

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
September 26, 2016**

Mr. Jack Hurring called the meeting of the Planning Board to order at 7:30 P.M.

Adequate notice of the meetings of the Planning Board of the Township of Chatham was given as required by the Open Public Meetings Act as follows: Notice in the form of a Resolution setting forth the schedule of meetings for the year 2016 and January, 2017 was published in the *Chatham Courier* and the *Morris County Daily Record*, a copy was filed with the Municipal Clerk and a copy was placed on the bulletin board in the main hallway of the Municipal Building.

Roll Call

Answering present to the roll call were Mr. Hurring, Mrs. Swartz, Mr. Brower, Mr. Ciccarone, Ms. Hagner and Mr. Nelson. Mr. Franko, Mr. Sullivan, Mr. Travisano and Mr. Murray were absent.

Also present were Board Attorney Steve Warner, Township Planner Frank Banisch and Amanda C. Wolfe, Esq.

Approval of Minutes

Mr. Nelson moved to approve the minutes of the September 12, 2016 meeting. Ms. Hagner seconded the motion, and it carried unanimously with one abstention.

Discussion

Zoning Designation for Chestnut Road (R3 vs. R4)

Mr. Ciccarone said that there are some small lots on Chestnut Road which are undersized for the R3 zoning district. He said that there may have been an error when zone boundary lines were drawn on the zoning map, as the lots in question appear consistent with the R4 zone. Mr. Ciccarone also said that this matter had been referred to the Planning Board for consideration by the Township Committee.

Ms. Hagner said that it has always been the concept to bring properties into conformity with zoning regulations.

Mr. Hurring asked which properties are proposed for rezoning. Mr. Ciccarone pointed out on a map the properties which would be affected by the zoning change.

Mr. Ciccarone described the zoning regulations in the two zones as they apply to the need for a zoning change. The current zoning designation inhibits redevelopment of the subject properties, as any developer would need to obtain variances. Mr. Brower asked why the description on the deed does not show the zoning designation. Mr. Ciccarone said that deeds would not normally contain that information. The current proposal is to have the subject properties rezoned into the R4 zone.

Mr. Ciccarone did note that there is a property which is greater than 20,000 square feet, and the zoning change would open up the potential for the property being subdivided. Ms. Hagner asked if removing that property from the zoning change would be considered spot zoning. She suggested that all the lots on Chestnut Road should be rezoned.

Mr. Warner said that only the Township Committee has the authority to amend the zoning ordinances. If the Township Committee introduces an ordinance to make the proposed change, said ordinance would be referred to the Planning Board for review. He also said that the Planning Board can recommend the changes by sending a memorandum to the Township Committee rather than sending a formal resolution.

Mr. Banisch said that there may be a need to amend the Master Plan due to the property which might be sub-dividable with the zoning change. He also suggested that the changes be recommended by resolution.

Mr. Banisch also clarified for the public the zoning changes which are proposed.

Mr. Hurring opened the floor to the public.

1. John Giuliano, 14 Chestnut Road, said that he had placed his home on the market, and a developer who was interested discovered the zoning limitations. Mr. Giuliano said that he supports making the proposed zoning change.
2. Steve Klemp, 9 Mountainview Road, expressed his support of the proposed zoning change.
3. Jean Cowburn Giuliano, 14 Chestnut Road, also expressed support of the proposed zoning change.

There being no further public comment, Mr. Hurring closed the public hearing.

Mr. Brower moved to recommend that Chestnut Road be rezoned as R4. Mr. Nelson seconded the motion.

Roll Call: Mr. Franko, Absent; Mr. Hurring, Aye; Mrs. Swartz, Aye; Mr. Brower, Aye; Mr. Ciccarone, Aye; Ms. Hagner, Aye; Mr. Sullivan, Absent; Mr. Travisano, Absent; Mr. Nelson, Aye; Mr. Murray, Absent.

A resolution will be drafted for adoption at the subsequent Planning Board meeting. The next meeting will be held on October 17, 2016.

Mr. Ciccarone moved to adjourn at 8:04 PM. Mr. Nelson seconded the motion, and it carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary