

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
JULY 21, 2014**

Mr. Thomas Franko 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 2014 and January 2015 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.

Answering present to the roll call were Mr. Franko, Mr. Hurring, Mrs. Abbott, Mr. Brower, Ms. Hagner, and Mr. Travisano. Mrs. Swartz, Mrs. Chambers, Mr. Ciccarone, Mr. McCaffrey and Mr. Saluzzi were absent.

Also present were Mr. Shaw, Mr. Ruschke and Mr. Banisch.

Approval of Minutes

The approval of the minutes of the June 16, 2014 meeting was carried until the next meeting.

Memorialization

Plan: 13-128-14 Robin Traver, 509 Shunpike Road, Block: 128 Lot: 14 Minor Subdivision w/Lot Width Variances

Mr. Travisano moved to memorialize the resolution. Mrs. Abbott seconded the motion.

Roll Call: Mr. Franko, Abstain; Mr. Hurring, Aye; Mrs. Swartz, Absent; Mrs. Abbott, Aye; Mr. Brower, Abstain; Mrs. Chambers, Absent; Mr. Ciccarone, Absent; Ms. Hagner, Abstain; Mr. Travisano, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Absent.

Hearing

Plan: 14-37-12-14 Innovative Construction & Design, LLC, 51 Mountain Avenue, Block: 37 Lots: 12 & 14. (April 22, 2014) Minor Subdivision w/front yard setback variances.

Mr. Brian Burns, an attorney representing the applicant, said that he would be providing an overview of the application. The property is on the curve of Mountain Ave in the R3 zone. It has enough area that two lots can be created by subdividing the property. Mr. Burns presented an area map showing the property as is, as well as a map showing the proposed subdivided lots. The house currently on the property would be removed. Variance relief would be needed for lot

width for the upper lot. A conceptual architectural review will be available to show that conforming houses can be built on the proposed lots.

Ms. Hagner asked about the width of the street lines. Mr. Ruschke said that the right-of-way is typically 50 feet. Mr. Shaw said that in this instance, a right-of-way easement is sought rather than a deed of dedication. Mr. Brower asked if sidewalks could be installed in the proposed 5-foot right-of-way. Mr. Ruschke said that sidewalks would be extremely difficult in this spot, but it could feasibly be engineered if need be.

Mrs. Abbott asked if the orientation of the homes to be built would be the same as in the conceptual architectural drawing.

Mr. Brower said that a provision should be made for approval that, if any of the trees to remain on the property should die, the builder be responsible for replacing them.

A site visit for this property will be scheduled for August 2, 2014 at 9:00 AM.

Mr. Franko opened the floor to the public.

1. Mike Kelly, 67 Mountain Ave, thanked the Planning Board for opting to schedule a site visit. He also said that Mountain Ave is narrower than a normal road, and he does not think that any of the residents in that neighborhood would want the road widened. Mr. Kelly further gave a description of the neighborhood. He asked that the Board consider how the proposed lots would fit with the character of the neighborhood and what impact the subdivision would have.

Mr. Franko said that the Board is familiar with the neighborhood due to recent applications. He also said that the upcoming site visit is open to the public, and he encouraged the public to continue to attend hearings on this application.

2. Andre Luboff, 27 Fairview Ave in New Providence, was present representing his father-in-law Manuel Souza of 750 River Road. Mr. Luboff is also a licensed PE. Mr. Luboff addressed drainage issues that occurred on Mr. Souza's property when work was performed on an uphill property, and he is further concerned as to what drainage impact the proposed development might have. He asked that special care be taken to consider stormwater management.
3. Chris Kane, 764 River Road, is also commented on drainage, and is concerned that additional development will lead to additional drainage.

Mr. Franko indicated that there would be a continuation of this hearing at the August 4, 2014 meeting. The site visit will be scheduled for August 2, 2014.

Mr. Shaw noted that no further advertised notice is required for the continuation of this hearing.

Other Business

Ms. Hagner asked for an update on the circulation plan draft. Mr. Banisch said that the subcommittee has one more set of comments to get back to him. Mrs. Abbott was unsure if the subcommittee would be ready to report by the August meeting.

Mr. Banisch said that he has a memorandum available on the proposed 3rd Round COAH Rules.

Ms. Hagner moved to adjourn at 8:00 PM. Mr. Travisano seconded the motion, and it carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary