

CHATHAM BOROUGH PLANNING BOARD
August 5, 2020 7:30 p.m.

Chairman Susan W. Favate called the Chatham Borough Planning Board Regular Meeting of August 5, 2020 to order, by Zoom, at 7:30 p.m. Chrnm. Favate announced that all legal notices have been posted for this meeting. This was a virtual meeting. Board members were present by way of Zoom.

Name	Present	Absent
Mayor Thaddeus Kobylarz	X	
Council Member Irene Treloar	X	
Steve Williams	X	
H.H. Montague	X	
Vice Chrnm. Matthew Wagner	X	
Chrnm. Susan Favate	X	
Curt Dawson	X	
Joseph Mikulewicz	X	
Gregory Xikes	X	
William Heap	X	
Torri Van Wie	X	
Vincent K. Loughlin, Esq.	X	

Also present: Vincent DeNave, Chatham Borough Zoning Officer and Engineer.

Public Comment

There were none.

Resolution #PB 2020-01

Mr. Williams made a motion to approve the minutes of the June 17, 2020 meeting. Mr. Montague seconded the motion. A voice vote was taken. The June 17, 2020 minutes were approved.

New and Returning Applications

Application # PB 20-001

Chatham School House, LLC

400 Main Street

Block 80, Lot 1

Change of Use/Site Plan Waiver

Rosemary Stone-Dougherty, Esq., attorney for the applicant came forward. She stated that the neighboring properties had received notices for this hearing.

Attorney Dougherty stated that her client runs a day-care center for children from ages six week to Pre-K. The applicant's business has been well established in the Borough, having been in operation for seven years. Thirty-five to 40 children are usually at her facilities. Seven teachers

are employed. The applicant is not proposing any exterior changes to the building. Unfortunately, with yesterday's severe storm, the site lost a couple of trees. The applicant is applying for three tree permits to replace those trees. She is also submitting a permit for a 6-foot privacy fence to shield the parking lot.

Chrmn. Favate confirmed with Attorney Dougherty that both the ground-level door and the first-floor doors will be used for this daycare business. Attorney Dougherty noted that the intent is to have 400 Main Street as a single use building; however, there has to be a transition period when the build-out for the interior takes place.

Chrmn. Favate confirmed with Attorney Dougherty that the attorney offices that were located in the building's basement have moved out.

Mr. DeNave, the Borough Engineer/Zoning Officer, stepped up and asked to give information on the parking arrangements.

Mr. DeNave stated that there are 13 parking spaces on the site. The requirements specify one parking space for every teacher, and one parking space for every 10 students. He noted even if the daycare meets the 35-maximum number of students, only 3 or 4 spaces would be needed. The teachers would only need 5 or 6 spaces. So the site is well in excess of the needed parking.

Mr. DeNave testified that he has been working with Ms. Numan since she purchased the property. She has obtained all the correct permits for the tree removal. Ms. Numan has also obtained the fence permit which would provide a nice buffer between the daycare center and the neighbor living behind. None of the existing shrubs between the two properties will be removed.

Mr. Xikes noted to Mr. DeNave that he did not receive a Site Plan for this application. Since the site is close to his home, he walked the property. He felt the site's parking lot looked tight.

Mr. DeNave agreed that the parking lot was tight, however it had been previously approved when the law firm was in the building. No further expansion can be done for the parking. There are bollards up against the building to provide protection from any vehicles backing up.

Mr. Xikes had concerns about the drop-off and pick-up procedures for the daycare center.

Mr. Wagner explained, from his own experience as a client of Ms. Numan's, that there will be a specific time-limit of when a child will be dropped off at the center. He had never experienced a black-log of parents dropping off their children. There was always a one-on-one drop off experience when he used the facility.

Chrmn. Favate asked if the drop-off will take place on Dunbar Street or in the daycare's parking lot.

Attorney Dougherty pointed out that the entrance-ways on the survey. She stated that Ms. Numan, in her 7 years of daycare work, has never had clients' cars queuing up onto Main Street.

Attorney Dougherty reminded the Board that the children arrive at the daycare center at different times.

Chrmn. Favate felt that the new location for Chatham Schoolhouse would be safer and easier from a traffic standpoint. The current location, on eastern Main St., is difficult for pulling a vehicle in and out of traffic.

A Board member asked who the other tenant in the other side of the building will be.

Attorney Dougherty explained that the architect showed on the plans that ReMax is present in a section of the building; however, ReMax will re-locate. Ms. Numan will still have the chance to start her build-out for the daycare center to prepare for the upcoming school year.

A Board member questioned the absence of an actual site plan or construction plans.

Attorney Dougherty explained that Ms. Numan had requested a site plan waiver, had brought in a survey to the Borough, and her proposals for interior improvements. She and Ms. Numan did not hire an engineer to draw up an actual site plan. The construction permits have been obtained for the actual build-out. Ms. Numan is trying to create an at-home environment within the building.

At Chrmn. Favate's request, Attorney Dougherty clarified what each page of the plans represented. Page Two shows the basement space of the building, formerly the attorney offices, which Ms. Numan will have built-out.

Attorney Loughlin swore in Rima Numan, the applicant, to testify.

Ms. Numan testified that she has been present, on the Zoom screen, during this entire hearing, during her attorney's presentation tonight.

Attorney Dougherty asked Ms. Numan to give further details on her daycare center.

Ms. Numan stated that there won't be too many changes construction-wise in the building. An existing wall will be removed. There will be a home environment for the children. A small number of children will be on site. Ms. Numan testified that her daycare center never produced a great deal of traffic.

Attorney Dougherty confirmed with Ms. Numan that the interior renovations would be more of the modifying of the office spaces to become home-like spaces. Some walls will be removed.

Mr. Mikulewicz asked Ms. Numan to describe a typical day at her daycare center, with regard to drop-off and pick-up.

Ms. Numan explained the staggered times assigned to parents for drop-off and pick-up of children. Because of Covid-19, the parents will not be allowed to actually enter the building. The daycare center opens at 7 a.m. Pick-up of the children will be between 4 p.m. and 6 p.m.

Ms. Numan clarified that for drop-off and pick-up, the parents will park their vehicles and will escort their child to the building.

A Board member asked about the lighting situation in the parking lot.

Ms. Numan answered that she made sure that there were lights outside for the daycare center.

Mr. Montague and Ms. Numan reviewed the timing and of the drop-off procedure again. Ms. Numan assured Mr. Montague that the daycare center had enough parking spaces to handle arrivals, especially during bad weather days.

A Board member asked what would be the difference of the square footage that is existing now in the building, and what it will become as a daycare center.

Ms. Numan answered that the square footage will remain the same as it is presently. She will still stay at the maximum capacity of 35 to 40 students. However, because of Covid-19 regulations, there may be only half that number of students.

Mrs. Van Wie had concerns about the egress situation. She asked Ms. Numan how many children will be in the basement. Mrs. Van Wie asked if it was code compliant to have only one point of egress on a building this long?

Ms. Numan answered that two exits are required. Another exit will be created.

Mr. DeNave explained to Mrs. Van Wie that Walter Nugent, the Borough's Fire Marshal, has already inspected the building. Mr. Nugent has made sure that Ms. Numan's daycare center complies with all safety requirements.

Mr. Mikulewicz asked if there will be an outside play area.

Ms. Numan answered yes. The play area will be on the left side of the front yard. A fence will be installed around it. Only 5 to 10 children at a time will be on the play area. Attorney Dougherty clarified that there will be no permanent playground fixtures installed in the play area. No swings.

Mr. Mikulewicz asked Ms. Numan if she was going to instruct parents to not park on Main Street?

Ms. Numan answered yes. The front doors of the daycare center will be locked. She will have signs put up. The parents will be using the parking lot behind the building.

Mr. Montague discussed with Ms. Numan and Attorney Dougherty how a parent would exit the parking lot. A Board member suggested moving the current dumpster to free up an area where a parent could turn around his/her car to exit the parking lot.

After further discussion, Ms. Numan agreed to provide the Board with the document instructing parents on the correct procedure of drop-off and pick-up.

The Board had no further questions for Ms. Numan.

Chrmn. Favate asked if the public had any questions for Ms. Numan.

Mary English, 380 Main St., asked if the big glass windows at the front of the building will remain.

Ms. Numan answered that those big windows will remain. She checked, and found that those particular windows do not reveal any inside activities to passers-by.

Mr. Williams made a motion to approve Application #PB 20-001, Chatham School House, 400 Main St. granting a Change of Use/Waiver of Site Plan. Vice Chrmn. Wagner seconded the motion.

Attorney Loughlin reviewed the agreed-upon conditions of the application:

- 1) The applicant will obtain the necessary permits & licenses that are required
- 2) The applicant will create a second exit in the basement
- 3) The applicant will submit a copy of the drop-off & pick-up instructions that will be given to the parents

A roll call vote was taken:

Mayor Kobylarz	-	yes
Mr. Williams	-	yes
Council Member Treloar	-	yes
Mr. Montague	-	yes
Mr. Mikulewicz	-	yes
Vice Chrmn. Wagner	-	yes
Mrs. Van Wie	-	yes
Mr. Dawson	-	yes
Mr. Xikes	-	yes
Mr. Heap	-	yes
Chrmn. Favate	-	yes

Application #PB 20-001 was approved.

Mr. DeNave gave an update on the proposed Master Plan Reexamination, regarding the Borough's Industrial Districts. He believed the Borough Council will be recommending that the Planning Board look at another area on River Road for potential redevelopment. The Borough Council will give a formal recommendation to the Board at their next meeting.

Chrmn. Favate noted that the Board should hold a discussion on the matter of house scales at a future meeting.

Mr. DeNave suggested that the Board also re-visit the zoning fee schedules. He noted that there are no Planning Board applications in the near future.

At 8:56 p.m. the meeting adjourned.

The next Planning Board meeting will be held on Wednesday, August 19, 2020, 7:30 p.m. This will be another Virtual Meeting held by Zoom.

Respectfully submitted:

Elizabeth Holler
Recording Secretary