

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

Chairman Susan Favate called this Planning Board Meeting of April 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 Victoria Fife	X	
Janice Piccolo	X	
Chrmn. Susan Favate	X	
Vice Chrmn. Matthew Wagner		X
H.H. Montague	X	
John Bitar		X
James Mitchell		X
Joseph Mikulewicz		X
William Heap	X	
Wolfgang Robinson	X	
Vincent K. Loughlin, Esq.	X	
Dr. Susan Blickstein	X	

Also present were:

Robert C. Brightly, P.E., Consulting Engineer for the Board

Harold K. Maltz, P.E., P.P., Traffic Expert for the Board

Public Comment

No one came forward.

Resolution #PB 2016-14

The meeting minutes of March 16, 2016 were approved as amended.

Resolutions

Application PB #16-002

CVS/Pharmacy

465 Main Street

Waiver of Site Plan/Change of Permitted Use

Block 29, Lot 9

Attorney Loughlin reported that the applicant's attorney had no corrections or comments on this resolution.

A motion was made/seconded to approve this Resolution, memorializing the Board's approval of the Waiver of Site Plan/Change of Permitted Use for CVS/Pharmacy at 465 Main Street. A voice vote was taken. The following Board members approved this Resolution:

Mayor Harris
Council Member Fife
Mrs. Piccolo
Chairman Favate
Mr. Robinson

Liaison Report

Mr. Montague reported that the Zoning Board of Adjustment will be holding an extra meeting on Thursday, April 21, 2016, 7:30 p.m., Council Chambers.

Application PB #16-003

Passaic Avenue Partners, LLC

222 North Passaic Avenue

Waiver of Site Plan

Block 42, Lots 5 & 6

Chrmn. Favate announced that this application will be carried to a future date.

Application PB #15-04

Chatham River Road Partners, LLC

16 River Road

Preliminary Site Plan/Final Site Plan/Variance

Block 135, Lot 10

John Inglesino, Esq., attorney for the applicant, came forward.

Attorney Inglesino stated that the applicant's property is the site of the former Burling Instruments building. The property is located in the M-3 Gateway Overlay District which permits multi-family housing. Attorney Inglesino noted that this proposed project, if approved, will be the first multi-family building in this newly formed district.

Attorney Inglesino stated that his client purchased this property in 2015. A variance is being sought for relief from the Affordable Housing requirement. The applicant is proposing to construct a three-story 47 unit multi-family apartment building, over one story of parking, for a total of four stories. This use is permitted in this M-3 Gateway Zone. Also, the applicant is seeking a waiver from the design standards set forth in the Borough Ordinance, requiring windows on the ground floor have 60% manifestation along all the exposed façade.

Attorney Inglesino reviewed the additional variances being sought. The applicant's architect will be giving the necessary testimony. Three witnesses will testify tonight.

Charles Thomas, P.E., the applicant's engineer, was sworn in to testify. Mr. Thomas submitted his professional credentials to the Board. The Board accepted them.

Mr. Thomas submitted Exhibit A-1: An aerial photo of the applicant's property, showing existing conditions. The proposed project is high-lighted in white. The subject property is

slightly over 1.09 acres, and is 200 to 300 feet deep. It is 200 feet wide across the frontage. Mr. Thomas described the topography of the property.

Mr. Thomas testified that the existing building and parking lot will be removed. Twenty trees on the southwesterly side of the property will be taken down. He described the existing drainage system.

Mr. Thomas submitted Exhibit A-2: A site rendering of the subject property, dated 4/6/2016, prepared by Bowman Consulting.

Mr. Thomas testified that the proposed building will have 21 units with one bedroom, 25 units with two bedrooms, and one unit with 3 bedrooms. The required ninety parking spaces will be created. Forty-four of the spaces will be located inside of the building. The remaining 46 spaces will be outside, underneath the building and on the surface. Three ADA compliant spaces will be provided.

Mr. Thomas testified that the proposed building will be set 15 feet from the right-of-way line. The bulk requirements specifies 10 feet. The proposed plans are compliant with all the setbacks. The site is almost all impervious. The back of the building will be extended out at the rear, which will increase the impervious surface by 2%, or 950 sq. ft. Solid waste will be collected inside. There will not be an outside dumpster. The building will have an on-site superintendent.

Mr. Thomas explained the name of the applicant's company "BNE".

Dr. Blickstein confirmed with Mr. Thomas that the garbage from the building will be picked up by a private hauler.

Mr. Thomas explained why the proposed front setback variance is needed for the building. He testified that the proposed building is 3 feet deficient on the upper floors from what is required by the Borough ordinance. The applicant's architect will go into greater detail on the front setback situation.

Mr. Thomas testified that the proposed building will be using existing water and sewer lines already existing on the site. New services for gas and electric lines will be brought on site.

Mr. Thomas testified that the roof water for the proposed building will be collected and directed to an underground detention system in the parking lot. The detention system will be connected into the existing drainage system located on River Road.

Mr. Thomas testified that 22 new trees will be planted on the property. Red October Maple trees will be planted along westerly property line. Green Leaf Linden trees will be planted around the easterly side of the property. Flowering dogwood trees will be planted internally. Pear trees will be planted along the right-of-way. Mr. Thomas noted that the landscape architect from his company prepared this landscaping plan.

Mr. Thomas described the lighting which will be provided on site. Lighting will be installed under the canopy, in the garage area, and along the frontage. The lights will operate from dusk to dawn.

Mr. Thomas stated that a new concrete sidewalk, 4 feet wide, will be constructed across the front, connecting into existing sidewalk. Handicap accessible ramps will be installed at the front door. Handicap accessible means will be internally within the building as well.

Council Member Fife reminded Mr. Thomas that currently there are no genuine sidewalks on River Road. Sections of the neighborhood have no sidewalks at all. Mr. Thomas explained how a sidewalk easement could then be done.

Mr. Thomas described the back patio. A 10-ft. wall will be constructed and will encroach into the existing hill. The back patio will extend over the first floor residential parking.

Attorney Inglesino asked Chrmn. Favate if, at this point, she wanted Mr. Thomas to answer engineering questions, or should the hearing move on to David Minno, the applicant's architect. Chrmn. Favate suggested Mr. Minno could come forward.

David J. Minno, the architect for the applicant, was sworn in to testify. Mr. Minno submitted his professional credentials to the Board. The Board accepted them.

Mr. Minno gave a power point presentation of the proposed building. He explained three slides:

- 1) The Site Location (an aerial view)
- 2) The South Elevation
- 3) The West Elevation, showing the parking below grade, the back patio, the different building materials on the façade, balconies, and balconettes, etc.
- 4) The East Elevation, showing the entrances to the garage, and parking area. The residential entry will be screened by a tree.

Mr. Minno showed the view of the new building, looking from Schindler Court. He believed the trees at the end of Schindler Court would block much of the view of the new building.

Mr. Minno showed a street view of River Road site before the proposed building and after the proposed construction. Regarding the landscaping plans, Dr. Blickstein asked Mr. Minno to indicate what existing plantings will be remaining on the site.

Mr. Minno discussed the slides showing the proposed ground floor plan and the first floor residential level. He pointed out the garage entrances, the lobby area, bike storage, and the trash termination area. Mr. Minno described how the trash is disposed of on each floor. A trash compactor will be located on the lower level. Ultimately, the building management will bring the compacted trash out to curbside on collection days.

Answering Dr. Blickstein's questions about parking, Mr. Minno stated that in the building's garage, the parking spaces will be assigned. The elevator will be located in the main lobby. The Board asked about a section designated for deliveries made to the building. On the elevations, Mr. Minno pointed out a small service area for delivery trucks like Fedex.

Mr. Minno testified that the applicant, BNE, will keep on top of the maintenance of the property, including the terrace and the parking deck.

Showing another slide, Mr. Minno described the bike storage area which will be accessed from the garage. Nine bikes could be stored in that area.

Mr. Maltz, the Board's traffic engineer, had concerns about the door, inside the garage, that opens onto a parking space and the trash enclosure. He felt it was an odd and hazardous location for a door. How could someone take out the trash if a vehicle was parked by the door?

Mr. Minno pointed that none of the building residents will be using that door to carry trash down. Only the maintenance staff would be using that door. The door would be used only if there was a maintenance equipment problem.

Dr. Blickstein asked if additional space could be created for bike storage.

Mr. Minno answered that there would be no additional interior space for bikes; however, residents will be allowed to keep their bikes in their personal units.

Mr. Minno described the roof plan. All the air conditioning units are lined up in the middle of the building over the corridor. This particular A.C. arrangement will not be seen from the street. It also will reduce the vibrations on the dwelling units.

Mr. Minno submitted Exhibit A-3: a photo giving a perspective view along River Road of the proposed building. He described the different facades and features in the proposed building.

Mr. Minno noted that 35 feet is permitted for a building height in this particular zone. If certain criteria is met, the building is allowed to go up an extra 4 feet. For one of the criteria, Mr. Minno pointed out that applicant has made an effort to screen its residents' parking from the main roadway. For another criteria, the applicant had submitted a letter to Mrs. Baldwin, in the Borough Zoning Office, listing 21 sustainable features which will be included in the proposed building.

Mr. Minno noted that the applicant's planner will be giving testimony on why the façade of the building has to be constructed going straight up. Otherwise a steel beam line would have inserted throughout the entire front façade, stepping it back 3 feet. Mr. Minno felt the proposed façade would be very strong. The applicant's planner will provide further testimony on this façade situation.

Dr. Blickstein asked for more testimony on the proposed patio space. What is being proposed for the patio's lighting, seating, etc?

Attorney Inglesino and Mr. Minno stated that a more detailed plan will be submitted for the patio.

Mayor Harris suggested a green roof be considered for the patio. Mr. Minno said plantings could probably be inserted in the roof area. Mr. Minno stated that no satellites dishes will be on the roof area. Underground cabling will be done for the residents' TV and data services.

Mayor Harris asked where the 3-bedroom unit would be located. Mr. Minno said that hasn't been decided yet. The COAH requirements will be followed on the percentage of bedrooms. Chrmn. Favate asked that the different units be dispersed throughout the proposed building. Attorney Inglesino agreed, stating that there are regulations concerning that arrangement.

Chrmn. Favate asked if a generator will be on site for the building. Attorney Inglesino stated that a generator installation isn't being proposed.

At 9:10 p.m. a break was taken in the meeting.

At 9:20 p.m. the meeting resumed.

Attorney Inglesino asked that any questions the Board and the public may have for Mr. Minno, please submit them tonight. Mr. Minno may not be available for the next hearing.

Dr. Blickstein stated that she would like to see a streetlamp and a streetscape that varies more from the downtown. More contemporary light fixtures would be more suitable. She suggested the applicant provide the Board members with cut sheets giving options for these fixtures. Chrmn. Favate asked if lower fixtures could be considered. Dr. Blickstein felt that if a 5 ft. sidewalk was created, the light fixtures could be 10 feet high instead of 12 feet.

Mr. Thomas, the applicant's engineer, noted that there will be there will be architectural lighting on the building.

Mr. Minno stated that for the next hearing a plan will be presented regarding the patio area.

Board Engineer Bob Brightly asked whether there would be any structural columns in the underground parking area.

Mr. Minno answered yes. The dimensions of the parking spaces will be outside of the columns. The span between the columns will generally be 27 feet.

Mr. Brightly asked if a column would force someone opening a car door, to hit a wall.

Mr. Minno answered no. The columns will be located more towards the drive aisle. The car doors will have enough space to safely open.

Mr. Brightly and Mr. Minno discussed the pipe projections. Mr. Minno stated that the pipe projections will be protected. They will not impact the size of the parking spaces.

Mr. Brightly confirmed with Mr. Minno that a sprinkler system will be installed in the building for fire prevention.

Mr. Brightly reiterated Mr. Maltz's concerns about the building management door inside of the garage. Is it possible to move this door to the westerly wall?

Mr. Minno explained how this will only serve as a secondary door for the maintenance staff. It won't be used very often. He will look into re-locating the door to the stairwell.

Mr. Brightly confirmed with Mr. Minno that there will be floor drains in the parking area. Mr. Brightly asked that details be given on how these drains will connect into the sanitary sewer. If a major snowstorm occurs, the snow will be trucked out.

Mr. Maltz noted that there is a gate proposed to control access to the building's garage. Will the gate be operated by a remote?

Mr. Minno explained that a key fob in a vehicle would open the gate entering the parking area. An automatic electric eye would open the gate for a vehicle leaving the parking area.

Mr. Maltz asked how much noise this gate would produce. There are apartments situated just over the gate location.

Mr. Minno answered that there will be a concrete floor between the roll-up gate and the residents situated above. An 8-inch slab will exist. Any vibrations from the gate will be reduced with a box at the header of the door.

Mr. Maltz had concerns about a parking space on the other side of the gate. There is only 5 feet existing from the wall. If a vehicle has to back up from that space, the driver only has 2 feet to swing out. He felt it was a poor location for a parking space.

Mr. Thomas agreed that it was not the best parking space in the garage. The building superintendent will be assigned that space. His car will be in that space all day long.

Mr. Maltz still believed that this parking space was not in a desirable location. There is only a 50 ft. connection and is right up against the gate.

Dr. Blickstein asked Mr. Minno what type of parking ratio does BNE see in this project?

Mr. Minno noted that a great deal depends on the public transportation situation. The proposed building won't be a public transportation walkable area. BNE sees probably sees 1.75 with this type of unit mix.

Mr. Maltz noted that the parking on River Road has a 3-hour parking restriction for 8 a.m. to 6 p.m., except for Saturdays, Sundays, and Holidays. For visitors in common areas like this would be .5 spaces. Any overflow of parking can be absorbed by the street.

Dr. Blickstein recommended not having on street parking too close to this building's entrance. It's very hard for a pedestrian to safely cross River Road. It's also difficult for motorists to pull out safely onto River Road.

Mr. Maltz suggested BNE restrict an area right in front of the building for Fedex and other trucks to unload.

There were no further questions from the Board for Mr. Minno.

Chrmn. Favate asked if the public had any questions for Mr. Minno or Mr. Thomas.

Brian Fenlon, Esq., attorney for Crown Oil, 22 River Rd., Chatham, came forward. He noted that he didn't have a complete set of all the materials for this application. Mr. Fenlon would like a chance to review the materials. He asked Attorney Inglesino if Mr. Minno could be brought back to the next hearing to answer any questions he may have.

Attorney Inglesino answered that if Mr. Minno is not available for the next hearing, a representative from Mr. Minno's firm will be available at the hearing for questions.

Mrs. Piccolo and Dr. Blickstein briefly reviewed the three letters submitted by the Chatham Emergency Squad, the Chatham Fire Department, and the Chatham Police Department, giving their comments and recommendations on this application.

Attorney Inglesino said these concerns from emergency services will be addressed at the next hearing.

Mayor Harris referred Mr. Minno to the slide showing the front of the building and the trees. He pointed out that there will be power lines in front of the building. The Mayor felt that the 25-ft. trees will be a problem. BPU has new rules stating that a 15-ft. clearance must be maintained. BPU will be trimming trees branches to achieve that clearance.

After further discussion, Mr. Minno said he would make sure that there is a variety of trees planted on the property.

Dr. Blickstein asked that on the plans the applicant mark which existing trees will remain on the property.

Mr. Thomas reviewed the items that Mr. Brightly had brought up in his letter. Among the items, the applicant will be revising the front entrance to better show the handicap ramp as well as the crosswalk. The applicant will consider lowering the height of the luminaries to 12 feet.

Dr. Blickstein asked Mr. Thomas to consider making the proposed sidewalks 5 feet in width. Mr. Thomas agreed with this suggestion.

Mr. Thomas will speak with the applicant's landscape designer about the proposed pear trees. The proposed Douglas firs on the side will be removed from the plans. Mr. Thomas stated that

the applicant will increase the distance of the proposed Red Maple trees from the building. The proposed foundation plantings will be flipped to the other side. Mr. Thomas noted that the applicant had no objections to Mr. Brightly's drainage comments. Also, the applicant will put the street number on the building's front canopy.

Chrmn. Favate asked what would be the name of the building.

Mr. Thomas and Attorney Inglesino said that has not been decided.

Mr. Thomas discussed the loading area to be designated in the front of the building. He noted that BNE will establish specific days and off-peak times for new people moving into the building.

Chrmn. Favate informed Attorney Inglesino that the Board just received Mr. Maltz's traffic report today, due to post office delivery problems. The Board will make sure a copy is sent to the applicant.

There were no questions from the public at this point.

Application PB #15-04: Chatham River Road Partners, LLC – 16 River Road – will continue to the Planning Board meeting on Wednesday, May 4, 2016, 7:30 p.m., in the Council Chambers, Chatham Municipal Building. No further notice is necessary.

At 10:00 p.m. the meeting adjourned.

At this time, the next Planning Board meeting is tentatively scheduled for Wednesday, April 20, 2016, 7:30 p.m., Council Chambers, Chatham Municipal Building. Board members will be notified if there is a cancellation.

Respectfully submitted:

Elizabeth Holler
Recording Secretary