for Chambon Electric, was sworn in to testify. He submitted his professional credentials to the Board. The Board accepted them.

Mr. Ercolano submitted Exhibit A-1: the Site Plan. He testified that the property at 110 Summit Ave. has a triangular shape. It's located on the west side of Summit Ave. It's more than a half of an acre. Mr. Ercolano testified that the existing building on the property is 1180 sq. ft. A very small parking lot exists. Currently the parking lot can only hold five cars. An existing ramp prevents more parking spaces. The applicant proposes to remove this ramp.

Mr. Ercolano submitted Exhibit A-2: photos of the existing property. These photos were taken by Mr. Ercolano in the spring. He explained the changes that are being proposed for the middle section of the building. Mr. Ercolano pointed out where two proposed signs will be installed on the corners of the property. A new sidewalk will be installed with granite block curbs. The curb will be re-shaped in one section to meet the ADA requirements.

Mr. Ercolano submitted Exhibit A-3: a second set of photos showing the parking conditions. Mr. Ercolano indicated that the existing ramp shown in the photos will be removed. The driveway will be re-graded so that cars can then drive directly into the warehouse. A retaining wall will be constructed 3 feet from the applicant's property line in order to enlarge the parking lot.

Mr. Ercolano testified that the two proposed signs meet the size requirements in the sign ordinance. One sign will be installed on the front, and one on the side for motorists are driving up Summit Ave. He described the materials and colors of the signs. Goose-neck lighting will be on the sign close to the proposed new door.

Attorney Loughlin noted that Dr. Blickstein, in her 9/3/2014 memo, believed that a variance would be needed for the second façade sign.

Mr. Ercolano agreed that a variance would be needed for this situation, because this sign does not face the public road. It faces the parking lot.

Mr. Ercolano testified that the applicant is proposing to enlarge the parking lot to have 18 spaces. Also, some of the trucks will go inside the applicant's building. Three vehicles will be kept in the building.

Attorney Greenberg asked Mr. Ercolano, based on the size of the existing building, would it be possible to meet the requirement of 25 parking spaces?

Mr. Ercolano answered no. He designed the parking lot himself. That's as many cars that can fit. The retaining wall must be constructed because of the topography of the land.

Mr. Ercolano did not believe a variance was needed for the proposed landscaping. The landscaping complies with the ordinance. It will also break up a long, continuous view of vehicles.

Mr. Heap confirmed with Mr. Ercolano that eight vehicles could be parked parallel to the retaining wall. Mr. Ercolano pointed out where the other 10 spaces will be located.

Answering Mr. Montague's questions, Mr. Ercolano testified that a signage plan had been submitted. Comments have been received. The signs will be externally lit with goosenecks. Mr. Montague reminded Mr. Ercolano that the signage plans will have to be presented to the Borough Sign Committee. Mr. Ercolano testified that the spillage from the lights will probably not go beyond the sidewalk. The wattage is as low as it can go.

Mayor Harris asked Board Engineer Brightly if he had any questions about the proposed lighting on the site. Mr. Brightly noted that the applicant has reduced the parking area lights to an acceptable level. He also noted that Dr. Blickstein had recommended that the second sign be reduced in size.

Mr. Ercolano recommended, from his experience with hundreds of stores with Chanel Home Centers, that the two proposed signs should be the same size. Mr. Brightly suggested that the applicant's engineer testify on the visibility of that second sign.

Brian J. Shortino, P.E., engineer for Chambon Electric, was sworn in to testify. Mr. Shortino submitted his professional credentials to the Board. The Board accepted them.

Mr. Shortino stated that he and his engineering firm, Bertin Engineering Associates, Inc., concentrated on the grading, the draining, the lighting, and landscaping on the site. He submitted Exhibit A-5: a colored rendering of the proposed landscaping for the site. Mr. Ercolano marked the elevations submitted earlier as Exhibit A-4.

Mr. Shortino explained that Exhibit A-5 showed different areas of the development. There will be a two-way driveway leading to Summit Ave. 18 parking spaces will be on site. There will be a perimeter landscaping surrounding the parking area. Mr. Shortino pointed out the 3 existing trees which will remain.

Mr. Shortino testified that 4 flowering dogwood trees will be planted along the parallel parking spaces. Junipers will be planted along the southerly property line. No changes will be made to the existing landscaping already in place in the front.

Mr. Shortino explained that the 26 trees slated for removal are on the sloped area. Unfortunately they have to be removed for the proposed parking. It was Mr. Shortino's professional opinion that no more parking spaces could be created than what is depicted on the plans, given the shape of the property.

Mr. Shortino testified that the proposed signage would improve the safety for approaching vehicles. The sign on the southerly side of the building would be helpful for vehicles traveling northerly along Summit Avenue, looking for the facility.

Mr. Shortino disagreed with Dr. Blickstein's belief that a variance was needed for the proposed landscaping and the parking. He explained the intervals of landscaping that will break up the line of parking spaces.

Mr. Shortino testified that the proposed plans will outweigh any possible detriment to the site. The proposed parking will be approaching better compliance with the zoning requirements. The additional landscaping will be an improvement over the current deteriorating landscaping. The proposed stormwater drainage system will capture all the run-off from the roof. Drywells will be installed at specific locations in the parking area.

Mr. Shortino testified that he has read the Board Engineer's review letter. Mr. Shortino is willing to comply with the suggestions made by Engineer Robert Brightly in his September 23, 2014 letter, particularly on the proposed lighting. He reviewed the locations of the proposed lights. The original reduced wattage has now been reduced.

Mayor Harris asked for testimony on the proposed parking. Attorney Greenberg confirmed with Mr. Shortino that Mr. Ercolano has testified that no additional parking could be proposed because of the irregular shape of the lot and the irregularity of the existing building. Mr. Shortino testified that what the applicant is proposing for the parking is a significant improvement over the existing situation.

Board Engineer Brightly noted that the applicant has agreed to comply with the comments he made in his (Mr. Brightly's) letter to the Board dated September 23, 2014. For the record, Mr. Brightly disagreed with the applicant's interpretation on the ordinance for landscaping for the parking area. The ordinance reads that for every 10 parking spaces a landscaped area will be inserted, the size of a parking space. Dr. Blickstein and Mr. Brightly agreed on this point.

Mr. Brightly referred the Board to the proposed sign on the side of the building. Perhaps the owner can testify as to why it is needed.

Mr. Montague asked how many variances were being sought. Attorney Loughlin said he agreed with Dr. Blickstein in her memo dated that three variances were needed:

- 1) A variance for parking
- 2) A variance for signage
- 3) A variance for the proposed landscaping in the parking lot

Attorney Loughlin pointed out that Dr. Blickstein believed that the company's logo exceeded the maximum of 10 inches. Attorney Greenberg called on Mr. Ecolano to testify on this matter.

Mr. Ecolano explained why he thought Dr. Blickstein's interpretation on this signage didn't make sense to him. He felt that Dr. Blickstein may have combined the two rows of lettering together, thus exceeding the 10 inch maximum, and making the logo larger. Mr. Ecolano then concluded that the logo was the real problem. It exceeds the 10-inch maximum to 16 inches.

Mr. Greenberg called Robert Chambon forward. Mr. Chambon was sworn in to testify. He testified that he was a principal of the applicant. Also, the members of the LLC were he and his brother.

Attorney Greenberg asked Mr. Chambon if he would agree to reduce the logo to appear no greater than 10 inches, if the Board were to permit a variance for the second sign.

Mr. Chambon answered yes.

At Attorney Greenberg's request, Mr. Chambon gave a brief history of the company. Chambon Electric employees consist of himself, his brother, 3 office people and 12 electricians who work out in the field. Currently Chambon Electric has a warehouse and office in Newark. Mr. Chambon also has an office on Main St., Chatham. He explained the daily activities of his office, particularly the routine of his electricians.

Attorney Greenberg confirmed with Mr. Chambon that he will not be changing the designated office area. Also, the warehouse area will remain. A conference table will be installed. Also, a kitchen area will be created.

Mr. Chambon reviewed the different types of customers his company serves, both industrial and private residences. The hours of operation at this new site would be from 8 a.m. to 5 p.m. Also, the proposed increase of parking spaces to 18 spaces, would be sufficient for Chambon's needs.

Regarding the proposed size for the signage, Mr. Chambon explained that sales people often visit the office to price out items. At times, deliveries have to be made to the site. The proposed second sign with its size letters would be helpful to these out-of-town visitors. If a visitor were to drive past the office on Summit Ave., there are no immediate safe places to make a U-turn.

Mr. Chambon reported that he has spoken with all the neighbors in the vicinity of his new facility. He answered their questions about parking.

Mayor Harris asked Mr. Chambon if he would consider turning off his exterior lights on the site at 8 p.m. Mr. Chambon answered yes. The security lights on the building will remain on.

Mr. Heap asked how the delivery trucks will arrive on the property. Mr. Chambon answered that the trucks will either drive to the side door or to the loading dock. Staff cars can park on the other side of the lot. Mr. Chambon explained that visiting delivery trucks would back in from the street and use the loading dock.

Mr. Mikulewicz asked Mr. Chambon if his employees would bring used material back to the office. Mr. Chambon answered no. That material is taken away, not stored on site.

The Board had no more questions for the applicant. There was one question from a member of the public.

Wolfgang Robinson, 59 Hedges Ave., noted that if there were going to be 10 extra parking spaces, never used by company, perhaps some of those spaces could be removed, thus decreasing the impervious coverage. Therefore, some of the trees could be saved. Was this arrangement ever considered?

Mr. Ercolano answered that there probably won't be ten empty parking spaces at all times on the site. The extra spaces will be used for maneuvering trucks for when the electricians arrive to attend meetings, to receive loadings, etc. This maneuvering cannot take place on the street. Mr. Ercolano testified that he came as close as possible to the ordinance requirement of 24 spaces. He noted that many of the trees on the property, in the back, are in poor condition.

Attorney Loughlin reviewed the following agreed upon conditions, should the Board approved the Site Plan for Chambon Electric:

- 1) The signage plan would be subject to the approval of the Borough Sign Committee.
- 2) The applicant is to reduce the logo on his sign to the 10 inches specified in the ordinance.
- 3) The 3 bucket trucks are to be stored within the building.
- 4) There is to be no outside storage whatsoever.
- 5) The applicant must comply with all the terms, conditions, and requirements of the Ferriero memorandum and report dated Sept. 23, 2014.
- 6) The applicant must obtain and or all other required or necessary approvals for this application. In this case, county approvals.
- 7) All outdoor lighting is to be extinguished by 8 p.m. according to timers, except for the two security lights.
- 8) All the standard payments, escrow fees, etc. must be paid..
- 9) A certification of compliance letter must be issued by the Board Engineer to the applicant.

10) All construction work on the property is subject to the reasonable review and requirements of the Board Engineer and the Borough Engineer.

Council Member Fife made a motion to approve the Site Plan of Chambon Electric for 110 Summit Ave. with conditions as stated. Mr. Montague seconded the motion. A roll call vote was taken:

Mayor Harris	-	yes
Council Member Fife	-	yes
Mr. Montague	-	yes
Mr. Mikulewicz	-	yes
Mr. Heap	-	yes
Mr. Dinsmore	-	yes
Vice Chair. Wagner	-	yes

On other matters, Council Member Fife reminded Board members that the M-Zone ordinance will be discussed at Borough Council Meeting on Tuesday night, October 14th. Dr. Blickstein will be giving a presentation. Board members are encouraged to attend. The ordinance will actually be introduced at the October 27th Council Meeting.

Mr. Montague reported on the Zoning Board of Adjustment meeting held on Tuesday, September 23, 2014. The whole meeting was devoted to an Appeal on a generator installation on Chestnut Street. The Board of Adjustment voted to uphold the Zoning Officer's decision on this side yard installation.

Mayor Harris said that generators will be discussed at a future Council Meeting.

At 9:45 p.m. the meeting adjourned.

The next Planning Board meeting will be held on November 5, 2014, 7:30 p.m., Council Chambers, Chatham Municipal Building. The Planning Board meeting for October 15, 2014 has been cancelled.

Respectfully submitted:



Elizabeth Holler
Recording Secretary