

CHATHAM BOROUGH PLANNING BOARD
December 6, 2017 7:30 p.m.

Chairwoman Susan Favate called this Regular Meeting of the Chatham Borough Planning Board 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.

Names	Present	Absent
Mayor Bruce Harris	X	
Council Member Victoria Fife		X
Stephen Williams	X	
Chrmn. Susan Favate	X	
Vice Chrmn. Matthew Wagner	X	
John Bitar		X
Joseph Mikulewicz		X
H.H. Montague	X	
William Heap	X	
Vincent J. Loughlin, Esq.	X	
Dr. Susan Blickstein	X	

Vincent DeNave, Borough Engineer and Zoning Official, was also present.

Public Comment

There was none.

Resolution #PB 2017-22

Vice Chrmn. Wagner made a motion to approve the Planning Board minutes from the October 18, 2017 meeting as submitted, with Mayor Harris's corrections. Mr. Heap seconded the motion. The minutes were approved.

Discussion Item

On Referral from the Governing Body:

Ordinance #17-12: "Ordinance of the Borough of Chatham Amending and Supplementing Chapter 165 of the Borough Code of the Borough of Chatham Entitled "Land Development Regulations" Related to the Bulk Standards of the Borough's Residential Districts.

Chrmn. Favate noted that this ordinance has gone through First Reading by the Mayor and Borough Council. Second Reading will be next week.

Chrmn Favate explained that the Board will vote tonight on whether Ordinance #17-12 is consistent with the Borough's Master Plan. Dr. Blickstein pointed out that the recent Master Plan Update talks about these refinements for residential districts.

Vice Chrmn. Wagner made a motion to approve the resolution stating that Ordinance #17-12 is consistent with the Master Plan. Mayor Harris seconded the motion. A roll call vote was taken:

Mayor Harris	-	yes
Mr. Williams	-	yes
Vice Chrmn. Wagner	-	yes
Mr. Montague	-	yes
Mr. Heap	-	yes
Chrmn. Favate	-	yes

New and Returning Applications

Application PB #17-06

Laser and Skin Therapeutics, P.C.

415 Main Street

Preliminary/Final Site Plan Approval

Block 84, Lot 5

Mr. DeNave explained that this application is not ready to go before either the Planning Board or possibly the Zoning Board of Adjustment.

Application PB #17-16

Maria Cambria

14 Cherry Lane

Minor Subdivision

Block 87, Lots 9 & 10

This application will be placed on the January 3, 2018 Agenda, due to insufficient noticing. The applicant will re-notice.

Application PB # 17-17

Twin Elephant Brewing Company, LLC

13 Watchung Avenue

Preliminary/Final Amended Site Plan Approval

Block 140, Lot 12.01

Roger Mehner, Esq., introduced himself as the attorney for Twin Elephant Brewing Company.

Attorney Mehner stated that Twin Elephant is a tenant on the property located at 13 Watchung Avenue. The Prisco family owns this property. It is in the M-3 District. Attorney Mehner noted that he was with Twin Elephant when they received approval from the Zoning Board of Adjustment to do light manufacturing of beer at 13 Watchung Ave. Consumption of beer, as well as manufacturing of beer, is permitted in this district, so long as a drive-through is not established.

Attorney Mehner noted that Twin Elephant is a very limited operation. It is only open three days a week. Thursday evenings, Friday evenings, and Saturdays from noon until 10 p.m.

Attorney Mehner explained that his client is seeking to use some outdoor space that is adjacent to their current rented space. This outdoor space measures 15 ft. by 95 ft. at the rear of the

building. The area is located between their existing business and the border with Westy Storage. A fence separates the two properties. Attorney Mehner described the space in question is “as tucked away” as it can get. The proposed space and activity won’t affect any property that is remotely residential.

Attorney Mehner stated that the application is not proposing any permanent structure in this subject space. The proposal is to improve this particular space for seasonal, outdoor seating and the serving of beer. The applicant is proposing to re-do the fence with wood fencing. The large, swinging gates which currently exist will be replaced. Only an emergency egress will be in place for this outdoor area. Anyone wanting to enter this outdoor space will have to go through the pub first.

Attorney Mehner noted that paving exists for most of this outdoor area. The applicant isn’t proposing to change this pavement. Under the dumpster, the pavement is in poor condition. The applicant will not re-pave this section. Gravel or stone will be spread under the dumpster.

Attorney Mehner stated that six tables with seating will be set up in the area. Five people will be able to sit at each table. Thirty people can then be seated in the outdoor area. A moveable bar will be used. A “chiller”, a modular outdoor refrigerator, will be placed at one end. The chiller will provide beer storage. It is not a permanent structure. Some outdoor lighting will be installed along the side of the building for safety purposes. The applicant would like to install an awning to provide shade for afternoon hours on Saturday.

Attorney Mehner explained that this proposed outdoor area will be used approximately from April to October, during Twin Elephant’s working hours.

Dr. Blickstein brought up the existing chain-link fence on the applicant’s property. Is the applicant proposing to remove the chain-link fence?

One of the principals from Twin Elephant, from the audience, indicated that he would have the fence cleaned up. A wooden fence will be built inside the chain-link fence.

Chrmn. Favate asked if the applicant had talked with Westy Storage about cleaning up the overgrown vegetation.

Cynthia DeRama, one of the principals of Twin Elephant, was sworn in to testify.

Ms. DeRama testified that she wasn’t sure whether the chain-link fence was on Westy’s side of the property, or Twin Elephant’s. However, the proposed wooden fence would be installed on Twin Elephant’s property.

Dr. Blickstein confirmed with Ms. DeRama that the wooden fence will be constructed inside of the chain-link fence. A double fence will result.

Dr. Blickstein noted that as long as the proposed fence remains at 6 feet or under, it should not be a major concern for the Board.

Mr. DeNave, the Zoning Officer, noted that the property survey indicates that the chain-link fence belongs to Westy Storage. The proposed fence will then be constructed inside of the chain-link fence.

Ms. DeRama testified that Twin Elephant's operating hours are currently Thursday, 4 p.m. to 9 p.m. Friday, 5 p.m. to 10 p.m. and Saturday, 12 p.m. to 10 p.m. If any hourly changes are made, it would be on a Sunday afternoon. However, Ms. DeRama didn't believe an hourly change would be happening in the foreseeable future.

Attorney Mehner confirmed with Ms. DeRama that the proposed lighting on the wall will be shielded.

Ms. DeRama testified that it will ambient lighting which will also provide safety. The lights will be turned off when business hours are over.

Attorney Mehner confirmed with Ms. DeRama that no production of beer will take place in this outdoor area. All beer production will be done within the manufacturing space that is currently walled-off.

Attorney Mehner and Ms. DeRama discussed the chiller refrigerator unit that will be located in the proposed area. Currently a similar unit is indoors at Twin Elephant.

Attorney Mehner confirmed with Ms. DeRama that if the application was approved, Twin Elephant would have to make a change to their State Alcoholic License to include this new premises.

Mr. DeNave noted that Twin Elephant currently has the use of the entire parking lot at 13 Watchung Avenue during their business hours. Is any other business operating there during Twin Elephant's hours?

Ms. DeRama answered that part of their business agreement with Prisco was that Twin Elephant would not operate the same hours as the other businesses on the premises. During their operating hours, Twin Elephant has all the parking spaces on the Watchung Avenue side and the River Road side.

Mr. DeNave asked whether that parking was enough for Twin Elephant.

Ms. DeRama answered that this current arrangement was enough parking. During their busy hours, Twin Elephant will have an employee outside directing customers where to legally park.

Mr. DeNave asked Ms. DeRama to submit what kind of fixtures Twin Elephant is proposing to install for this outdoor area. With this review, Mr. DeNave has to make sure the new lighting installation will not violate the Borough's lighting ordinance.

Mayor Harris asked whether the customers would be able to use the exit gates.

Ms. DeRama answered no. The gates will only be used for emergency situations. Twin Elephant likes to monitor the number of their consumers. Tours for the public are also done on the premises.

Mr. Williams asked how would the wooden egress doors work.

Ms. DeRama answered that those wooden doors would be one way only. Either a latch or a panic bar will be installed.

Chrmn. Favate asked if there was a maintenance agreement with the property owner concerning the landscaping along the edge of the property.

Ms. DeRama answered that the property owner has a landscaping agreement. Twin Elephant and the property owner will reach an agreement on who will maintain that edge of the property. Ms. DeRama assured Chrmn. Favate that this section will definitely be maintained.

Chrmn. Favate and Ms. DeRama discussed the pavement situation. Mr. DeNave told Ms. DeRama that he is willing to discuss paving options. He reminded her that the existing spread of stone is considered lot coverage.

Mr. Williams commented that he liked the arrangement; however, he would like the Borough Fire Inspector to look at the door situation and other items.

Mr. Heap asked if there would be beer taps outside.

Ms. DeRama answered yes. If the State of New Jersey permits it, Twin Elephant will have taps in the cold room to serve customers outside.

Mr. DeNave reminded Ms. DeRama that under the Borough ordinance, awnings are considered signs. Twin Elephant will have to fill out a sign permit and submit it to the Borough Sign Committee for approval.

There were no questions or comments from the public.

Vice Chrmn. Wagner made a motion to Approve PB # 17-17: Twin Elephant Brewing Company – 13 Watchung Avenue for Preliminary/Final Amended Site Plan Approval, with the following agreed upon conditions:

- 1) The applicant will amend the plans to apply for a wooden fence, not a chain-link fence.
- 2) Obtain approval from Mr. DeNave, before operations commence, for Twin Elephant to run their business on these premises.
- 3) A lighting fixture plan will be submitted to Mr. DeNave.
- 4) Plans for the awning will be submitted to Mr. DeNave for review by the Borough Sign Committee. A sign permit will be obtained by the applicant.
- 5) The awning will be for seasonal use

6) All the details of the plans must be approved by the Borough's Fire Safety Official

Mr. Williams seconded the motion. A roll call vote was taken:

Mayor Harris	-	yes
Mr. Williams	-	yes
Vice Chrmn. Wagner	-	yes
Mr. Montague	-	yes
Mr. Heap	-	yes
Chrmn. Favate	-	yes

The application was approved.

Mr. DeNave noted that the Board will be hearing a subdivision application possibly in January. Additional paperwork has to be submitted by the applicant to deem the application complete.

The Board sincerely thanked Dr. Susan Blickstein for all her work as planner for Chatham Borough. Tonight was her last meeting with the Planning Board.

Mr. Williams asked if Dr. Blickstein would submit a professional services agreement to work on a temporary basis until the Borough could appoint a new planner.

Dr. Blickstein stated that the Borough Attorney had her agreement from last year. This agreement could be modified to specify the number of days she would work temporarily as Borough Planner.

Mayor Harris made a motion to cancel the Planning Board meeting scheduled for December 20, 2017. Mr. Heap seconded the motion. A voice vote was taken. All Board members present approved the motion.

The next Planning Board meeting will be held on Wednesday, January 3, 2018, 7:30 p.m., in the Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

