

CHATHAM BOROUGH PLANNING BOARD  
January 6, 2016 7:30 p.m.

Chairman Susan Favate called the Chatham Borough Planning Board Reorganization Meeting of January 6, 2016 to order at 7:30 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	
Janice Piccolo	X – arrived 7:35 p.m.	
Susan W. Favate	X	
Matthew Wagner	X	
H.H. Montague	X	
John Bitar		X
James Mitchell	X	
Joseph Mikulewicz	X – arrived 7:40 p.m.	
William Heap	X – arrived 7:40 p.m.	
Wolfgang Robinson	X	
Vincent K. Loughlin, Esq.	X	
Dr. Susan Blickstein	X	

Open to the Public

No one came forward.

Resolution #PB 2016-1:

The meeting minutes of December 2, 2015 were approved as submitted.

Annual Reorganization

Resolution #2016-02: Vote and Election of Planning Board Officers

Council Member Fife made a motion to nominate the following to serve as Officers of the Planning Board for the year 2016:

Susan W. Favate to serve as Chairperson

Matthew Wagner to serve as Vice Chairperson

Joseph Mikulewicz to serve as Secretary

Mr. Montague seconded to the motion naming these Board Officers for 2016. A voice vote was taken. All Board members present voted aye.

The following submitted Resolutions were unanimously approved by all Board members present:

Resolution #2016-03: Planning Board Meeting Schedule

Resolution #2016-04: Appointment of Board Attorney

Resolution #2016-05: Appointment of Board Planner

Resolution #2016-06: Appointment of Consulting Engineer

Resolution #2016-07: Official Newspapers  
Resolution #2016-08: Re-adopting Rules and Regulations  
Resolution #2016-09: Appointment of Sign Committee  
Resolution #2016-10: Appointment of Board Engineer

Application PB #15-03

Menza & Beissel Homes, Inc.

64 Hedges Avenue

Minor Subdivision/Lot width/Lot frontage

Block 53, Lot 8

Board member Wolfgang Robinson recused himself from this hearing because he **lives** within the 200-ft. radius of the applicant's property.

Richard Sherman, Esq., attorney for Menza & Beissel Homes, introduced himself. He noted that revised plans had been submitted after receiving a report from the Board Planner, Dr. Blickstein. The applicant is seeking a minor subdivision with a variance for minimum lot frontage and minimum lot width. Two professionals will be testifying for the applicant tonight: Michael Tobia and Frederick Voss,

Michael Tobia, the professional planner, was sworn in. The Board was familiar with Mr. Tobia's professional credentials from previous applications.

Mr. Tobia submitted the following exhibits:

Exhibit A-1: Photo-board of the front façade of the house

Exhibit A-2: Photo-board of the southerly portion of the applicant's property

Exhibit A-3: Photo-board of the rear yard of the property & rear portion of the house

Exhibit A-4: Four photos of homes built by Mr. Menza in Chatham NJ

Exhibit A-5: Colored Tax Map

Mr. Tobia testified that Mr. Menza is currently under contract to purchase 64 Hedges Avenue. The existing home on the property, which probably dates back at least 100 years, is scheduled to be demolished. One of the proposed subdivision lots is on the site of the home to be demolished. Mr. Tobia pointed out the location of the second proposed subdivided lot.

Mr. Tobia testified that three trees will be taken down. Two Borough trees at the curb will remain.

Mr. Tobia stated that the property in question is unusually large for this neighborhood, measuring 117 feet wide. Most of the neighboring properties measure about 50 ft. wide. The property is unusually deep. Mr. Tobia testified that the applicant is proposing to subdivide this property, creating a new subdivision line that would almost exactly split the property in two. Two new homes will be constructed, one on each lot.

Mr. Tobia showed photos of the two homes that Mr. Menza had recently constructed on Lum Avenue.

Michael Menza, principal of Menza & Beissel Homes, was sworn in.

Mr. Tobia distributed copies to Board members of Exhibit A-4, showing details of the proposed homes. He testified that each home will have four bedrooms, 3 ½ baths, a one-bay garage, and no usable attic space. A pull-down door will access the attic. The homes will have unfinished basements. Mr. Tobia reviewed the different architectural details of the two proposed homes. The two homes will be painted different colors.

Mrs. Favate asked if the garage of one of the homes, on the south side, will be flush with the facade of the home. Mr. Tobia answered that the garage will protrude 8 feet from the heated wall of the house.

Mr. Montague asked that side elevations be put on the dimensions. Mr. Tobia and Mr. Montague confirmed that the height of the homes reach almost 34 feet.

Mr. Tobia discussed the requirements of the R-2 District. The applicant meets all of the requirements, except for two variances for each lot. Variances are needed for lot frontage and for lot width. Mr. Tobia testified that the proposed lots are 25% to 26% larger than the minimum required for the R-2 District.

On Exhibit A-5, Mr. Tobia pointed out all the neighboring lots which do not meet the zoning for the R-2 District with regard to frontage and width. Across the street from the subject property is the R-3 District, which only requires 60 feet wide lots.

Mr. Tobia testified that these two proposed lots, resulting from the minor subdivision, will fit well into the neighborhood. Just one house being constructed would be too wide. Two houses, like these being proposed, would be a better zoning alternative. The two homes will meet all of the setback, height, and building coverage and FAR requirements for the R-2 District.

Dr. Blickstein asked Mr. Tobia if the setbacks were picked to conform exclusively for that reason.

Mr. Tobia answered yes, from a planning perspective. The 35 feet setback requirement was met.

Summing up, Mr. Tobia testified that these proposed houses are slightly larger than what currently exists in the neighborhood, but that's permitted by R-2 zoning. Just one house on this property would not be the preferred zoning alternative. The house would be too wide. It would look like an odd-ball on Hedges Ave. Mr. Tobia believed this was a C-2 application, which would allow for zoning flexibility in order to pursue the better zoning alternative.

Mr. Tobia testified that he and the applicant had explored the idea of a rear yard detached garage; however, coverage would increase. Three more trees would then have to be taken down. Mr. Tobia stated that he did not see a substantial detriment or a substantial impairment to the public good. If the Board wants, the homes could be moved up. Mr. Tobia confirmed that the dormers on the house on the right will be non-functioning.

Mr. Tobia indicated that his testimony was finished. Mrs. Favate asked the public if they had any questions for him.

Brad Meyer, 72 Hedges Ave., expressed concerns about the proposed garage protruding 8 feet in front of the main façade of the house.

Mr. Tobia put the floor plans for both of the houses on the easel. He indicated how the garage will interface with a front portico. The affected plane of the building will extend just two feet from the front of the garage. The garage will still be the closest building element to the street; however, an L-shaped home will not result. Mr. Tobia believed the garage will just produce a *partial* bump-out. Mr. Tobia stated that it was possible to pull back the proposed garage further.

On another concern, Mr. Meyer felt that the format of the houses, to an untrained eye, look almost identical.

Using Sheet 1 and Sheet 3 of the architectural plans, Mr. Tobia gave a detailed description of the architectural differences between the two proposed homes.

Dan DeGuzman, 67 Hedges Ave., noted that his home is directly across the street from the proposed subdivision. He pointed out that the homes surrounding these proposed houses do not have front garages. Regarding these proposals, Mr. DeGuzman had concerns about “too much house” from a street perspective. Mr. DeGuzman felt that the nearby woods, wetlands, and wildlife will be affected by this proposed development. He pointed out that the existing house to be demolished was built in 1894.

Mayor Harris confirmed with Mr. Tobia that none of the homes within the 200 feet radius of the applicant’s property had front garages.

Dr. Blickstein pointed out that there was a recent mini-subdivision application on Summit Avenue involving a deep lot with the garages constructed in the rear.

Council Member Fife pointed out that the applicant could have chosen to construct a significantly large home on the existing one lot, instead of two smaller homes on two subdivided lots.

Dr. Blickstein asked if any consideration was given to varying the heights of the proposed homes. She pointed out that the attics will have no living space. Perhaps varying the heights would help differentiate the two proposed homes.

Mr. Tobia said that the classic 10 ft. or 12 ft. pitch for the roof had been preferred by the applicant. Mr. Tobia felt this particular pitch would make the roof more attractive.

Frederick Voss, the applicant’s engineer, was sworn in to testify. The Board was familiar with Mr. Voss’s professional qualifications from previous applications.

Mr. Voss testified that the proposed plans were created with sensitivity to the natural grade of the property and neighborhood. He noted that the applicant's property slopes from front towards the back. All of the storm run-off patterns were retained. Mr. Voss stated that plan modifications were made to address points raised in Dr. Blickstein's letter.

Mr. Voss testified that the building heights have now been depicted on the plans as the ordinance required. The applicant has provided a hand-out of the exhibits to Board members. Calculations of the height have been submitted. Requested parking information for the driveways has been supplied. Mechanical units, for outside the two homes, have now been shown on the plans. Exterior lights and their dimensions and wattages are now on the plans. Additional trees to be planted have been shown on the plans.

At Mr. Montague's request, Mr. Voss pointed out the downspouts at all four corners of the houses. A seepage pit will be receiving all rain run-off from the roof and the downspouts. The volume of the proposed drywell has been increased to handle the increase of runoff.

Mr. Montague expressed concerns about the water run-off on the proposed driveways. Mr. Voss noted that a swale, on the subject property, will help handle this run-off.

Mayor Harris reported that a letter had been submitted from the Borough Engineer stating he was satisfied with all the drainage plans for this project.

Dr. Blickstein confirmed with Mr. Voss that the swale would be able to handle also the drainage from 66 Hedges Avenue.

Donald McGuirk, 66 Hedges Ave., asked that the drainage situation be closely looked at. He also had concerns about the heights of the proposed homes. Mr. McGuirk appreciated the suggestions made earlier about varying the heights of these homes. He also thanked the Board for addressing the drainage situation.

Dr. Blickstein asked if testimony will be given on the prevailing setbacks.

Mr. Voss submitted Exhibit A-7: Drawings of the front setbacks, dated 12/22/2015. Included are the setbacks for the four houses on either side of the applicant's property. The average front setback, beginning at the front steps, is just a little over 16 feet.

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

Mr. McGuirk, 66 Hedges Ave., asked if there would be any fencing constructed.

Mr. Voss answered none is being proposed. Landscaping and buffer borders will be planted.

Attorney Sherman asked if the applicant could take a 5-minute break for a private conference. The Board gave their consent.

At 9:05 p.m. a break in the meeting was taken.

At 9:16 p.m. the meeting resumed.

Attorney Sherman asked Michael Tobia, the applicant's planner, to come forward.

Mr. Tobia noted that there had been concerns that the driveway was sticking out too far. He introduced Exhibit A-8: A red-line sketch that will slide the garages back, thus creating a 5 ft. setback behind the nearest part of the porch. The porch will now appear as the first architectural element on the property.

Mr. Tobia testified that the entire modular on the garage side of the house will be notched back 5 feet. This revision will not be seen from the street. No changes will have to be made to building coverage or FAR calculations.

Mr. Tobia testified that the homes will then be moved up ten feet. This revision will allow the homes to have a two-car parking pad in front of each garage, which is required by State statute. These revisions will bring the setbacks into greater conformance with the area's front yard setback pattern.

Mrs. Favate commended Mr. Tobia and the applicant for making these revisions to the plans; however, she did not feel comfortable granting approval based on a sketch. She pointed out that there had been concerns about the architecture and the diversity proposed for the two homes.

Mr. Tobia stated that the applicant would be extremely reluctant to drop the roof lines down on the proposed homes.

Mr. Wagner pointed out that the architectural elements of the two homes are different; however the massing of the two homes has not changed. He made some suggestions.

Mr. Tobia stated that the plans will be amended. He asked that the application be carried to a future meeting.

Mayor Harris suggested a streetscape view be submitted showing the façade of the two proposed homes among the existing homes in the neighborhood. Referring to the landscape plan, Dr. Blickstein suggested a variety of trees be planted, instead of a uniform planting.

A discussion was held to decide which future meeting date to continue the application.

Attorney Loughlin announced that Application PB #15-03: Menza & Beissel Homes, Inc. 64 Hedges Avenue, will be continued to the February 3, 2016 Planning Board Meeting, 7:30 p.m., Council Chambers, Chatham Municipal Building.

The applicant and his witnesses departed.

Mrs. Favate reminded the Board and the audience that a public workshop will be held at the Library of the Chathams on Thursday, February 18<sup>th</sup>, 7 p.m. regarding the update on the Master Plan. Feedback from the public would be very welcome.

Attorney Loughlin swore in the following Board members, renewing their terms on the Board:

Mayor Bruce Harris  
Council Member Vicki Fife  
H.H. Montague

At 9:35 p.m. the meeting adjourned.

The January 20, 2016 Planning Board meeting has been cancelled.

The next Planning Board meeting will be held Wednesday, February 3, 2016, 7:30 p.m., Council Chambers, Chatham Municipal Building.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary