

CHATHAM BOROUGH PLANNING BOARD
June 6, 2018 7:30 p.m.

Chrmn. Susan Favate called this Regular Meeting of June 6, 2018 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 Peter Hoffman	X	
Steve Williams	X	
Chrmn. Susan Favate	X	
H.H. Montague	X	
William Heap	X	
Vice Chrmn. Wagner	X	
Torri Van Wie	X	
Matthew Engel	X	
Kyle Muir	X	
Curt Dawson	X	
Vincent K. Loughlin, Esq.	X	

Also present:
Kendra Lelie, professional planner for the Board

Public Comment
There was none.

Chrmn. Favate announced that Application PB #17-18: Stanley Congregational Church, 94 Fairmount Avenue will not be heard tonight.

Attorney Loughlin suggested re-calendaring this application.

Chrmn. Favate announced that Application PB #17-18 will be carried to the July 18, 2018 Zoning Bd. of Adjustment meeting. No additional noticing is needed by the applicant.

Resolution #PB 2018-18

The following sets of Planning Board meeting minutes were approved by a voice vote:
April 18, 2018
May 2, 2018
May 16, 2018

Application PB #18-07
Laser and Skin Therapeutics, P.C.
415 Main Street
Conditional Use, Preliminary & Final Site Plan Approval

Block 34, Lot 5

Steven Shepis, Esq., the attorney for Dr. Lisa Breslauer, the applicant, gave an introductory statement. Attorney Shepis stated that Dr. Breslauer is seeking to expand the current building and parking lot. The existing building will be renovated. He reviewed the list of witnesses who would be testifying at tonight's hearing.

John James, the applicant's architect, was sworn in. Mr. James submitted his professional credentials to the Board. The Board accepted them.

Attorney Shepis asked Mr. James to describe the existing conditions on the site and the proposed expansion.

Mr. James testified that the structure was originally a home. It was converted into offices probably 20 to 25 years ago. The building sits fairly far back from the street. The primary entrance is at the rear. The front door is used as a second means of egress out of the current offices.

Mr. James testified that the applicant is proposing to construct a new building in front of the existing structure. The existing structure is located at 417 Main Street, just off the corner of Lafayette Ave. Two large commercial properties exist on either side of the applicant's property. The applicant's property is small and narrow. The proposed addition will be 900 sq. ft. and will be conforming. The addition will make the footprint of the house come to a total of 2380 sq. ft.

Mr. James stated that the dermatology practice will continue on the first floor of the building. The spa activities will be done on the second floor. The proposals will update the aesthetics of the house/office. The building materials of the structure will be updated and made fresher. Mr. James described the proposed exterior renovations.

Mr. James testified that the proposed addition will measure 30 ft. by 30 ft., perfectly squared. The new door will be centered in the middle. A central corridor will be created, with spa rooms on either side of it. The corridor will connect back to the existing building, exactly through the previous front door. Most of the existing building will be maintained, with the addition being in front of it.

Mr. James described the updated signage that is being proposed for the front. A logo will be included. The letters within the logo's band will be less than 8 inches high. The proposed sign will be adjacent to the signs belonging to HPC and ReMax across the street. Mr. James testified that the proposed signage had only minor deviations from the sign regulations.

Using Drawing A-1, Mr. James testified that a new basement will be constructed underneath the building. The basement will be used for storage and mechanical equipment. It could also be used for laundry procedures and a break area for employees. All of the bathrooms in the building will be brought up to ADA standards. A recess in the building will be created for a possible elevator in the future. The existing waiting area will be increased. Three more medical treatment rooms will be created towards the front. A staircase will be installed. A second means of handicap egress with a ramp will be constructed along the side of the building.

Attorney Shepis confirmed with Mr. James that two ADA compliant egress points will be constructed on the building. One egress point will exist on the rear of the building, and another will be constructed on the right-hand side of the addition.

Attorney Shepis noted that the Board planner had pointed out that the existing setback of the building is noncompliant at 5.9 feet.

Mr. James testified that the proposed addition will conform, and will be set back an additional 6 feet. It will be almost 12 feet from the property line, where 10 feet is required. Mr. James emphasized that all aspects of the proposed addition are conforming – side yard setbacks, square footages, heights, etc. The proposed addition does not require any variances.

Mr. James testified that two new rooms will be added to the second floor. These new rooms will complete the volume over the existing first floor rear of the offices. He pointed out that the proposed second story will be slightly smaller than the first floor. He reviewed the proposed rooflines.

Mr. James reviewed the front and the rear elevations. He stated that the existing stucco will blend the existing gable with all of the new walls. An attempt was made to not tear off the entire existing roof.

Mayor Harris pointed out that stucco sidings and metal roofs are not typically seen in the Borough. The applicant's building is situated at the edge of the Borough's Historic District.

Mr. James explained that he and Dr. Breslauer were trying to design a clean, fresh look for this medical practice. He felt that the shapes and the roof forms will still maintain a traditional look for the building.

Council Member Hoffman recalled that the original design for the building next door, TD Bank, had been a controversial issue years ago. TD Bank's existing design was made to harmonize with the Main Street scape. Council Member Hoffman stated otherwise, he had no objection to the proposed addition to the applicant's building.

Chrmn. Favate had concerns about the seams of the stucco paneling.

Mr. James explained that these types of seams will be painted the same color as the stucco.

Mayor Harris and Mr. James discussed the proposed stucco exterior. Mayor Harris didn't believe the stucco would give the building a residential look. He pointed out, on that section of Main Street, the predominant exteriors are brick.

Mr. Montague asked which building would be taller – TD Bank or the applicant's building with the proposals?

Mr. James answered that overall the TD Bank structure is taller. He explained that the applicant's building does not have excessively high ceilings.

Mr. Montague asked that a streetscape be submitted to show if the applicant's building with her proposals will blend in with the neighboring buildings.

Chrmn. Favate asked if the Board had any further comments on the proposed building materials.

Mr. Wagner suggested ways the stucco could be used in sections of the exterior.

Council Member Hoffman felt that the existing clap-board was not attractive; however, a stucco exterior would be an issue.

Mayor Harris suggested a mixture of brick and stucco be considered.

Chrmn. Favate felt that the proposed handicap ramp will never be used. The route that a wheel-chair user would have to travel to reach this ramp will be unsafe.

Mr. James agreed to consider eliminating this ramp.

The public had no questions for Mr. James.

Attorney Shepis noted that Ms. Lelie, the Board's planner, had recommended that the applicant's plans comply with the 15-ft. buffer requirement between the rear parking lot and the residential property line. Attorney Shepis stated that there is a possibility that the applicant will install a 10-ft. buffer strip in the back; however, one or two parking spaces would be lost. He noted that Dr. Breslauer is willing to plant that section with a row of green giant arborvitaes. This action would also bring the proposed plans under the 75% maximum impervious coverage requirement.

Joseph S. Mianeki, Jr., the applicant's engineer, was sworn in to testify. Mr. Mianeki submitted his professional credentials to the Board. The Board accepted them.

Attorney Loughlin confirmed with Mr. Mianeki that he took the site photos which Mr. James had used in his testimony tonight.

Mr. Mianeki referred the Board to the site dimensional lay-out plans which he had prepared. He testified that a 10-ft. buffer will be planted along the back property line. One, possibly two, parking spaces will then have to be eliminated. The parking spaces will then be reduced from 23 spaces to either 21 or 20 spaces.

Attorney Shepis confirmed with Mr. Mianeki that 20 parking spaces are required for the proposed expansion of the applicant's building. Mr. Mianeki confirmed that the plans would still be compliant with Borough regulations. He also testified that the 10-ft. buffer would also eliminate the lot coverage variance that had originally been sought.

Attorney Shepis asked Mr. Mianecki to address the comments made by the Board planner concerning the proposed site lighting.

Mr. Mianecki testified that by now bringing the curb line down 10 feet, that particular area on site will no longer have to be illuminated for safety reasons. The light poles will be moved further to the east, away from the residential zone. The lighting along the back line will then conform with Borough regulations.

Attorney Shepis asked Mr. Mianecki to testify on the proposed landscaping.

Mr. Mianecki testified that conifer would be planted in the 10-ft. strip at the rear property line. Some deciduous plantings already exist at the back-property line of Lot 1. A natural hedging would then result, reducing any headlight glare from vehicles. The conifers that he is proposing generally grow 20 ft. to 25 ft. in height.

Attorney Shepis felt that this recent landscaping proposal will serve as a compromise to meet the Borough's buffering requirements. The conifers will serve as "a green wall" at the back-property line. Attorney Shepis also concluded that the light spillage will be eliminated. With the proposed ramp being eliminated, the impervious coverage will be reduced.

Ms. Lelie, the Board Planner, pointed out that there is a proposed scower pad placed at the buffer. How will that be handled.

Mr. Mianecki answered that the pad will be composed of washed river stone. The pad would encroach into the 10-ft. strip at the rear property line. The pad will stabilize the back of the curb. The pad, which is only 3 feet wide, would be right up the back of the curb.

Ms. Lelie confirmed with Mr. Mianecki that there will be 7 feet per planting, with the 3-ft. width of the pad. Mr. Mianecki stated that the plantings will keep the plantings as close to the property line as possible, because the snowplows will probably push the driveway snow towards the 10-ft. strip.

Attorney Shepis noted that the applicant is seeking relief from the Borough requirement specifying that a landscape island be provided for every 10 parking spaces. He asked Mr. Mianecki to testify on why relief is needed from this requirement.

Mr. Mianecki testified the applicant's parking lot is small. It is a dead-end parking lot, so vehicle maneuvering is very limited. Currently there is an existing "hair-pin" island in the parking lot. Drivers bump into this small island and run over it. Mr. Mianecki did not recommend islands for this parking lot.

Attorney Shepis asked Mr. Mianecki to testify on the existing conditions on the site, existing site topography, improvements on the property, and the proposed modifications.

Mr. Mianecki explained each picture in the photo exhibit that had been submitted to the Board. He testified that the existing front sign will be relocated on the center of the proposed addition.

A new sidewalk will be installed ten feet below the existing sidewalk on the site. This new sidewalk will connect with the ADA ramp on the right side of the addition. Four or five risers will be installed in front because the grade drops off.

Mr. Mianecki testified that the applicant's property slopes from front to back. He reviewed how the drainage currently ran on the property. He pointed out a caved-in inlet which received water from part of the back parking lot, and the area of the right back parking lot. This water will then be piped to two new drywells in the front yard. These drywells will have an emergency overflow connecting into the Main Street drainage system.

Mr. Montague asked what will be done for the water at the back end of the parking lot. Where will it go?

Mr. Mianecki answered that water will be allowed to roll right off.

Mr. Montague believed that the Borough requires that all run-off be captured on the property.

Mrs. Van Wie asked Mr. Mianecki how much of the water run-off is coming from the structure itself and how much run-off is from the parking lot itself.

Mr. Mianecki answered that all of the building water will be piped underground to the proposed drywell system in front.

Mrs. Van Wie confirmed with Mr. Mianecki that he is really just looking at the impervious surface coverage going to the back of the property.

Attorney Shepis confirmed with Mr. Mianecki that there will be no more run-off from this site post-development with the proposals in place, than what run-off exists today on site.

Mr. Montague stated that Mr. Mianecki has to follow any recommendations made by the Borough Engineer, if the application was approved.

Mrs. Van Wie asked if there was a possibility of planting something on the existing hairpin island.

Mr. Mianecki answered that an existing tree that is in poor condition on the hairpin island will be replaced with a new planting.

Ms. Lelie recommended that some of the burning bush along the edge of the parking lot be removed. A canopy tree could be planted in its place.

Attorney Shepis stated that Dr. Breslauer was in agreement with that suggestion.

Attorney Shepis confirmed with Mr. Mianecki that there will be a removal of existing trees.

Mr. Mianecki answered that the landscaping plans shows removal of 6 to 7 existing trees. He testified that there was no way to avoid damaging or removing those trees in order to provide the

additional parking. Mr. Mianecki testified that currently on site there are 13 conforming parking spaces that are striped. A gravel area also exists for parking, on the property where an old structure had existed. The applicant proposes to fully repave and re-stripe the parking lot.

Attorney Shepis confirmed with Mr. Mianecki that more trees will be planted than the number of trees that will be removed.

At Attorney Shepis's request, Mr. Mianecki reviewed the proposed landscaping and proposed lighting. Mr. Mianecki testified that foundation landscaping will be installed between the new sidewalk and the left side of the applicant's building. At the back entrance, foundation plantings will also be installed. He pointed out where a bike rack will be placed on the northerly back corner of the building.

Referring to the proposed handicap ramp, Mrs. Van Wie felt that some of the existing trees will be removed for this ramp. Mrs. Van Wie suggested including this factor in the streetscape, if it is submitted.

Attorney Shepis noted that the existing fence along the rear property line is in poor condition. He stated that Dr. Breslauer has agreed to install a new 6 ft. PVC fence. It will be maintenance-free.

Mr. Mianecki testified that all new LED lighting fixtures will be installed on site. These fixtures are similar to the ones used by the bank next door. The westerly-most light fixtures will be moved towards the applicant's building. This action will reduce the off-site glare where the residential zone is situated.

Mayor Harris asked when will the lights be on.

Mr. Mianecki answered that the lights on the site will be turned off by 10 p.m. or within one hour after the business closes. The lights will remain off during non-business hours.

After further discussion, Attorney Shepis stated that Dr. Breslauer has agreed to turn off the premises lights at 10:00 p.m.

Attorney Shepis asked if the Board Planner had any comments.

Ms. Lelie asked Mr. Mianecki to make the proposed illumination levels meet the Borough ordinance requirements.

Ms. Lelie confirmed with Mr. Mianecki that the new air conditioning unit and its screening will be shown on the revised landscaping plan. Mr. Mianecki stated that a picket fence will be installed around the A.C. unit, instead of bushes.

Chrmn. Favate suggested that if the ramp was eliminated, a picket fence would not be needed around the A.C. unit. Landscape screening may be better. Mr. Mianecki agreed.

Ms. Lelie asked for testimony on how deliveries to the building will be handled.

Mr. Mianecki will have Dr. Breslauer testify on that matter.

Ms. Lelie discussed the proposed vinyl fencing for the disposal area. She felt it should match the future building materials. Ms. Lelie pointed out that vinyl fencing is easily damaged over time.

Mr. Mianecki stated that he will work with the applicant's architect on the future fencing.

Ms. Lelie felt the proposed ADA ramp would create safety issues.

Ms. Lelie pointed out the number of parking restriction signs per each parking space. She asked if only one parking restriction sign could be installed at the entrance of the parking lot.

Mr. Mianecki agreed to put one parking sign at the entrance.

The Board had no further questions for Mr. Mianecki.

The public had no questions for Mr. Mianecki.

Attorney Shepis invited Mr. James, the applicant's architect, to come forward again.

Mr. James testified that he and Dr. Breslauer had discussed the proposed stucco exterior. He and Dr. Breslauer have decided to do a 6-inch clapboard or hardy plank for the entire exterior, instead of the stucco. Mr. James believed that the proposed roof would be appropriate with the clapboard siding.

Mayor Harris asked the color of the roof.

Mr. James answered a silverish-grey color.

Attorney Shepis called Dr. Lisa Breslauer forward.

Dr. Lisa Breslauer, the applicant, was sworn in to testify.

Dr. Breslauer testified that she owns the subject property and building. She stated that the proposed expansion would allow her to have additional exam rooms which would permit a good flow and capacity for the medical dermatology practice. The expansion would also help her to meet the demands of this practice.

Dr. Breslauer testified that the spa and the medical practices are two distinct services. The medical and dermatology practice functions on the first floor. The spa, done by beauticians, functions on the second floor.

Attorney Shepis confirmed with Dr. Breslauer that she agrees to change the proposed exterior to clapboard, instead of stucco.

Attorney Shepis discussed the proposed signage with Dr. Breslauer.

Attorney Shepis asked Dr. Breslauer what type of deliveries came to her building.

Dr. Breslauer answered that the majority of deliveries to her site are from W.B. Mason, UPS, FedEx. These trucks can usually maneuver easily into the building's parking lot. Most of these deliveries are made using hand dollies.

Mr. Heap asked Dr. Breslauer how many employees she had.

Dr. Breslauer answered a total of 15 employees. The employees work different shifts. Six or nine employees will be on the site at any given time.

Mr. Montague asked where the snow on the parking lot will be plowed.

Dr. Breslauer answered that the snow will be plowed into the 10-ft. buffer.

Attorney Shepis pointed out that one or two parking spaces could be used to contain the plowed snow from the parking lot.

Mr. Heap asked Dr. Breslauer how many patients did she have at any one time on an average.

Dr. Breslauer explained that the number could vary. It depended on what type of appointments, both spa and medical, take place each day, and the length of the visits.

Mr. Heap asked if there were times when the parking lot was completely full.

Dr. Breslauer answered that there are times when only limited spaces are available.

Mrs. Van Wie asked Dr. Breslauer if she had ever considered having the spa practice use one of the store vacancies in the Borough.

Dr. Breslauer answered no. Another location like that would involve a duplication of services for her, among other issues.

Attorney Shepis asked Board members if they still wished to see a streetscape, now that the building's exterior will be clapboard. All the Board members, except Mr. Montague, felt that a streetscape should no longer be required.

Mayor Harris brought up drainage concerns.

Attorney Shepis stated that the plans will conform to the Borough ordinance.

Board Attorney Loughlin reminded Attorney Shepis that the ordinance stipulates that surface coverage calculations must be submitted to the Borough Engineer for his approval. The only site

issue would be if it's not going to be as represented as a no change. This might impact the location of an additional drywell, which might be a site plan issue.

Attorney Shepis noted that Dr. Breslauer's testimony was finished. He called up Charles Heydt, the applicant's planner.

Charles Heydt, the planner, was sworn in to testify. He submitted his professional credentials to the Board. The Board accepted them.

Attorney Shepis noted that the number of variances have now been reduced. He reviewed the remaining issues as listed in the Board Planner's letter. Attorney Shepis pointed out that the lot coverage variance has now been eliminated. Tree protection has been addressed. He noted that the Board has indicated a preference for a 6-ft. high fence for the dumpster area. However, the fence will be 5 feet high on the side. A design exception is being asked for landscape islands in the parking lot. Light trespass and parking setback requirements have been satisfied. The applicant will also satisfy illumination requirements.

Mr. Heydt testified that the applicant's proposal meets the goals and purposes of the Borough's Master Plan and the Business Study established in 2009. He pointed out that the proposed plans are trying to maintain the existing footprint of the building. An attempt was made to maintain the existing footprint of the rear parking lot. To reach these two objectives makes it difficult for the plans to meet all the requirements of the zoning regulations.

Mr. Heydt noted that the applicant's proposal to provide a 10-ft. setback for the landscaping, instead of a 15-ft. setback, provides some benefits to outweigh the detriments. The signage being proposed will work within the framework of the building's aesthetics. It was Mr. Heydt's professional opinion that the location of the sign height is appropriate for the subject building. Mr. Heydt noted that while some existing trees will be removed on the site, additional new trees will be planted on the property.

Regarding the negative criteria, Mr. Heydt did not see any substantial detriment to the public welfare. He believed the applicant's proposal is well thought out and advances the public welfare. These proposed plans will be an improvement over existing conditions on the site. These plans will not impair the Borough's zone plan. The landscape plan is well done.

Mr. Heydt discussed the setback for the building's mechanical equipment, which he felt would need a design exception.

In closing, Mr. Heydt testified that the requested variances and design exceptions meet the statutory requirements, as per the Municipal Land Use Law.

The Board had no questions for Mr. Heydt.
The public had no questions for Mr. Heydt.

Chrmn. Favate noted that the drainage situation on the property will be deferred to Mr. DeNave, the Borough Engineer. The Board will also defer to Mr. DeNave regarding the proposed ramp.

Chrmn. Favate stated that if the ramp were to be removed, some additional landscaping could be planted to balance off the front.

Most of the Board members didn't feel a streetscape was needed from the applicants.

Vice Chrmn. Wagner made a motion to approve Application PB #18-07: Laser and Skin Therapeutics, P.C. for Conditional Use, Preliminary and Final Site Plan Approval, with the agreed upon conditions:

- 1) The applicant will submit a revised landscaping plan for the reasonable review, requirements, and approval of the Board Planner. This plan will include the 10-ft. buffer area, the removal of the burning bush, and following a two-year maintenance plan.
- 2) The drainage calculations will be subject to the approval of the Borough Engineer.
- 3) The originally proposed ramp will now be eliminated from the plans
- 4) The lights on the property will be turned off at 10 p.m. by timers, or extinguished within one hour after the end of business operations at the premises
- 5) Applicant must pay escrow fees as required by Borough ordinance
- 6) All construction work must be subject to the approval by the Borough Engineer
- 7) The applicant must submit a staging plan for any construction work on the property
- 8) The applicant must submit to the Board Planner a revised plan for the materials to be utilized for the 6 foot fence around the garbage and recycling areas at the property, with the fence materials to match the building materials

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

Mayor Harris	-	yes
Mr. Williams	-	yes
Council Member Hoffman	-	yes
Mr. Montague	-	yes
Vice Chrmn. Wagner	-	yes
Mr. Dawson	-	yes
Mr. Muir	-	yes
Mr. Heap	-	yes
Mrs. Van Wie	-	yes
Mr. Engel	-	yes
Chrmn. Favate	-	yes

Application PB #18-07 was approved.

The Board decided to cancel their first meeting in July.

Request for Qualifications (RFQ) Update for Post Office Plaza

Mr. Williams reported that the RFQ was posted yesterday. A new email has been established so that the developers who have received the RFQ can ask questions and respond to Mr. DeNave.

Those questions and answers will be posted. The deadline for developers' submissions is July 10th. Interviews for the developers will be held on July 26th.

At 9:37 p.m. the meeting adjourned.

The next Planning Board meeting will be held on Wednesday, July 18, 2018, 7:30 p.m., Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Recording Secretary