

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
MAY 7, 2018**

Ms. Nicole Hagner called the Regular Meeting of the Planning Board to order at 7:31 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 2018, and January, 2019 was published in the *Chatham Courier* and the *Morris County Daily Record*, a copy filed with the Municipal Clerk and a copy placed on the bulletin board in the main hallway of the Municipal Building.

Oath of Office

Mr. Robert E. Nevin took his oath of office as an alternate member of the planning Board. The oath was administered by Amanda Wolfe, ESQ.

Roll Call

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

Also present were Board Attorney Amanda Wolfe, Township Engineer John Ruschke and Township Planner Frank Banisch.

Mr. Travisano made a motion to excuse the absences from this meeting. Mr. Hurring seconded the motion, which carried unanimously.

Approval of Minutes

Mr. Nelson moved to approve the April 2, 2018 minutes. Mr. Travisano seconded the motion, which carried unanimously.

Hearing

Plan: 18-33-17 (April 3, 2018) Primavera Hills at Chatham, 111 & 115 Longview Avenue, Block: 33, Lots: 17 & 20 Amended subdivision approval

Gary Goodman, ESQ., representing the applicant, introduced the application. He said that the applicant is proposing to shift the location of the approved homes forward on lots 17 & 20. Mr. Goodman said that the shift will make the homes more marketable, and will grant more privacy to neighbors. He also said that there will be less impervious coverage due to the shorter driveways. Variances will be needed due to additional steep slope disturbance.

Thomas Quinn, the engineer retained by Primavera Hills at Chatham, was sworn in to give testimony and provided his qualifications. He was accepted as an expert witness.

Mr. Quinn indicated that he has been to the site to ascertain what engineering is needed for the application. He presented Exhibit A1, which is a subdivision grading plan from when the lots were created in 2012. Mr. Quinn made note of the gray-shaded area on the plan which shows where the sloped area is located. He also said that the developer made an application for an amended slope disturbance plan in 2016, and the drawings showing that approval was entered as Exhibit A2. The amended disturbance plan was due to additional disturbance which was necessary due to road construction. The applicant purchased the subject lots from the original developer, and is ready to build the homes. He also said that the applicant is proposing to move the homes forward, which allows for a drive-under garage. Mr. Goodman said that a landscaping plan had previously been submitted to the Planning Board, and the applicant has adequately stabilized slopes on the houses which have already been built. The reduction in impervious coverage will be about 1500 Sq. Ft.

Mr. Travisano asked about the setback from a house on Susan Drive. Mr. Quinn said that the Susan Drive house is about 15 feet from the property line. The proposed house is 15 feet from an easement, which is an additional 15 feet. As such, the proposed home will be about 65 feet from the home on Susan Drive.

Mr. Banisch said that the zoning board has seen situations where homes do not have enough of a backyard, and the applicant's proposal will add more room in the backyard. He also said that the front slope will be eliminated and re-stabilized.

Mr. Sullivan noted that the application will make the owners of neighboring properties happier.

Mr. Ruschke said that the applicant will need to satisfy the prior stormwater management approvals. Mr. Brower asked if there will be any accelerated runoff, and if the catch basins will be adequate with the proposed changes. Mr. Ruschke said that the application would create more problems for the applicant than for neighbors, and they will need to ensure that there is not any additional runoff. He also said that the applicant would need to address any issues before a CO is issued. The proposed landscaping is consistent with prior approvals. Mr. Ruschke also noted that the repositioning of the houses will give more distance from the homes on the adjacent properties on the rear of the lots. Mr. Ruschke suggested that the home on lot 20 be further repositioned to be oriented with the rest of the development and the cul-de-sac.

Mr. Brower said that the proposed plan is an improvement. Mr. Quinn asked for clarification on Mr. Ruschke's proposal. He addressed the effect that the suggestion would have on the rear yard, and it would have the new house positioned to be looking directly in to the neighboring house.

Joseph Fonseca, a principal of Primavera Hills at Chatham, was sworn in to give testimony. He said that Mr. Ruschke's proposal was considered, and a conceptual drawing was drafted. Having the house positioned in the manner suggested by Mr. Ruschke would detract from the privacy of both the proposed and an neighboring home. Mr. Banisch said that he does not agree with Mr.

Ruschke's suggestion, and thinks that the currently proposed configuration is best. Ms. Hagner noted that the currently proposed configuration makes the lot more functional.

1. Marty Blumenthal, 99 Longview, said that he does not object to the application.

Mr. Banisch addressed the expansion of the house and a comment in his memorandum about the expansion. He noted that the comment in his memo should not be regarded as a negative.

Mr. Sullivan asked if the utilities are underground. Mr. Fonseca said that they are. Mr. Brower asked about the proposed architectural style. Those plans have not yet been submitted to the Board.

Ms. Wolfe asked if the applicant agrees to stipulate to all conditions. The applicant indicated that they are in agreement. Ms. Wolfe asked if the Board will grant the waivers requested, and consensus was that they will be granted. Ms. Wolfe noted that the 6 variances for steep slopes would be C2 variances. Conditions per the 2016 resolution and the conditions per the memorandums from Mr. Ruschke and Mr. Banisch would still apply, and Ms. Wolfe asked if the condition for landscaping by hand should still apply. Mr. Ruschke said that the landscaping by hand condition does not need to still apply to lot 20, however the condition will still apply to lot 17.

Ms. Hagner opened the floor to public comment.
Seeing no public comment, Ms. Hagner closed the public comment session.

Mr. Brower moved to grant amended site plan approval. Mr. Nelson seconded the motion.

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

Mr. Brower commented that the Planning Board used to be strongly opposed to any steep slope disturbance. He said that it is in keeping with the character of the Township that the Board is now willing to consider specific conditions in which some slope disturbance would be appropriate.

Mr. Nelson moved to adjourn at 8:28 PM. Mr. Travisano seconded the motion, which carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary