

CHATHAM BOROUGH PLANNING BOARD  
May 5, 2021 7:30 p.m.

Chairman Susan Favate called the Chatham Borough Planning Board Regular Meeting of May 5, 2021 to order at 7:30 p.m. Chrmn. Favate announced that all legal notices have been posted for this meeting. This was a virtual meeting. Board members, Attorney Loughlin, and other participants were all present by way of Zoom.

Name	Present	Absent
Mayor Thaddeus Kobylarz	X	
Council Member Frank Truilo	X	
Steve Williams	X	
H.H. Montague	X	
Chrmn. Susan Favate	X	
Vice Chrmn. Wagner	X	
Curt Dawson	X	
Bill Heap	X	
Torri Van Wie	X	
Joseph Mikulewicz	X	
Gregory Xikes	X	
Vincent K. Loughlin, Esq.	X	

Also present:

Kendra Lelie, P.P., AICP, ASLA, the Board's Planning Consultant

Robert Brightly, P.E., the Board's Engineer

Vincent DeNave, Chatham Borough Zoning Officer & Engineer

Public Comment

There was none.

Resolution #PB 2021-01

Mr. Williams made a motion to approve the minutes of the April 7, 2021 Planning Board meeting as submitted. Vice Chrmn. Wagner seconded the motion. A voice vote was taken. The minutes of April 7, 2021 were approved as submitted.

Application Resolutions

Application # PB 21-004

Usman Chaudhry

231 Main Street

Block: 121 Lot 2

Change of Use/Site Plan Waiver

Mr. Williams made a motion to approve the resolution memorializing the Planning Board's approval of Application # PB 21-004: A Change of Use/Site Plan Waiver for 231 Main Street. Mrs. Van Wie seconded the motion. A roll call vote was taken:

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

The resolution was approved.

Application # PB 21-001

111 N. Hillside Ave., LLC

111 N. Hillside Avenue

Block 45, Lot 15

Minor Subdivision with Variances

DENIAL RESOLUTION

Mayor Kobylarz confirmed with Attorney Loughlin that an affirmative vote tonight is to deny the application.

Mr. Williams made a motion to approve the resolution denying Application # PB 21-001: Minor Subdivision with Variances for 111 N. Hillside Ave. Mayor Kobylarz seconded the motion. A roll call vote was taken:

Mayor Kobylarz	-	yes
Mr. Williams	-	yes
Council Member Truilo	-	yes
Mr. Xikes	-	yes
Mr. Mikulewicz	-	yes

The Resolution to deny was approved.

New and Returning Applications

Application # PB 21-003

Chatham River Road Urban Renewal, LLC

Block: 1335, Lots: 9, 10, 11, & 12

Preliminary & Final Site Plan

Chrmn. Favate noted that there is a number of witnesses testifying at tonight's hearing. They will be heard one at a time. After each witness testifies, time will be allotted for questions from the Board members and then questions from members of the public.

Attorney Loughlin explained the parameters and jurisdiction of the Board for this Preliminary and Final Site Plan. The Board is limited to only the Site Plan Review. He pointed out that this project is part of the Affordable Housing Plan of the Borough. Any questions on the redevelopment determination or the affordable housing plan cannot be answered at this hearing.

John Inglesino, attorney for Chatham River Road Urban Renewal, LLC, introduced himself. The applicant is seeking to construct an inclusionary multi-family luxury rental housing development consisting of 245 aggregate apartment units. 208 of these units will be market rate housing units. 37 of those units will be deed restricted affordable housing units which represent a 15% affordable housing set-aside. The applicant will agree to abide by the terms of the new development agreement and the Consent Order given by the Court on April 20, 2021.

Attorney Inglesino submitted this Consent Order as Exhibit A-1. He noted this Consent Order will address the Affordable Housing aspects of the project.

Attorney Inglesino stated that the development will be a single building consisting of approximately 199,000 sq. ft. The building will range from three to four stories. Many amenities will be offered to the residents of this building: structured parking, a swimming pool, bike parking, a dog park, outdoor seating areas, lighting, landscaping. The applicant's architect will give more details on these amenities.

Attorney Inglesino noted that the applicant is the owner of Lots 10, 11 & 12 of Block 1335. The applicant is the contract purchaser of Lot 9, which is currently owned by Crown Oil property.

Attorney Inglesino recalled that in 2016, an affiliate of the applicant obtained site plan approval for 47 units for Lot 10. Since then, Chatham Borough has engaged in a redevelopment process that resulted in the subject area being declared as an area in need of redevelopment on a non condemnation basis back on November 26, 2018 and the approval by the Board's governing body of a redevelopment plan originally adopted in June of 2019 and amended in January 2020. The Borough Council approved the Redevelopment Agreement on February 8, 2021.

Attorney Inglesino submitted this Redevelopment Agreement as Exhibit A-2.

Attorney Inglesino explained that the subject properties are governed by the River Road Redevelopment Plan dated May 6, 2019. This Redevelopment Plan gives the specifics of the project to be constructed on this site. The applicant will be making an Open Space contribution to the Borough in the sum of \$150,000 in accordance with the terms of the Redevelopment Agreement.

Attorney Inglesino pointed out that the applicant is seeking only one variance. This variance is seeking 5 inches of deficit of lot depth. Testimony will be given on this variance. Otherwise, this project complies fully with the redevelopment plan. Attorney Inglesino named the four witnesses that will testify in this hearing. Jonathan Schwartz, a principal of Chatham River Road Urban Renewal, LLC, is also on hand to answer any questions.

Sean Savage, the engineer for the applicant, was sworn in to testify. Mr. Savage submitted his professional credentials to the Board. The Board accepted them.

Mr. Savage submitted the parking plans for the project's upper level. The plans were put up on the Zoom screen.

Mr. Savage described the existing conditions on the site. The proposed project will take Lots 9, 10, 11, 12 and consolidate them by deed. One building will be constructed on the site. The main frontage of the building will be on River Road. A shorter frontage will be on Watchung Ave. going north. Mr. Savage described the two proposed entrances to the building's garage. He pointed out the interconnection ramp in the southwest corner of the garage.

Mr. Savage pointed out the main entrance to the site. Also on the plans, he indicated the drop-off area for the building, the circle off of River Road, and the lobby in the northeast corner of the building. Mr. Savage pointed out the lower level parking deck. He showed how a vehicle could circle out back to River Road.

Mr. Savage showed the proposed loading area for when people move in and out of the building. Trash pick-ups for the building will be handled by a private hauler. There will be a sidewalk and dog run on the southern side of the property. There will be a secondary lobby on the River Road side of the building. Approval from the Borough is needed for the striping of a public street for the loading and unloading area for the building.

Mr. Savage testified that the applicant is testifying to slightly widen River Road by 3 feet. The radius of River Rd. and Watchung Ave. will be addressed later in tonight's hearing.

Mr. Savage put the proposed grading/drainage plan for the site on the Zoom screen. A 15-foot drop exists from the railroad tracks to the west going down to River Road. The proposed building will be tucked somewhat into that drop. For stormwater drainage, some grading will be done, and inlets will be installed around the rear of the property to catch the stormwater.

Mr. Savage noted that the subject site is currently largely developed. The plans will reduce the existing impervious coverage on site by a little over 1%. Even though a major development is being proposed, a water quality requirements will not be required. This development will produce "clean" run-off as opposed to the previous run-off. The development will be meeting the stormwater regulations, by reducing the volume of the run-off. There will be no detention systems on the site.

Mr. Savage submitted and explained Exhibit A-3: a 30 ft. radius exhibit, dated May 5, 2021, of River Rd. and Watchung Ave. It included the proposed widening of River Road. The County has requested a 30 ft. radius, which will be created. Some reconfiguration of the traffic light will have to be done.

Mr. Savage submitted Exhibit A-4: Truck Turning Plan 1, dated Feb. 5, 2021.

Mr. Savage testified that the utilities, the water and the sanitary sewer, for the development will be connected off of River Road.

Mr. Savage clarified that he is not a landscape architect, however he pointed out the location of a number of street trees that the applicant will plant. Evergreens will be planted along the property lines of adjacent properties. Some of the existing trees and shrubbery at the rear of the property will remain. Additional plantings and shrubbery will be installed along the southern side of the property.

Mr. Savage stated a revised landscaping plan will be submitted to include the planting suggestions made by the Borough. He described the plantings that will be done in the drop-off area. The switch-gear will be buffered by evergreens.

Regarding parking, Mr. Savage noted that 441 parking spaces are required for this development. The applicant is proposing 474 spaces within the garages. Nine handicap parking spaces will be created, which will meet the requirements. Mr. Savage testified that five electric charging spaces are being proposed for electric vehicles. Additional parking spaces could be converted for EV charging.

Attorney Inglesino confirmed with Mr. Savage that the following aspects of the application comply with Borough regulations:

- 1) The maximum building coverage
- 2) The impervious coverage
- 3) The proposed height of the building
- 4) The building separation
- 5) The setbacks for accessory structures

Attorney Inglesino asked Mr. Savage to give information on the variance needed for lot depth.

Mr. Savage testified in this situation 250 feet is required for minimum lot depth. The property comes out at 249.5 feet. This condition already exists. It's not something that the applicant is creating as part of this development.

Attorney Inglesino asked if the applicant would be seeking any waivers.

Mr. Savage testified that there is one waiver concerning the size of the sheet of the site plans.

Attorney Inglesino indicated that he had no further questions for Mr. Savage. He returned the floor to the Board Chairman for questions from the Board.

Chrmn. Favate asked Robert Brightly, the Board's Engineer, if he had any questions or comments for Mr. Savage.

Mr. Brightly brought up the questions he had raised in his letter of review to the applicant dated April 22, 2021.

One issue that Mr. Brightly asked Mr. Savage was the number of proposed parking spaces as required by RSIS.

Mr. Savage stated that the requirement is 441 parking spaces. The applicant is proposing 474 spaces.

Mr. Brightly had questions about two of the proposed spaces. A de minimus waiver on the parking can always be asked if 2 or 3 spaces were eliminated to meet the RSIS standards. Mr. Brightly asked in particular about handicap spaces on the lower level. Mr. Savage made suggestions for alternate handicap parking spaces, eliminating some of the regular spaces. The applicant's architect will further address this situation.

Mr. Brightly had questions about the bike room.

Mr. Savage felt the applicant's architect should answered the questions about the bike room.

Mr. Brightly asked if there were any problems with a sidewalk easement. Will the public sidewalk go over the right-of-way line?

Mr. Savage had no problems with that arrangement.

Referring to Exhibit A-5, Mr. Brightly felt that the drop off circle may have too much asphalt.

Mr. Savage discussed the maneuvering a UPS truck would make at the drop off circle. He showed where possible modifications could be made on the drop off circle; however, he felt the circle would then become unbalanced.

Mr. Brightly suggested that the island area could be made larger, and then have the UPS truck take a wider turn.

Mr. Savage said that he and the developer could take another look at this situation. Mr. Brightly noted that his letter had raised questions about the trash pick-up at this development.

Mr. Savage stated that the applicant's architect will testify on that matter. Also, he will provide additional details on the handicap ramp.

Mr. Brightly asked if there would be individual meters for the gas and electric utilities. If so, where would the meters be located?

Mr. Savage understood that there would be individual meters; however, he wasn't sure where they would be located. He felt the architect or owner could testify on that situation.

Mr. Brightly noted that Mr. Savage has indicated that the water meter room will be moving. Will the backflow preventer be inside of the building?

Mr. Savage answered yes, the backflow preventer will be inside of the building.

At Mr. Brightly's suggestion, Mr. Savage reviewed the lighting plan. On the plans, he pointed out the number of pole mounted lights that will be installed. Bollard lights will also be installed.

Mr. Brightly pointed out that the proposed lighting on the River Rd. side are at window height. He was concerned about the amount of lighting that may hit the building at night.

Mr. Savage said that the lighting could be re-directed in order to not create that type of spillage onto the building.

Mr. Savage confirmed with Mr. Brightly that the questions on page six of his letter will be complied with.

Ms. Lelie, the Board planner, asked Mr. Savage to describe the proposed bike parking.

Mr. Savage testified that 10% of the bike parking will be outside of the building. 25% will be inside. Currently bike racks are being proposed. On the plans, Mr. Savage pointed out the location of the 7 exterior bike spaces, and 11 additional spaces in the northwest area of the site. Nine bike spaces will be created on the northeast side of the circle area closest to the lobby. Mr. Savage suggested the applicant's architect give more details on the internal bike racks.

Ms. Lelie noted that the applicant is planning to save some trees towards the NJ Transit Line. She asked that the grading of the project be not within the drip line of those trees. Ms. Lelie asked Mr. Savage if he would agree to this tree protection.

Mr. Savage answered yes.

Ms. Lelie brought up the proposed lighting plan not covering the rear of the property and the dog park area. Will the applicant provide additional lighting in those areas.

Mr. Savage answered yes, lighting will be installed in those areas. Those lights will be building mounted.

Ms. Lelie informed Chrmn. Favate that she will save her building design questions for the applicant's architect.

Chrmn. Favate asked if any Board members had questions for Mr. Savage.

Mr. Montague asked for more information about the development's sidewalk running along River Road.

Mr. Savage answered that it will be a 10 ft. sidewalk. It will be a concrete sidewalk with a grass strip of 3 ft. to 4 ft. from the curb before the paving begins. Trees will be planted in that strip of grass. Mr. Savage pointed out where the proposed curbing will run when River Road is widened.

Council Member Truilo brought up the proposed loading zone on the River Road right-of-way. He asked how feasible would this loading zone be with the increased vehicular traffic on River Road.

Mr. Savage answered that the loading zone will be for a very limited usage. It would be for people moving in and moving out of the complex. The loading times can be scheduled by the owners. This loading zone can be eliminated if the Board so desired.

Council Member Truilo was concerned about the ability of fire trucks entering the proposed access from River Road.

Mr. Savage did not anticipate fire trucks ever using that proposed access. They will have plenty of access from River Road itself and Watchung Ave. Mr. Savage testified that the building will be fully sprinkled as well.

Council Member Truilo asked if additional EV charging stations could be added to the site.

Mr. Savage noted that there are currently 5 EV charging stations being planned; however, 5 more could be installed if need be.

Mrs. Van Wie asked if it was possible to have an application process to request an EV charger on an APP, so it won't be such an onerous process.

Mr. Savage answered that the owner of the development would consider such an arrangement.

Mrs. Van Wie asked if there would be pre-wiring for all of the EV spots, or just the spots around the perimeter of the building.

Mr. Savage said he would defer the pre-wiring situation to the applicant's architect.

Mrs. Van Wie brought up the River Rd. intersection and the radius reduction. What will that proposal do to the sidewalk width at that location?

Mr. Savage explained that whole area will be re-worked. On the plans, he showed that the new sidewalks will provide plenty of room.

Mrs. Van Wie brought up that when new trees are planted, adequate width is needed for the root bulbs to grow over time. How will that be accounted for?

Mr. Savage felt that the landscape architect will be selecting trees that would be suited for that particular scenario.

Ms. Lelie noted that the Borough has asked for tree wells to be installed. There are now tree wells that make tree roots go under the sidewalk. Ms. Lelie noted that the Borough has asked for more upright trees to be planted in order to prevent a large drip line.



Council Member Truilo asked if the Chatham Fire Department had reviewed the site plan? He wanted to make sure enough access points would be created.

Mr. Savage answered that the Fire Department has been sent a set of the plans. So far a response has not been received.

Mr. Williams stated that there will be meeting tomorrow with the Fire Chief and the Fire Marshal. They will be reviewing the plans. The Chatham Emergency Squad will also be reviewing the plans.

Chrmn. Favate brought up the distance from the drop-off court to the intersection. Is that providing enough space to avoid queuing issues?

Mr. Savage suggested that the applicant's traffic engineer provide testimony on that.

Chrmn. Favate asked if it was necessary to have UPS trucks use the circular drive? She felt that the larger trucks should be using the rear loading area.

On the plans, Mr. Savage pointed out the real area where UPS trucks will pull up in. He also pointed out where the shuttle buses will arrive for the tenants.

Mr. Brightly asked if it would be possible to create a ramp, or some type of grading, to take deliveries to the rear loading area.

Mr. Savage explained that the applicant's desire is to have those type of deliveries arrive at the lobby and not the rear area.

Jonathan Schwartz, the developer and manager, was sworn in to testify.

Mr. Schwartz testified that it would have been nice to create an access at the rear for certain deliveries. However, the grade doesn't allow it. He explained how FedEx and UPS would make a delivery to the doorman. There will be Amazon lockers where the deliveries will be deposited. People will get notified of these deliveries.

Mr. Schwartz stated that River Rd. Development decided to change the courtyard to one way to allow space for a UPS truck. None of the tenants will be parking in this area. There may be an Uber drop off and pick up location in these areas.

Chrmn. Favate asked if the pavement in that area could be reduced in some way.

Mr. Schwartz pointed out the university walls and evergreens that will hide a lot of that pavement. The architect will give more details on this aspect.

At Chrmn. Favate's request, Mr. Savage pointed out the locations of the retaining walls on the grading plans.

Chrmn. Favate asked if he had looked into opportunities for green infrastructure in terms of stormwater management.

Mr. Savage stated that, environmentally, the site is subject to remediation. Recharging and infiltration should not be done on sites like there would be the potential to spread any contaminants. He pointed out the grassy areas and the swales that will be created on this site. Mr. Savage pointed out that the original site consisted of plenty parking areas with dirty run-off.

Council Member Truilo and Mr. Savage discussed the County approval that must be obtained for the Watchung Avenue proposals. The applicant is working through the approval process.

Attorney Inglesino recalled that Mrs. Van Wie's questions about the proposed charging stations and the infrastructure that may be provided for future EV chargers.

Mr. Schwartz testified that none of these proposed buildings can support 100% EV charging stations or electric cars. There is not enough power available from the street. However, pre-wiring will be installed everywhere on the lot. Basically, every spot will have the ability to have an EV charging station at some point. However, the local electric company would have to do an upgrade to make that possible.

Mr. Brightly asked how many deliveries such as FedEx, Amazon, etc. can be expected in one day in the truck area.

Mr. Schwartz answered that it's usually one Amazon truck a day with a series of packages. The same goes for FedEx. Generally, the building's staff get to know these delivery men and their scheduled arrivals.

Mr. Schwartz testified that his company is in the process of putting the wires for this development underground.

The public had no questions for Mr. Schwartz.

Attorney Inglesino called Gary Dean forward to testify,

Gary Dean, the applicant's traffic engineer, was sworn in to testify.

Mr. Dean submitted his professional credentials to the Board. The Board accepted them.

Mr. Dean testified that he and his company had submitted in 2019, a traffic engineering analysis principally on the Watchung Avenue corridor, including most of the major intersections of Chatham Borough, west of the applicant's site. The governing body had requested this analysis to make sure there would not be a negative impact on the community as a whole.

Mr. Dean stated that the current site with its industrial uses had been looked at by him and his company. Drones were flown to observe the peak traffic conditions at the intersection in question. Certain suggested improvements were recommended for the intersection at River Road

and Watchung Ave. Mr. Dean noted that meetings were held with Mr. DeNave, the Borough Engineer, and other entities who needed to be informed about the proposed development.

Mr. Dean testified that the traffic study focused on the peak traffic hours of the intersection during 2019, before the Covid pandemic. He and the applicant assume the traffic patterns will return to normal after the pandemic is over. Mr. Dean stated that the proposed project includes a fair amount of amenities that will allow residents to remain on the premises, if they so desire.

Mr. Dean noted that the study focused on the egress and ingress of River Road. The applicant is proposing to widen River Road across the subject property's frontage. He stated that the corner radius of River Rd. and Watchung Ave. has been a long standing problem because of the bus depot that had operated further south on River Road.

Mr. Dean testified on the proposed improvements that the applicant will make on River Road. Aside from the widening of River Rd., an enhancement of the traffic signal needs to be done to make it more pedestrian friendly. Mr. Dean stated that this current traffic signal needs to be upgraded. The county has not be doing this.

Mr. Dean discussed the short stacking lane on Watchung Ave. for motorists turning left to travel south on River Road. The applicant has submitted an application to the Morris County Planning Board that includes a lengthening of that left turn lane to benefit the future residents of the applicant's development.

Mr. Dean explained the traffic grading levels of the intersection of Watchung Ave. and River Road at different times of the day. If the proposed traffic improvements were approved and implemented those levels of service would become better. The ingress and egress from the site's driveway would become sufficient and safe. Mr. Dean testified that an on street loading zone on the site, will now be eliminated. This loading zone obscures the sight distance for vehicles exiting the site and heading towards Watchung Avenue.

Mr. Dean noted that Chrmn. Favate had brought up the infrastructure of the main entrance. He felt the rotary, or roundabout, would be a nice feature. A counter clock-wise flow will be maintained. If an Uber or other type car were to pull over in the roundabout, there would still be room for other vehicles to access the site.

Mr. Dean had no further testimony.

Chrmn. Favate asked Ms. Lelie, if she had any questions for Mr. Dean.

Ms. Lelie had no questions for him.

Mr. Brightly felt that the applicant's proposal to remove the loading area was a good move.

Chrmn. Favate asked if Board members had any questions for Mr. Dean.

Mr. Montague gave his personal observations on the current traffic situation at the intersection in question. He noted a policeman was needed to stop traffic to allow the larger trucks to negotiate that area. Mr. Montague felt the traffic lights did not help this truck situation. He felt as people were returning to work, the traffic will be increasing on River Rd. and Watchung Ave. Mr. Montague believed that the new development at the former Dixiedale Farm will increase the traffic even more.

Mr. Montague asked how would this proposed River Rd. development get the 447 cars safely in and out of their garage every morning.

Mr. Dean explained the current situation of trucks having to stop and back up to existing loading docks on River Road, creating a bad traffic situation. He felt the proposed plans would eliminate that nuisance and congestion directly at the intersection. Mr. Dean noted that the traffic levels are not back to normal yet, because of the pandemic. The traffic situation at the Dixiedale Farm development had been taken into consideration in the applicant's traffic study, as well as the other development being constructed at the Chatham Twp. skate park.

Regarding Mr. Montague's concern about the cars exiting the River Rd. development in the morning, Mr. Dean stated that not all of the cars would be leaving the garage at once. His traffic study focused on the peak traffic hours. Mr. Dean pointed out that the applicant will arrange for a shuttle service to take residents to the train station. This will lessen any traffic impact. Mr. Dean also explained how the proposed signal meters will help the traffic situation. Mr. Dean pointed out that the applicant's main driveway will be located as far south as it can go on River Road, thereby avoiding the stacking situation at the Watchung Avenue signal.

Mr. Montague brought up that there will probably be schoolchildren living in the proposed development. Since local schools are quite a distance away, there would have to be school buses arriving at the site, creating even more traffic.

Mr. Dean was confident that the traffic study and proposals he has done for this site will work well.

Mr. Montague still felt that police would still have to be present to direct traffic. There is a liquor store up the road from the site which often needs a police officer to direct vehicles going in and out of that parking lot.

Mr. Williams explained that there have been police officers directing traffic on River Road for the last two weeks because of construction going on at River Road. They have been stopping cars and trucks intermittently while construction was under way. The bus company on River Road will be leaving soon.

Vice Chrmn. Wagner explained that the intersection further up, Watchung Ave. and Hillside Ave., gets blocked up very quickly. Vehicles have been known to seriously back up from the Watchung Ave. traffic light to the Lafayette Ave. intersection. Any improvement to that turning radius at River Rd. and Watchung Ave., to permit multiple turnings to happen at the same time would definitely upgrade that intersection.

Mr. Dean explained the double line on the road making it very difficult for buses coming down River Road. The proposed improvements will make those traffic lanes wider, the traffic radius will be made bigger, and the volume of buses will decrease.

Referring to Mr. Dean's aerial photo of the intersection in question, Chrmn. Favate asked Mr. DeNave if anything will be happening at the office building across the street from the applicant's site. Will any additional curbing be installed to not make it such an open parking lot?

Mr. DeNave noted that was the Prisco building, containing the Twin Elephant brewing company. Nothing has been proposed at this time.

Mr. Heap felt that the residents of this proposed development will choose to drive down River Road towards New Providence or drive towards Summit. It seems like Chatham will then be sending their traffic problems to neighboring towns. He asked Mr. Dean if he had any observations on this particular traffic situation.

Mr. Dean felt that particular line of traffic will not be seriously high in volume. It's a nice way to enter Summit by using local streets.

Vice Chrmn. Wagner and Mr. Dean discussed the re-timing of the traffic lights. Mr. Dean stated that the new traffic signals will be significantly better both function-wise and geometrically.

There were no further questions from the Board for Mr. Dean.

The public had no questions for Mr. Dean.

At 9:41 p.m. a break was taken in the meeting.

At 9:45 p.m. the meeting resumed.

Jack Raker, the architect for the applicant, was sworn in to testify. Mr. Raker submitted his professional credentials to the Board. The Board accepted them.

Mr. Raker submitted Exhibit A-6: photographed exhibits of the proposed development.

Using Exhibit A-6, Mr. Raker testified that the proposed building fully complies with the Borough's height requirements. There will be 245 dwelling units being proposed. 208 will be market rate units. Out of these 208 marketable units, there will be eighty 1 bedroom units and 128 2 bedroom units. There will be 37 affordable units. Seven of those units will be 1-bedroom. 22 of these units will be 2-bedroom units. Eight units will have 3 bedrooms.

Mr. Raker testified that it hasn't been decided which will be low, very low, and of moderate income.

Referring to the lower level plan, Mr. Raker reviewed the number of parking spaces. Eight spaces will be ADA compliant spaces and two will be van spaces.

Mr. Raker explained how a proposed van space that had been discussed earlier, could be rotated to create a turn-around area.

Mr. Raker described the proposed lower lobby level. There may be a small coffee area set up in the corner of the lobby. The lobby area cannot be reached by the loading area. Tenants will be notified of any UPS deliveries addressed to them. Mr. Raker pointed out a pull-off area where the shuttle bus will pick up and drop off tenants needing to go to the train station. Most of the proposed garage on these plans will be buried underground. The proposed bike area will have an access out to the street. There is enough area to provide 145 bike storage niches.

Mr. Raker submitted Exhibit A-7: a colorized version of the first floor plan. He pointed out that for the most part, the proposed garage cannot be seen from the street. Mr. Raker pointed out a ramp that would take someone from the first floor to the lower level of the garage. He pointed out the proposed trash rooms with shoots for both garbage and recycling. Mr. Raker showed the room where the garbage will be compacted. He described how the compacted trash will be handled by the building's maintenance workers for garbage truck pick-up time.

Mr. Raker submitted Exhibit A-8: a colorized version of the second floor plan. He stated that this particular floor has access to all levels of the building. Mr. Raker pointed out a large amenity area that will front on an open terrace. He described the recreational features that will be available on this floor.

Mr. Raker testified that low and moderate dwelling units will be scattered through out the building, in all areas of the building. They have been identified on the plans.

Mr. Raker submitted Exhibits A-9 and A-10: the plans for the pitched roof area of the building. He pointed out where the mechanical equipment will be located on the roof. They will be kept away from the edge of the building, and will be screened. Each dwelling unit will have air conditioning and heating that the tenants will be able to control.

Mr. Raker submitted Exhibit A-11: renderings of the proposed lobby with all of the amenities. The lobby will have high ceilings, high glass windows, fireplaces, etc. Mr. Raker explained these renderings reflect other lobbies that he has designed in the past. Fitness machines can also be available in the lobby.

Mr. Raker submitted Exhibit A-12: plans for outdoor amenities. A swimming pool, a grilling area, TV area were all shown on these plans.

Mr. Raker recalled that a Board member had asked if the building would have a green roof. He answered no; however, there will be a large amount of planted areas, with low shrubs and flowers, at some of the amenity spaces. Mr. Raker testified that three outdoor amenity areas are being proposed for the building.

Mr. Raker submitted Exhibit A-13: concept imagery of the outdoor amenities.

Mr. Raker submitted Exhibits A-14 and A-15: colorized versions of the unit plans. He briefly described a typical floor plan of one of the units. Some storage area will be provided for the tenants. The kitchens will be up-to-date stainless steel. Mr. Raker felt these units would be very good for empty-nesters.

Mr. Raker submitted Exhibit A-16: a series of technical elevations of the site. He showed where the building had to comply with the height regulations along Watchung Avenue.

Mr. Raker submitted Exhibit A-17: a view from the upper lobby. He showed how an effort was made to keep the height of the building down by using different building materials.

Mr. Raker submitted and described Exhibit A-18: a view of the building at Watchung Ave. and River Road. He testified that the developer will comply with the sign ordinance for the front sign.

Mr. Raker submitted Exhibit A-19: a view of the building, looking down the road from Bottle King. Mr. Raker stated a great deal of work was done to make sure the applicant's building was in scale and will fit in with the rest of the neighborhood.

Mr. Raker submitted Exhibit A-20: a view of the building as seen from the circle of Schindler Court. The highest points of the proposed building was "ghosted" into this exhibit. The building will be well screened with trees and dense vegetation.

Mr. Raker submitted Exhibit A-21: a view of the building when seen driving from in from Summit, going towards the Watchung Ave. railroad bridge. Mr. Raker felt that the building would blend right into the existing hillside.

Mr. Raker submitted Exhibit A-22: a view entering the building's entrance circle.

Mr. Raker submitted Exhibit A-23: a view of the back of the building. He pointed that the building, at the rear, will appear only as two stories because of the grade changes.

Mr. Raker reviewed the building height measurements. He showed the Board the brick samples that are being proposed. An attempt was made to break up the mass of the proposed building, by changing the roof lines and changing the building materials.

Mr. Raker indicated that his testimony was finished.

Ms. Lelie asked Mr. Raker why he had a 5<sup>th</sup> floor plan, and how did he comply with 4 stories.

Putting the 5<sup>th</sup> floor plan on the Zoom screen, Mr. Rake explained that the 5<sup>th</sup> floor plan only exists in the area 4 stories are exposed. No one will see anything on this building that will appear over 4 stories.

Mr. Brightly asked for clarification on the bike room floor elevations, especially on how a person gets in and out of that room.

Mr. Raker explained that those bike rooms will match the grade outside of the building. They will be accessed from both inside and outside.

Mr. Brightly asked that the steps to these rooms, because of the elevation changes, be shown on the plans.

Mr. Brightly and Mr. Raker discussed the pipes that will be behind the columns of the garage. They will be sanitary lines. They won't affect the car activity in the garage.

Mr. Brightly confirmed with Mr. Raker that the maintenance workers roll out the trash bins at scheduled pick-up times. This will be a brief procedure.

Attorney Loughlin asked Mr. Brightly if a fire department or police department review will be needed, as a condition, for these plans.

Mr. Brightly answered that the Borough's fire official should definitely review it.

Mr. Raker stated that he and the applicant usually work hand in hand with the fire department throughout this project. The proposed building will be fully sprinklered, even though it is not required to be. Throughout the development, the applicant will follow all the fire department's requests.

Attorney Loughlin asked Mr. Brightly if there are elevators in the building that need to be compliant for emergency services to enter the building to aid someone.

Mr. Brightly suggested Mr. Raker, the architect, respond to that question.

Mr. Raker answered that this is a requirement for the elevator to have the correct weight requirement to accommodate a stretcher during an emergency. Most of the elevators in the building will be able to handle up to 3500 lbs. as required.

Mr. Williams noted that the Borough Fire Chief, Fire Marshall, and Emergency Squad President will be reviewing these plans and discussing any questions they have with the applicant's architect and engineer.

Attorney Loughlin will include Mr. Williams' notation on this particular condition, if the application was approved.

Mr. Montague confirmed with Mr. Raker that there will be elevators to all of the floors.

Mr. Montague asked if it was permissible to have doors on the roof.

Mr. Raker explained those doors are needed to service the roof. Only the maintenance workers will be using them.



Mr. DeNave suggested that the owner discuss the sustainability measures that will be followed with this building.

Mr. Schwartz testified that there was a 70 item list that was put together in conjunction with members of the subcommittee and a company called Sustainable Solutions. The project will comply with all of the recommended items made by the subcommittee. Mr. Schwartz stated that he will comply with the exhibit that was attached to the redevelopment agreement with respect to sustainable measures.

Chrmn. Favate discussed the color of the proposed roofs.

Mr. Schwartz testified that the flat roofs will be light in color.

Mrs. Van Wie noted that there had been some conversation about putting solar panels on the roof.

Mr. Raker brought up the proposed roof plan that was shown earlier. A significant amount of vending will be coming up through the roof, which would prevent additional items to go on the roof. Mr. Schwartz noted that there will be a small amount of solar paneling will be installed to generate lighting for the general area hallways.

Referring to Exhibit A-8, specifically the south elevations, Council Member Truilo asked for the height to the ridge line. Mr. Raker answered there will be a height of 44 feet to the midpoint of the roof. To the ridge line, it will be an additional 8 feet.

Council Member Truilo and Mr. Raker discussed the window at the gable on the fifth floor. Mr. Raker explained that window was just being proposed for aesthetics. He felt this window will add character to the building. Only attic space will exist where this window is located.

Vice Chrmn. Wagner recommended that this window at the gable should remain. It adds to the appearance of the building.

Mr. Xikes stated that he anticipated a great deal of noise and vibration from the NJ Transit trains on the slope above the building. What will be done to mitigate that?

Mr. Raker answered that the developer will work with a sound consultant about the possibility of sound resistant windows. The exterior walls of the proposed building will be a little extra thicker than normal and extra layers of sheet rock could be added.

Mr. Xikes noted that very large tanks and oil infrastructure equipment will be pulled out during the pre-construction phase. He asked what precautions could be taken to prevent any spills or leakage from happening during these major removals.

Mr. Schwartz answered the demolition and clean up will be done by a licensed professional remediation company. They will be overseeing this entire removal/demolition work. Mr.

DeNave added that meetings have already been held on this situation and additional professionals will be called in.

Chrmn. Favate asked if the parking spaces in the development's garage will be assigned to the tenants.

Mr. Schwartz answered yes.

Chrmn. Favate asked if the proposed dog wash and the bike storage/repair area could be flipped, as suggested by the Board Engineer.

Mr. Schwartz answered that the dog wash will be moved to the lobby at the far left of the building. It was felt that this particular lobby would be way over-sized, and it would make better sense to locate the dog wash in that area. The original dog wash location will be used for utilities.

Chrmn. Favate asked if any of the affordable units had exterior balconies.

Mr. Raker said he would have to go through the plans and check. He believed at least two of them had balconies. Mr. Schwartz noted that very few of the units had balconies.

Chrmn. Favate had concerns about the NJ Transit train noise affecting the development's proposed pool area and courtyard area.

Mr. Schwartz agreed that it was not the greatest area to put a pool next to train tracks; however, it worked out to be the only location for the pool. It's better than no pool at all.

Vice Chrmn. Wagner felt that the train sound will die very quickly from the courtyard area. Sound patterns can fade quickly in confined areas. The trains don't travel that frequently on the Chatham tracks.

Mr. Raker pointed out the significant vegetation that will be planted near the train tracks, which will be helpful.

After further discussion on this train noise situation, Mr. Schwartz pointed out the pool will only be used three months out of the year, and probably mostly during the weekends. The trains only run once every hour on the weekends. The secondary courtyards, which will be open year long, will be screened from the trains.

Mrs. Van Wie noted that she belongs to the Fish & Game Club, where the trains constantly run by the swimming pool. People get used to the trains very quickly. On another matter, Mrs. Van Wie hoped that triple-paned glass could be installed in the development's windows for energy-saving reasons. Perhaps this additional cost could be evaluated.

Mr. Raker stated he and the developer could look at that particular cost. High energy windows are already being proposed for the development.

Mrs. Van Wie thanked Mr. Schwartz and Mr. Raker for considering all the sustainable items that had been suggested for the development.

Mr. Raker noted that the sound consultant will be asked to give his opinion on the triple paned windows to minimize noise of the trains.

Chrmn. Favate asked if any consideration had been given to the amenity space having a toddler play room.

Mr. Schwartz answered that a children's room is being planned.

Chrmn. Favate and Mr. Raker discussed the proposed light poles. Mr. Raker explained that the light poles will have industrial details as shown on the engineer's drawings.

Chrmn. Favate brought up the roll-down doors for the proposed garage. Mr. Raker stated the doors will operate by sensors. Answering another question on garage door accessibility, Mr. Raker said any ambulances coming to the site would go to the main entrance.

Attorney Loughlin, with Mr. Raker, confirmed the correct color, a copperish color, that the Board decided on for the metal panels of the windows.

Attorney Inglesino felt that testimony from the applicant's planner would not be needed. The salient points have been covered tonight. Attorney Loughlin pointed out that it is now 11:15 p.m.

Mr. Mikulewicz asked if the development's parking spaces for the affordable housing units will be assigned throughout the garage area, like the housing units themselves. Will they be scattered?

Mr. Raker answered that every parking space will be equal, other than its distance from the elevator.

Mr. Mikulewicz asked if any of the housing units will be furnished.

Mr. Schwartz answered no. However, sometime when the units are leased out to a corporate company for a while, a provider of office furniture will be made available.

Answering another question from Mr. Mikulewicz Mr. Schwartz stated that all of the housing units could be made adaptable for handicapped people.

Mr. Schwartz testified that sub-leasing will not be allowed.

A member from the public asked a question thru Chat. He wanted more information about the affordable housing units and their locations.

Mr. Schwartz answered that the affordable housing units will be on every floor of the building. They will, for the most part, be stacked on top of each other.

Attorney Inglesino stated that at the insistent of Fair Share Housing, the applicant had signed the Consent Order agreeing that the affordable units be integrated with the market rate units.

Chrmn. Favate reviewed some of the outstanding issues that still needed to be covered. It was 11:22 p.m.

Mr. Williams suggested that the Chatham Fire Department, the Police Department and the Chatham Emergency Squad review of the plans could be a condition if the application was approved.

Chrmn. Favate asked if the public, by way of Zoom, had any comments on the plans.

There were none.

Regarding any school buses that may pick up students at the building, Attorney Inglesino clarified that the School District will be the entity deciding where the bus stop will be located.

With Chrmn. Favate's permission, Attorney Loughlin reviewed the list of agreed upon conditions that the applicant will follow if his Application # PB 21-003 was approved.

Mr. Williams made a motion to approve Application # PB 21-003: Chatham River Road Urban Renewal, LLC, 12, 16 & 22 River Road for Preliminary & Final Site Plan with the agreed upon conditions. Mr. Dawson seconded the motion. A roll call vote was taken:

Mayor Kobylarz	-	yes
Council Member Truilo	-	yes
Mr. Williams	-	yes
Vice Chrmn. Wagner	-	yes
Mr. Montague	-	no
Mr. Heap	-	yes
Mrs. Van Wie	-	yes
Mr. Xikes	-	yes
Mr. Dawson	-	yes
Mr. Mikulewicz	-	yes
Chrmn. Favate	-	yes

Application # PB 21-003 was approved.

At 11:35 the meeting adjourned.

The next Planning Board meeting will be held on Wednesday, May 19, 2021, 7:30 p.m. It will be a virtual meeting.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary