

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
JULY 15, 2019**

Mr. Don Travisano called the regular meeting of the Planning Board to order at 7:32 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 2019, and January, 2020 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.

Answering present to the roll call were Mr. Travisano, Mrs. Swartz, Mr. Hoffmann, Mr. Kelly, Mr. Nelson, Mr. Coviello and Mr. Tarasca. Ms. Hagner arrived a few minutes late.

Also present were Board Engineer John Ruschke, Township Planner Frank Banisch and Attorney Jolanta Maziarz covering for Board Attorney Steve Warner.

Mr. Franko, Mrs. Ozdemir and Mr. Sheth were absent.

Mr. Travisano said that both Mr. Franko and Mrs. Ozdemir notified him that they were unable to attend the meeting. Mr. Nelson moved to excuse Mrs. Ozdemir and Mr. Franko's absence from the meeting. Mr. Kelly seconded the motion. The motion carried unanimously.

Approval of Minutes

Mr. Nelson moved to approve the minutes of the June 3rd, June 17th and July 1st Planning Board minutes. Mr. Hoffmann seconded the motion, which carried unanimously with abstentions by those who were absent from the meetings.

Hearings

Mr. Travisano said that the Arbor Green and Dixiedale hearings will be continued at this meeting. He also gave a brief history of the application process for the two hearings.

Mr. Kasuba said that the applicant intends to provide testimony for both applications at this meeting. The applicant's planner will give testimony at a later meeting, and Mr. Kasuba said that the applicant does not anticipate the Board taking a vote on either application at this meeting.

Mr. Hoffmann said that the Chief of Police has submitted a draft report on the applications, and a final draft will be ready following receipt of annual reports from the NJ State Attorney General. Mr. Hoffmann said that the State Police perform a walkthrough of municipal police departments to make sure they meet the appropriate standards.

Ms. Hagner said that the fire chiefs worked together on a memorandum regarding the applications, and there may be additional comments from the Green Village Fire Department.

Mr. Travisano asked about scheduling a site visit. Mr. Kasuba said he is coordinating with Mr. Warner for scheduling, and there were some questions regarding potential liability on the Dixiedale property. Mr. Travisano said that the next scheduled site visit date is August 3rd. Mr. LaConte said that an OPMA notice was issued in January to set dates for site visits. Mrs. Maziarz said that an additional notice should provide the exact time and place for the site visit. Mr. Kasuba said that there will not be a transcript prepared for the site visit's proceedings.

PB 19-48.16-117.27 (February 22, 2019) SOUTHERN BOULEVARD URBAN RENEWAL, LLC, (Arbor Green at Chatham) 401 Southern Boulevard, BLOCK: 48.16 LOT: 117.27.

Mrs. Ruskan said that there was a concern about the proposed development sharing the Police Department's 4-inch sewer line. She said that concern was investigated, and the plans have been updated to have a six-inch sewer line connecting directly to the sewer main. Mr. Travisano asked if Mr. Ruschke had a chance to review the change. Mr. Ruschke said he has not yet seen the revised plans. Mr. Travisano asked if the application to the DEP has been modified. Mrs. Ruskan said that the TWA application has not yet been updated. Ms. Hagner asked about a waiver for the wetlands transition area. Mrs. Ruskan said that the DEP would need to approve that as well. Ms. Hagner asked if DEP approval will be an issue. Mrs. Ruskan said that the DEP was contacted and no objection was offered, however no formal opinion has been received regarding the TWA. She also said that the DEP has offered some comments on other aspects of the application.

Mrs. Ruskan addressed the proposed trash enclosure, and the applicant has agreed to change the type of material used. Mrs. Ruskan said that details will be submitted.

Mrs. Ruskan said that she spoke with Chief Lemons of the Chatham Township Fire Department regarding the memorandum received following the Department's review of the application. She said that a formal response letter will be submitted. Ms. Hagner reiterated that the chiefs worked together on the review memorandum.

Mrs. Ruskan said that the fire chiefs requested a turnaround circle in between the buildings so fire trucks could get closer to the buildings. She said that the Redevelopment Plan requires a certain number of parking spaces, therefore it would be difficult to provide better access to the buildings for fire trucks. Mrs. Ruskan said that they will investigate the ability to modify the parking area, but it would be difficult to make the change without eliminating parking.

Mrs. Ruskan discussed the width of the driveway from Southern Boulevard, and she said it can be made wider in accordance with the chiefs' comments. She also said that due to a guide rail and a retaining wall, a mountable curb would not be helpful. Mrs. Ruskan also said that knock boxes will be installed at each building.

Mrs. Ruskan also said the architectural plans were sent to the Chief so they could see the height of the buildings, as there was a question as to whether or not the ladders would be able to reach.

Mrs. Ruskan said that access to the southern side of Building A was discussed. She said Chief Lemons had asked if the tot lot could be moved to the front of the building and if a driveway to the back of the building could be added. Mrs. Ruskan said that the tot lot might be able to be moved slightly and made smaller. She also addressed potential additional emergency access.

Mrs. Ruskan said Chief Lemons asked if the trash enclosure could be moved to allow for emergency vehicle egress. She also said that after discussion, Chief Lemons agreed that fire trucks could back out of the parking lot. Moving the fire hydrant was also discussed, and it will be moved to a more central location. Mrs. Ruskan also said that Chief Lemon wanted to have another hydrant added near the Police Department with a looped connection. She also said that details on the sprinkler system will be provided to the Fire Department. Freestanding fire department connections will also be added.

Mr. Travisano asked if either building will have an elevator. Mrs. Ruskan said that they will not.

Mr. Kelly asked if the building have sprinklers. Mrs. Ruskan confirmed that they will. Mr. Kelly also asked about the fire department connections. Mrs. Ruskan said that they are dry pipes connected to the sprinkler system which allow the fire department to hook up to the sprinkler system to supplement it with water from the hydrant.

Mr. Travisano opened the floor for the public to ask questions.

1. Rez Estevez, 126 Southern Boulevard, said that the testimony was that addressing the fire departments' concerns will result in a reduction of the available parking. She also claimed that there was earlier testimony that the development will have insufficient parking. Mrs. Estevez said that she does not know where the residents of the development will park. Mr. Travisano said that there was traffic testimony at the last meeting, and he suggested Mrs. Estevez review that testimony. Mrs. Ruskan said that in her conversation with Chief Lemons she said that the applicant does not want to lose any parking at the site. Mr. Kasuba said that the application is in compliance with the Redevelopment Plan, and Mrs. Ruskan noted that the proposed 38 spots exceed the 26 required by the Redevelopment Plan.
2. Rich Matlaga, 36 Dale Drive, asked if the plan is still for 38 spots. He also asked how close the trash enclosure will be to the property line and to the driveway for the Police Department. Mrs. Ruskan said that the enclosure will be one foot off of the property line and 50 feet from the driveway.

Mr. Kasuba asked that the hearing be carried until the August 5th meeting at 7:30 PM with no further notice. Mr. Banisch asked about the site visit, and if the Skate Park would be the first property visited.

Mr. Hoffmann moved to carry the hearing until August 5th with no further notice. Mrs. Swartz seconded the motion, which carried unanimously.

PB 19-66-1 (February 7, 2019) STERLING/SUN AT CHATHAM, LLC, (Dixiedale) 351 Hillside Avenue, BLOCK: 66, LOT: 1.

Mr. Kasuba said that there are some follow-up items from previous meetings. He also said that the lighting details would be presented.

Mrs. Ruskan presented Exhibit A-10, which was the catalog cuts of the proposed lighting fixtures. She described the lighting fixtures that were proposed. Ms. Hagner asked if any variances are requested regarding lighting. Mrs. Ruskan said that a design waiver is requested because the proposal is for less lighting than what is required by the ordinance. Mrs. Swartz asked why there is less light. Mrs. Ruskan said the proposal is for fewer lighting fixtures so as to have the more rural feel.

Mrs. Swartz asked if the exhibit shows the lighting on the buildings or just the street lights. Mrs. Ruskan said that the exhibit is for the street lighting, and that each garage will have a dusk to dawn exterior light. Mrs. Swartz asked if the proposed lighting is similar to Rose Valle. Mrs. Ruskan said she was not involved in the design of Rose Valle, and did not know the answer to Mrs. Swartz's question.

Mr. Travisano asked about the off-site impact. Mrs. Ruskan said that the only lighting spillage is at the entranceway to the site, and that is a spot where some spillage would be wanted.

Mr. Kelly asked if the lighting style was changed. Mrs. Ruskan said that the lighting style will be coordinated with the style of the homes. Mr. Kelly asked about synchronizing the street lighting to match the exterior style of the dwelling units. Mrs. Ruskan said that she does not know how the street lighting might sync to the architectural style.

Mrs. Ruskan addressed the proposed mulch walking trail. She said that the trail head on the west side of the site will be moved to feed into the Township-owned open space property. Mr. Kelly asked who would be responsible for the maintenance of the trail, and Mrs. Ruskan said it would be the homeowners association. Mr. Kelly asked if the applicant would consider a material other than mulch, such as quarry dust, citing that quarry dust would require less maintenance. Mr. Kasuba said that he would consult with his client. Mr. Kelly said that mulch would need replenishment every spring.

Ms. Hagner asked if the trail route may need to be adjusted due to slopes. Mrs. Ruskan said that there may need to be field changes. Mr. Coviello asked who takes liability for the trail. Mr. Kasuba said that he will discuss liability with the Board Attorney. Mr. Kelly asked about having an access point to the trail across the street from Eden Road.

Mrs. Ruskan addressed the tree density survey and how many trees are on the property. She said that 437 trees are slated for removal in the area of disturbance, and 396 new trees will be planted. Mrs. Ruskan also commented on trash and recycling pickup, and both will be a private utility. She also said that the proposed internal road, tentatively named Benjamin Way, will be a private road. There is not any parking proposed for the walking trail.

The number of transformers needed will be coordinated with JCP&L, and there will be screening. Mr. Travisano asked if there is any assurance that the transformers will not be placed along River Road, interfering with the aesthetic of the view from River Road. Mrs. Ruskan said that they will have to coordinate that with JCP&L, and noted that the existing service comes from Hillside Ave and there will be underground utilities for the development. Mr. Travisano asked if a utility plan for the site could be submitted. Mrs. Ruskan said that a utility plan has been submitted, and asked if an additional plan should be submitted once coordination with JCP&L has taken place. Mr. Kasuba said that there is confidence that the power lines will not be run from River Road. He also said that power companies often wait for board approvals before designs are prepared.

Mrs. Swartz asked if it has been determined which cable company will service the development. Mrs. Ruskan said she did not recall which cable company will provide service, but that a company has been contacted who said they will provide service.

Mrs. Ruskan provided responses to the individual comments in the memorandum from Chief Lemons, and she said that she was able to clarify several items for him. Mrs. Ruskan noted that the clubhouse will have sprinklers and a Knox box, and a hydrant will be added near the fire department connection. Mrs. Ruskan also said that Chief Lemons recommended that a separate water main be brought up to the main entrance to serve the development, and he wanted a hydrant added on Hillside Avenue. She said that the Borough is served by another water company, therefore NJAW would not want to run a line that would interconnect to the Borough's system. Mrs. Ruskan said that a main extension through the development with an easement is proposed, and a hydrant can still be installed on Hillside Ave. Mrs. Ruskan also said that Chief Lemon raised a concern about the size of the emergency access paths and if the trucks will be able to swing back out onto Hillside Ave. She said that maneuvers were performed and those plans will be provided to the fire departments. The material for the emergency access was also discussed, and the material to be used has been rated for fire trucks. Maintenance of the emergency access was also discussed, and the homeowners association will be responsible for plowing and making sure they are not overgrown. Mrs. Ruskan said that Chief Lemons liked the chain gates, and Knox boxes will be available at the gates as well. The main drive has an ingress drive and an egress drive with a mountable median. Mrs. Ruskan said that Chief Lemons asked that the access drives be made wider so that landscaping is not harmed during nuisance calls. The size of the cul-de-sacs was also discussed, and Mrs. Ruskan said that the size is per standards. Architectural plans will be provided to the fire departments. A wider roadway had been requested by Chief Lemons, and Mrs. Ruskan said that the 24 feet is per the RSIS standards.

Mr. Kasuba said that stormwater issues are being investigated and information should be ready to be presented at the next meeting.

Ms. Hagner said that the concept plan presented did not indicate that so much fill would be needed, and asked why the plan presented was considered the best option. Mr. Kasuba said he was unsure if the concept plan was presented publicly. Ms. Hagner said that the concept plan was presented at the Planning Board, and is substantially different from the plan submitted with the application. Mr. Banisch commented that the amount of fill is necessary because there is a

substantial area to be built out that was not originally planned to be developed. Ms. Hagner asked why the original planned was not kept, as it did not involve changing the topography as much with retaining walls, and also did not require modifying the height so significantly. Mr. Kasuba said that the Township Committee adopted zoning ordinances to rezone the subject property with the proposed layout in mind. He also noted that the Planning Board reviewed the rezoning ordinance for consistency with the Master Plan. Mrs. Ruskan said that over 25 concepts were prepared for the project, and the concept plan presented in 2016 was not fully engineered. She noted that limiting the number of access points had been requested by the Township. Mrs. Ruskan also commented on the regrading that would be needed if the retaining walls are not installed. Ms. Hagner said that the rezoning ordinance did not stipulate a particular design. Mr. Kasuba said that the proposed layout is what was discussed with the Township Committee when the rezoning ordinance was drafted. Mrs. Ruskan said that there could be multiple layouts for any site. She said that the single access point was at the Township's request. The layout of the site was designed to have most of the development on the higher side of the tract rather than on the section closer to River Road. Mrs. Maziarz asked if the development will have a Title 39 jurisdiction extended to the Township so that the Township can enforce parking on the private road.

Mr. Travisano opened the floor for public questions.

1. James Reiss, 2F Heritage Drive, asked about the material for the walking trail at Loantaka Brook Reservation, and was informed that it is an asphalt surface. Mr. Reiss asked if the Township requested the inclusion of the walking trail in the proposed Dixiedale development, and how the Township can expect future residents to pay for maintenance of a trail for the public to walk through their backyards. Mr. Reiss said that the Township should be responsible for the walkway. He also asked why the application is being heard at public meetings rather than having the Township Engineer and the applicant's engineer address the application without the required transparency.

Mr. Travisano closed the floor to the public and asked for questions from Board members.

Mr. Kelly asked about upgrades to the pump station for the sanitary sewer system. Mr. Ruschke said that he is working to get quotes from a manufacturer so that a fair share contribution can be provided. Mr. Kelly also said that he is concerned about the proposed sign, and said he visited other multi-family developments to see what their signs look like. Mr. Kelly said that the other developments have signs that are smaller than the proposed 12x5 sign in this application, and he asked why this size was chosen. Mr. Kasuba said he believes the application complies with the sign ordinance, and that will be investigated.

Mr. Travisano said that a concern had been raised about the source of fill, and the testimony was that the LSRP will certify the fill. Mr. Ruschke said that the LSRP's certification will be satisfactory.

Mr. Travisano reopened the floor for public questions.

1. Bailey Brower, 16 Driftway, asked what kind of trees will be planted as replacements. He also suggested that all utilities be placed in the same conduit. Mr. Brower also suggested that the private road be named after the Averett family. He also asked why a public walking trail is being included in an upscale development, and if anyone would actually use the trail. Mr. Brower also cited various social ills found in Central Park, and suggested that the walking trail be vacated if it is not used. Mr. Brower also addressed a river walk that had been discussed in the past.
2. Anna Marie Strand, 79 Watchung Ave, said that the minutes approved at this meeting have not yet been posted on the Township website. Mr. LaConte said that Board minutes are not posted online until after they are approved. Mrs. Strand said she has a question about truck traffic, and what route they will take. Mr. Travisano said that will be addressed by the applicant's traffic engineer, and the Board is concerned about that issue as well.
3. Richard Matlaga, 36 Dale Drive, asked what an LSRP is. Mr. Travisano said it is a licensed site remediation professional. Mr. Matlaga said he read an article about dirty dirt. Mr. Travisano said that the LSRP will certify that the fill does not have any of the contaminants that Mr. Matlaga may have read about.
4. Sue Hoag, 76 Canterbury Road, asked if the rear of the buildings will have exterior lighting. Mr. Kasuba said that they will. Mrs. Hoag asked about truck access to the detention basins, and if the access point could also serve as an access point to the walkway trail. Mrs. Ruskan said that Mr. Kelly had asked about access by Eden Place, and that will be investigated.
5. Sue Ligertwood, 26 Heritage Drive, showed on the plans where the carriage house and roadway are located on the property.
6. Mrs. Hoag discussed the danger of having people walk down River Road to the currently proposed access point. She also warned about replacing trees with ash trees, and asked which cable company will serve the development. Mrs. Hoag also said that a river walk was never proposed. She also said that many studies have shown that access to walking trails improves property values.

Mr. Travisano noted that the public should at this time be asking specific questions to the expert witnesses.

7. Mrs. Ligertwood asked where the proposed detention basins will be located on the property, and Mrs. Ruskan pointed them out on the site plan. Mrs. Ligertwood asked if the water will be absorbed into the ground. Mr. Travisano asked if this will be addressed as part of the stormwater testimony. Mrs. Ruskan said that they will be detention basins, and will normally be dry.

Seeing no further questions, Mr. Travisano closed the floor to the public.

A recess was taken at 9:32 PM.
The meeting was resumed at 9:40 PM.

Michelle Strassheim, the architect for the applicant, was recalled to give additional testimony.

The following exhibits were entered into the record:

Exhibit A-11 – Front and Right Duplex Elevations (flat conditions)
Exhibit A-12 – Left and Rear Duplex Elevations (flat conditions)
Exhibit A-13 – Front and Right Triplex Elevations (flat conditions)
Exhibit A-14 – Left and Rear Triplex Elevations (flat conditions)
Exhibit A-15 – Perspective View of Duplex (Left Side)
Exhibit A-16 – Perspective View of Duplex (Right Side)
Exhibit A-17 – Perspective View of Triplex
Exhibit A-18 – Walkout Basement Conditions with Elevations
Exhibit A-19 – Duplex with Walkout Conditions
Exhibit A-20 – Height Comparison of Dwelling Units and Mansion

Ms. Hagner asked for confirmation that height variances are not being requested. Mrs. Strassheim said that variances are not needed for the proposed units.

Mr. Coviello asked about the height of the rear of the units. Mrs. Strassheim said that the maximum height is 35 feet when measured from the front grade elevation, and there can be no more than 10 feet from the front elevation to the rear elevation.

Mrs. Strassheim addressed the height difference between the mansion and the ridgeline of the townhouses, and there is a 4-foot difference.

Mr. Travisano asked about uniform edifices in the rear. Mrs. Strassheim said that the lowest level is the walkout basement, and the first floor is the next level. She highlighted the architectural style and eave lines. The rear façades were discussed. Mr. Coviello raised a concern about the rear heights if there is ever a fire in the dwelling units. He also asked how many units have walk-out basements, and Mrs. Strassheim said that 37 units will have the walk-out basement. Mr. Kelly asked if the height measurements are from the grade level to the peak. Mrs. Strassheim said height is measured from the slab for the first floor. Mr. Kelly said that from River Road people would see the back of the units next to the mansion, and they would appear to be three-story units. Mrs. Strassheim said that the townhouses are narrower than they are deep while the mansion is wider than it is deep, and she commented on the impact on the view from River Road. Mrs. Strassheim further addressed the height of the ceilings in the dwelling units. Mr. Coviello asked about the square footage of the townhouses. Mrs. Strassheim said that they range from 2900 square feet and 3400 square feet.

Mr. Travisano opened the floor for the public to ask questions.

1. Sue Hoag asked if there will be chimneys in the townhouses. Mrs. Strassheim said that there will be a fireplace option with gas fireplaces, therefore some might have chimneys.

Mrs. Hoag asked what kind of lighting will be on the rear of the units. Mrs. Strassheim said that it would be the same type of lighting fixture as on a single-family home.

2. Craig Mittler, 167 Hillside Avenue, asked if all units will have two garages. Mrs. Strassheim said all units will have two-car garages.
3. Richard Matlaga asked about sprinklers. Mrs. Strassheim said that the mansion will have sprinklers and the townhouses will not have sprinklers.

Seeing no further questions, Mr. Travisano closed the floor to the public.

Corey Chase, the traffic engineer for the applicant, was recalled to give testimony. He said that a letter had been submitted to the Board addressing potential construction traffic routes. Mr. Travisano said this concern was raised by the Board because of the number of trucks that will be needed for importing fill. Mr. Chase conceded that many truckloads will be needed, and noted that two viable routes were presented to address that concern.

Mrs. Swartz asked about the weight limits of the bridges that will need to be crossed. Mr. Chase said that a route can be designated once the source of fill has been chosen. Mrs. Swartz also addressed the height restrictions posed by railroad bridges. She also asked about the ability of a truck to negotiate the corner of Hillside Ave and River Road, and asked if the developer will need to excavate the corner. Mr. Chase said that having a tight angle acts as a traffic calming measure, and adjusting the angle might encourage drivers to take the turn at faster speeds. Mrs. Swartz asked if Mr. Chase had the opportunity to explore the idea of reconfiguring Hillside Avenue as a cul-de-sac. Mr. Banisch said that closing off a street that serves two communities may serve the residents in the affected neighborhoods well, but it may also divert traffic in a variety of other locations in a disadvantageous way. Mr. Chase said that it would be for the Township and Borough to negotiate with each other about closing off Hillside Ave to have a cul-de-sac, and concurred with Mr. Banisch that there may be unintended consequences. Mr. Chase also said that clearing the excess vegetation will help with line-of-site. Mr. Travisano said that he wants to be sure that the truck routes have a minimal impact on Township residents. He also asked that the applicant stipulate that a final route be submitted and approved by the Township Engineer and Police Chief. Mr. Kasuba said that the applicant will stipulate to submit the final route for approval.

Mr. Travisano opened the floor for the public to ask questions.

1. Craig Mittler said that he supports the suggestion of converting Hillside Avenue into a cul-de-sac, and would like to see additional traffic calming measures. He asked if the Township has considered any other traffic calming measures. Mr. Travisano said that Mr. Chase had previously given testimony that there was not a need for additional traffic calming measures.
2. Sue Hoag asked how much the traffic and railroad bridge on Mt. Vernon Ave have been studied for potential truck traffic. Mr. Chase said that the intention is for truck traffic to be limited to River Road.

3. Bailey Brower said that significant development has begun in Florham Park since this application was submitted. He also addressed the traffic impact that this development will have on Long Hill Township.
4. Susan Ligertwood asked about having the traffic enter the property from River Road rather than from Hillside Ave. Mr. Chase said that the grades on the property and the number of trees that would need to be removed makes that unfeasible.
5. Anna Marie Strand asked if the traffic routes would be for all trucks and not just those delivering fill. Mr. Chase said that the designated route would be for all construction traffic. Mrs. Strand asked if the route would be stipulated in the approval resolution. Mr. Travisano said that the resolution would have a condition of approval that a final traffic plan be submitted for the approval of the Chief of Police and the Township Engineer.

Seeing no further questions, Mr. Travisano closed the floor to the public.

Scheduling the site visit was discussed. The site visits will be held on August 3rd, beginning with the Skate Park at 9:00 AM and Dixiedale at 10:00 AM. Mr. Kasuba said that staking out the Skate Park property will be easy. The center line of the proposed roadway at Dixiedale will also be staked out. Mrs. Swartz asked about parking at the Dixiedale property, and Mr. Kasuba said he will discuss logistics with the Board Attorney.

Mrs. Swartz asked who Benjamin Way is being named after. Mr. Kasuba said he will check with his client as to the origin of the proposed name.

Mr. Kasuba asked that the hearing be carried to August 5th without further noticed. He also noted that it is possible that all the stormwater data may not be available in time.

Mr. Nelson moved to carry the hearing to August 5th without further notice. Mr. Kelly seconded the motion, which carried unanimously.

Mr. Nelson moved to adjourn at 10:37 PM. Mr. Kelly seconded the motion which carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary