

CHATHAM BOROUGH PLANNING BOARD
March 6, 2019 7:30 p.m.

Chairman Susan Favate called the Chatham Borough Planning Board Meeting of March 6, 2019 to order at 7:30 p.m. in the Council Chambers, Chatham Borough Hall. Chrnm. 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 Zoning Officer & Borough Engineer

Public Comment
There was none.

Resolution #PB 2019-13
Mr. Williams made a motion to approve the minutes of the February 20, 2019 meeting as amended. Vice Chrmn. Wagner seconded the motion. The minutes of February 20, 2019 were approved as amended.

Application Resolutions
Application PB #19-01
Fleur De Sel, LLC
265 Main Street
Change of Permitted Use with Request for Waiver of Site Plan
Site Plan
Block: 120 Lot 3
Attorney Loughlin pointed out a spelling correction he had made on page 2, number 3 of the resolution.

Mr. Williams made a motion to approve the resolution, as amended, memorializing the Planning Board's approval of Application PB #19-01 for a Change of Permitted Use for 265 Main Street. Vice Chrmn. Wagner seconded the motion. A roll call vote was taken:

| | | |
|-------------------------|---|-----|
| Mr. Williams | - | yes |
| Council Member Kobylarz | - | yes |
| Vice Chrmn. Wagner | - | yes |
| Chrmn. Favate | - | yes |
| Mr. Heap | - | yes |

The resolution was approved.

New and Returning Applications

Chrmn. Favate announced that Application PB #19-03: J.A.K. Equities, LLC, 28 Watchung Avenue will not be heard tonight. The applicant will be submitting a full Site Plan to the Board in the future.

Application PB #19-02

Terrance McCabe

228 Main Street

Change of Permitted Use with Request for
Waiver of Site Plan

Block: 56, Lot 16

The following were sworn in to testify:

Terrance McCabe

Joseph Arminio, Jr.

These two gentlemen testified that they were both partners in the new business being proposed at 228 Main Street.

Mr. McCabe testified that he and Mr. Arminio are proposing to convert 228 Main Street from its current use, as a salon, to an ice cream parlor. No structural changes are being proposed. Some electrical work will have to be done for the necessary machinery for the business.

Chrmn. Favate asked who the owner of the building was.

Mr. McCabe answered John and Kathleen Solu.

Mr. DeNave stated that 228 Main Street is in the B-4 District. B-4 District allows for eating and drinking establishments, like the one being proposed in this application. No parking requirement is needed for this application.

Mr. McCabe testified that the hours of operation will be seven days a week, from noon to 9 p.m. or 10 p.m. Ice cream and shakes will be served. This business will be open all year round.

Mr. DeNave confirmed with Mr. McCabe that they had discussed the signage. He asked Mr. McCabe if he had decided on a name for his business.

Mr. McCabe answered “Scoops – the Chatham Creamery”. Regarding signage, he and Mr. Arminio are looking to remove the existing light box and put up a goose-neck **light**.

Mr. DeNave confirmed with Mr. McCabe that he must submit the proposed signage plans to him. Mr. DeNave will then ask the Borough Sign Committee to review the proposed signage. Also, the Borough Historic Preservation Commission will be notified of the proposed signage and its lighting. The Commission may want to meet with Mr. McCabe and Mr. Arminio.

Mr. Heap asked when will the business open.

Mr. McCabe answered hopefully May 1st.

Mr. DeNave confirmed with Mr. McCabe that there will be a backdoor which will lead out to the business’s dumpster at the rear. Mr. DeNave asked Mr. McCabe how the garbage situation will be handled.

Mr. McCabe answered that the store employees will nightly inspect the area for any cast-off garbage. Regarding the dumpster situation, Mr. McCabe has arranged with the landlord to have an extra pick-up each week, when the garbage is picked up from Garden Rice and Arminio’s Restaurant.

Mr. DeNave confirmed with Mr. McCabe that he will work on the necessary approvals from the Westfield Health Department.

Mr. Williams asked if the business will have a separate dumpster or will the same dumpster be used.

Mr. McCabe answered that the same dumpster will be used. However, the garbage pick-ups will be done three or four times a week to deal with the extra trash.

Chrmn. Favate asked if a new bathroom will be installed.

Mr. McCabe answered that a bathroom already exists. It is not an ADA approved bathroom.

Chrmn. Favate asked about an existing door behind the counter which leads into the existing tenant space next door.

Mr. McCabe answered yes. That door also leads down to the basement. His store supplies will be kept in the basement.

Chrmn. Favate asked how parking for the store employees will be handled.

Mr. McCabe answered that he will purchase Borough parking permits if necessary. However, he plans on hiring local high school students. These students will probably be walking, biking, or be dropped off by the parents to start their work shifts. Mr. McCabe testified that there will probably be one full time employee in the evening. He will obtain a Borough parking permit at the Center Street lot for this employee.

Chrmn. Favate confirmed with Mr. McCabe that the store's exterior lighting will extinguish by 11 p.m.

Chrmn. Favate brought up the existing window on the side of the store unit, facing the Chatham Library. Any plans for that window?

Mr. McCabe answered that a small bar with stools is being planned for that window area. Customers can look out at the park while they eat. The window will not be blocked.

Mr. Heap asked Mr. McCabe to make sure that his employees clean up any food trash that may be left on the walkways leading up to the Library. Mr. McCabe assured him that clean-up detail will be part of his employees' nightly chores.

Mrs. Van Wie asked if the store could use metal utensils for customers who plan on eating inside the store.

Mr. Arminio answered that biodegradable utensils could be obtained for the store.

Chrmn. Favate asked Mr. McCabe if he had any plans for outdoor dining.

Mr. McCabe indicated that he was interested in outdoor dining. Mr. DeNave reviewed with Mr. McCabe the process the Borough requires for outdoor dining.

Council Member Kobylarz expressed happiness over the return of an ice cream store to Chatham Borough.

Mr. Williams made a motion to approve Application PB #19-02 granting a Change of Permitted Use with a Request for a Waiver of Site Plan for 228 Main Street, to open an ice cream parlor, with the following agreed upon conditions:

- 1) The applicant must obtain the necessary approvals from the Historic Preservation Commission and the Borough Sign Committee
- 2) The applicant must obtain a Borough parking permit for one store employee
- 3) The applicant must obtain the necessary food license from the Westfield Board of Health
- 4) The store's exterior lighting must be extinguished by 11:00 p.m.

Vice Chrmn. Wagner seconded the motion, with the conditions as stated. A roll call vote was taken:

Mr. Williams - yes

| | | |
|-------------------------|---|-----|
| Council Member Kobylarz | - | yes |
| Vice Chrmn. Wagner | - | yes |
| Mr. Dawson | - | yes |
| Mr. Heap | - | yes |
| Mrs. Van Wie | - | yes |
| Mr. Engel | - | yes |
| Chrmn. Favate | - | yes |

Application PB # 19-02 was approved.

Chrmn. Favate announced that Matthew Engel will be resigning from the Board. Mr. Engel noted that March 20th will be his last Planning Board meeting. He and his wife will be moving to Florham Park. Mr. Engel thanked the Board for having him as a member. He enjoyed the time that he served.

Chrmn. Favate reminded Board members that the next Board meeting, to be held on March 20th, will be a Joint Meeting with the Borough Council to discuss the Redevelopment Study for Post Office Plaza.

Mr. DeNave noted that the draft of the Redevelopment Plan will be published on the Chatham Borough website on March 13th. Hard copies will also be available at Borough Hall. Mr. DeNave suggested that Board members review the document before this joint meeting.

Mr. DeNave reported that the minor subdivision application for a property on Garden Avenue will probably be heard at the April 3rd Planning Board meeting.

At 7:55 p.m. the meeting adjourned.

The next Planning Board meeting will be held on March 20, 2019, 7:30 p.m., Council Chambers, Chatham Borough Hall. This will be a joint meeting with the Borough Council.

Respectfully submitted:

Elizabeth Holler
Recording Secretary