

CHATHAM BOROUGH PLANNING BOARD
February 20, 2019 7:30 p.m.

Chairman Susan Favate called the Chatham Borough Planning Board Meeting of February 20, 2019 to order at 7:30 p.m. in the Council Chambers, Chatham Borough Hall. Chrmn. Favate announced that all legal notices have been posted for this meeting.

Name	Present	Absent
Mayor Bruce Harris	X	
Steve Williams	X	
Council Member Thaddeus Kobylarz	X	
Chrmn. Susan Favate	X	
Vice Chrmn. Matthew Wagner	X	
H.H. Montague	X	
William Heap	X	
Torri Van Wie		X
Matthew Engel		X
Kyle Muir	X	
Curt Dawson		X
Vincent K. Loughlin, Esq.	X	

Also present:
Vincent DeNave, Borough Engineer & Zoning Officer

Public Comment
There was none.

Resolution #PB 2019-12

Vice Chrmn. Wagner made a motion to approve the minutes of the February 6, 2019 meeting as amended. Mr. Williams seconded the motion. The minutes of February 6, 2019 were approved as amended.

New and Returning Applications

Application PB #19-01

Fleur De Sel, LLC

265 Main Street

Change of Permitted Use with Request for Waiver of Site Plan

Block 120, Lot 3

Gary Haydu, Esq., attorney for the applicant, came forward. He introduced Patricia Khawand, the sole managing member of Fleur De Sel, LLC, Ms. Khawand is a resident of Chatham.

Patricia Khawand, the applicant, was sworn in to testify. Ms. Khawand stated that her home address is 27 Oliver Street, Chatham NJ.

Ms. Khawand testified that her business will be a bakery and café. She will be serving fresh and baked-from-scratch food to customers. French pastry and a selection of breads will be offered. Afternoon tea specials will also be offered. Catering will also be done.

Ms. Khawand testified that her hours of proposed operation will be Monday through Thursdays from 8 a.m. to 7 p.m., Fridays 8 a.m. to 7 p.m. Possibly there will be evening hours of operation of 7 p.m. to 11:00 p.m. Saturdays brunches will be served from 10:00 a.m. to 3 p.m. If there is demand, the store will be open on Saturday nights. Also, if there is a demand, the store will be open on Sundays 10 a.m. to 3 p.m. offering brunch.

Ms. Khawand testified that her business will have 4 to 5 full time employees, and part time as needed.

Attorney Haydu asked Ms. Khawand if renovations would need to be done to this facility to make it usable to her business.

Ms. Khawand answered that a great deal of interior work will have to be done. Some work is proposed for the outside of the building.

Ms. Khawand showed the Board a photo of the proposed frontage. She pointed out the proposed awning with goose-necked lighting. The existing brick wall will remain. Ms. Khawand pointed out where a double-glazing panel will be installed. The frame of the building will be painted.

Mr. DeNave advised that the Borough Sign Committee and the Borough Historic Commission will have to review the proposed awning. The photo of the proposed awning can be emailed to the members of these two committees to review. Mr. Montague suggested that sample swatches of the awning's color be submitted to the Sign Committee. Mr. DeNave recommended that the details of any proposed exterior lighting be given to these two committees.

Attorney Loughlin marked Ms. Khawand's photo assimilation of the store's exterior as Exhibit A-1.

Mr. DeNave advised Ms. Khawand that if she proposes to change any of the glass frames, please submit those proposals to the Historic Preservation Commission (HPC).

Answering a question from Mayor Harris, Ms. Khawand clarified that it isn't definite yet whether both panels will remain. It may be only one. She will consult with the Historic Preservation Commission about this matter.

Mr. Montague asked if any signage would be put on the door.

Ms. Khawand indicated she may put decals on the front door.

Mr. DeNave advised her, that under the Borough sign ordinance, that she has the ability to cover 20% of the glass on the front door. This 20% could be used to list the days and hours of operation,

and a business logo. Ms. Khawand will send any front door signage to the Borough Sign Committee and the HPC.

Chrmn. Favate confirmed with Ms. Khawand that the existing air conditioning unit above the front door will be removed.

Ms. Khawand submitted Exhibit A-2: a detailed floor plan done by the applicant's architect. Ms. Khawand explained the proposed floor plan for the store. She described the different styles of seating that will be used. Shelves will be put in place for retail items. There will be different counters for different functions. Ms. Khawand described the food preparation area towards the rear of the store. Customers can view kitchen activities through glass. An ADA restroom will be installed.

On Exhibit A-2, Ms. Khawand pointed out where a new door will be created at the back of **the** store. This door will lead to the existing alleyway between her store and the Bank of America. This door will be used to accept deliveries to her store, and also be used as a second egress and exit from the store. Trash will also be carried out from this door. Ms. Khawand testified that she will have a recycling bin and a trash bin which will be emptied throughout the day as needed. The basement will be used as storage area. There may be a small table in the back for employees.

Chrmn. Favate confirmed with Ms. Khawand that the alley did not run through all the way to the back. Ms. Khawand stated that the alleyway stops at the wall of Bank of America.

Mr. Williams asked who owned the alleyway.

Ms. Khawand explained that the correspondence she has had with Bank of America, the Bank had indicated that the alleyway was not theirs. Ms. Khawand stated that a property survey could not be found. The landlord does not have a survey. The Borough does not have a survey. Ms. Khawand has submitted an OPRA request for a property survey. So far, she hasn't received a reply to the OPRA.

Attorney Haydu stated that in any event of ownership, the Bank of America has consented for Ms. Khawand the use of this alleyway, so deliveries can be done. This action has been memorialized and put in writing.

Mr. Montague asked how large will the proposed door be in the alleyway. Will the garbage cans be able to fit through this door.

Ms. Khawand assured him that the door is large enough to fit any equipment through. She testified that the walkway between Ms. Khawand's store and the bank is 5 feet 2 inches wide.

Answering Mr. Montague's inquiry, Ms. Khawand reviewed the proposed items that will be offered on the menu.

Mr. DeNave confirmed with Ms. Khawand that garbage cans for the store will be kept in the alleyway.

Mr. DeNave asked if Ms. Khawand would be interested in sidewalk dining for her business when warmer weather comes. Ms. Khawand indicated she was very interested in sidewalk dining. Her business will also have customer take-out orders.

Mr. DeNave reviewed what information a sidewalk dining permit would require.

Mr. DeNave asked how many trash cans Ms. Khawand will have for her business.

Ms. Khawand answered 3 or 4 trash cans, 4 to 6 gallons size each. She pointed out on the plans where they will be located. Chatham Disposal Company will pick up the trash two times a week. If necessary, the number of pick-ups can increase.

Mr. DeNave brought up the concern of the sidewalk diners wanting to dispose of their plates, napkins, utensils, etc. He told Ms. Khawand the Borough may require her to purchase one of the Borough's street receptacles. Mr. DeNave said he and Mrs. Piccolo at Borough Hall will work with her on the cost of these receptacles.

Mr. DeNave reviewed with Ms. Khawand the Borough's parking regulations for store employees. He advised her to make sure and buy enough Borough parking permits for her employees, who work beyond 3-hour shifts.

Mr. Williams asked when did Ms. Khawand plan on doing her baking.

Ms. Khawand answered that she will bake the majority of her items in-house. Some items will be ready-made from a supplier.

Mr. DeNave reminded Ms. Khawand that she will have to submit her plans as soon as possible to the Westfield Health Department for their review. The Health Department may have recommendations for her. The Madison Construction Department will also have to review the plans. Mr. DeNave noted that Ms. Khawand's architect should include details about ventilation for the cooking and baking. Ms. Khawand knew plans for fire suppression had to be included.

Mr. Heap asked Mr. DeNave if there was a code regulation regarding keeping the alleyway clear to the sidewalk.

Mr. DeNave stated that he would run everything by the Borough Fire Official. If the proposed second door is used as an egress, some space needs to be kept clear or passable.

Chrmn. Favate confirmed with Ms. Khawand that the existing iron gate will be replaced with a wooden gate. Mr. DeNave advised her to show her gate plans to the Historic Preservation Commission.

Chrmn. Favate asked what would be the hours for garbage pickup.

Ms. Khawand answered early morning.

Ms. Khawand explained that she will try, as close as possible, to make her food from scratch. Everything will be fresh. Her business will be fine dining with a casual atmosphere. Ms. Khawand will train the staff herself.

The Board had no further questions for Ms. Khawand.

Mr. Heap made a motion to approve Application PB #19-01: Fleur De Sol, LLC, granting a Change of Permitted Use with Request for a Waiver of Site Plan at 265 Main Street. Mr. Williams seconded the motion. The following conditions were included in the motion:

- 1) The applicant will submit her frontage plans to the Borough Sign Committee
- 2) If the Borough Zoning Official so desires, the applicant will purchase a street garbage receptacle
- 3) The applicant will obtain parking permits for her full-time employees
- 4) The applicant must obtain Health Department review and approval for the food operations
- 5) The applicant must obtain any additional approvals from Borough Departments as was discussed tonight.

A roll call vote was taken:

Mayor Harris	-	yes
Mr. Williams	-	yes
Council Member Kobylarz	-	yes
Vice Chrmn. Wagner	-	yes
Mr. Montague	-	yes
Mr. Heap	-	yes
Mr. Muir	-	yes
Chrmn. Favate	-	yes

Application PB #19-01 was approved.

Mr. DeNave noted two future applications that will be coming before the Board soon.

Mayor Harris reported that a joint meeting will be held, between the Borough Council and the Planning Board, regarding the Post Office Plaza Development on March 20th.

Mr. DeNave reported that a private exercise studio, already operating in the Borough, is now proposing a Change of Use Application for 28 Watchung Avenue. The applicant will have to obtain a license agreement from the Borough. The applicant's attorney has contacted the Borough Attorney on this matter. Borough Attorney Lott wants the Planning Board's approval of this application, before the Borough Council approves the license agreement.

At 8:20 p.m. the meeting adjourned.

The next Planning Board meeting will be Wednesday, March 6, 2019, 7:30 p.m., Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Minutes Secretary