

**JOINT SPECIAL MEETING OF THE
MAYOR AND BOROUGH COUNCIL
AND THE
BOROUGH OF CHATHAM PLANNING BOARD**

May 1, 2019 MINUTES

Mayor Bruce A. Harris called the Joint Special Meeting of the Mayor and Council of the Borough of Chatham and Borough of Chatham Planning Board to order on Wednesday, May 1, 2019 at 7:30 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

Mayor Harris led the assembled in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Harris asked for a moment of silence for those who have given their lives for our country.

STATEMENT OF ADEQUATE NOTICE

Stephen W. Williams, Acting Borough Clerk, read the following statement of adequate notice:

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this Joint Special Meeting had been provided to the press on April 18, 2019 and a copy was posted on the Municipal Bulletin Board on the main floor of Borough Hall.

The purpose of this Joint Special Meeting is for the presentation by the Borough's Special Planner, Topology, on the River Road Redevelopment Plan. Formal action will not be taken at the Joint Special Meeting by either public bodies.

Following the Joint Special Meeting, the Borough of Chatham Planning Board will convene its regularly scheduled meeting.

ROLL CALL | MAYOR AND BOROUGH COUNCIL

On a call of the roll, the following officials were present:

Mayor Bruce A. Harris
Council President James J. Collander
Council Member Robert A. Weber, Sr.
Council Member Thaddeus J. Kobylarz
Council Member Carolyn Dempsey
Council Member Jocelyn Mathiasen
Stephen W. Williams, Borough Administrator and Acting Borough Clerk

Absent
Council Member Victoria Fife
James L. Lott, Jr., Borough Attorney

ROLL CALL | BOROUGH OF CHATHAM PLANNING BOARD

On a call of the roll, the following members were present:

Mayor Bruce A. Harris [Class I Member]
Stephen W. Williams [Class II Member]

Council Member Thaddeus Kobylarz [Class III Member]
H.H. Montague [Class IV Member; Zoning Board of Adjustment Member]
Matthew Wagner [Class IV Member]
William Heap [Class IV Member]
Curt Dawson [Class IV Member]
Torrie Van Wie [Class IV Member; Environmental Commission Member]
Vincent Loughlin, Board Attorney
Liz Holler, Minute Secretary

Absent:
Chairman Susan W. Favate [Class IV Member]

Mayor Harris noted that Kyle Muir has resigned from the Planning Board.

RECUSALS

Mayor Harris asked if there were any recusals or abstentions to be submitted for the record? There were no recusals.

Before turning the meeting over to Ms. Annie Hindenlang of Topology, Mayor Harris reviewed the River Road redevelopment project

Mayor Harris introduced Ms. Anne Hindenlang and Michael Martone of Topology who will present the draft plan to the Mayor and Council and Planning Board. He then turned the meeting over to Ms. Hindenlang.

PRESENTATION

River Road Redevelopment Plan –

Anne Hindenlang from Topology spoke about the River Road redevelopment plan which they reviewed with the Steering Committee. Ms. Hindenlang said that it was somewhat different than the Post Office Plaza process. She wanted to let the Planning Board know where they are coming from with this Redevelopment Plan and how they got to where they are, and why they approached it the way they did and potential next steps to be taken.

Mr. Loughlin asked that both Ms. Hindenlang and Mr. Martone be sworn in and proceeded to swear in both.

Michael Martone from Topology introduced the initial draft of the River Road redevelopment plan and an overall map for a more regional context. He spoke about the site which is close to the eastern border of Chatham Borough and Summit and said one of the major take away's from this location is the proximity of the three train stations (Chatham, New Providence and Summit). The River Road Redevelopment Area is less than half mile from downtown Chatham and easily a mile from New Providence and Summit. The site that is designated as a redevelopment study last year are the three Lots 9, 10, 11. The older maps shows Lot 11 and 12, but Lot 11 absorbed 12 which makes these four parcels three. He gave a brief history of the site and the landmarks that are currently near the redevelopment site. He mentioned that one of the things they looked at was the existing zoning which falls under two kinds of zoning districts, one is the M3 which is a Manufacturing / Industrial and the second is the Gateway Overlay which is new. The total site is just about 4.5 acres which he worked out in square feet; but when they applied the side yard, front yard, rear yard and setbacks it left them with 143 thousand square feet; then they multiplied that by three which gave them a total of 431 thousand square feet of buildable square footage on the site which is the maximum height permitted for three stories at 35 feet. Assuming that only eighty percent of a building will be actual rentable units after taking out twenty percent for stairs, circulation, hallways, entry and lobby areas, that

leaves a total of 345 thousand square feet that an owner or developer would devote to actual units. They calculated approximately a thousand square feet for an average size unit resulting in 345 units.

Ms. Hindenlang explained how the current zoning came to be and that she understood the initiatives that the Borough has been trying to take in this area and around town, and since an additional train station is contemplated in this area it made sense to consider this as something that might need redevelopment. Topology has been undertaking a policy and regulatory framework review with the Steering Committee to better understand the market and some of the issues that are present in this area.

The reason they are approaching this differently than how they approached Post Office Plaza is because when they investigated the regulatory history and the work that has been done to identify why this area is being reinvested in, is because of the considerable planning and public outreach undertaken to develop the 2013 land use element amendment; which was solely focused on the River Road area. The reason that Topology used square footage is because it is focused on floor area ratio, not density or height as much, which is an easier way to figure out potential unit count.

She also spoke about how to improve pedestrian accessibility. Topology wanted to maintain the bulk standard from the previous overlay zoning that was there because they were based on significant public outreach and many years of policy and planning. Topology refined the permitted uses to make them clearer. The Borough Council will have a second reading in a public hearing on June 10. After that they can begin talking to developers and then begin public vetting of a more specific plan with the hope that by winter of 2019 the Borough could have a redevelopment agreement adopted.

Council Member Weber mentioned that on page 48 in the escrow section, in this plan there is a provision with an amount of \$100,000.00 in terms of an administrative fee to cover our costs. Mr. Weber inquired "Is it possible that we could amend the language so that instead of reflecting a specific number, just make it a broader to state for costs incurred by the Borough?"

Ms. Hindenlang said that they had written other plans which said, "reimburse at this cost", and if that's the direction the Borough would like them to go they will be happy to make that change. She stated that one benefit of doing it this way is that as soon as you engage and start working with a private developer they can set up an escrow.

Mr. Weber talked about the number of units in which Topology had indicated under the current zoning requirements or standards there could be up to 345 units on the property, and asked them to tell the Board how they had arrived at that number?

Anne Hindenlang said that because most of the numbers that they have calculated are industry standard calculations. When they do calculations they go up a thousand square foot average because this is what is used in the planning industry and they think it is good for a large one bedroom or a typical two bedroom which is what most people are producing. The number that they arrived at was based off the floor area ratio, and the number of stories that are allowed in the area. The two things that they had to consider to reduce were the setback requirements: you do not use the entire part of a building for units. She said that is why they took twenty percent off which is an industry standard for things like emergency exits and things that would not be residential which is how they got to that 345 thousand potential square feet of residential use, and then they divide that by the average 1000 sq feet. Mr. Weber inquired about density. Ms. Hindenlang responded that after talking to the Steering Committee, it was felt that it would be best not to have the Committee, or the planner make the decision on density, but to let the developer and the public make a decision together.

Anne Hindenlang stated that the amendment itself was filed on density and Topology did not want to take a position on that. They wanted to allow the public to take a position about density or square footage, units or number of units and then they would use the same metrics they use which were the stories and the floor area ratio to do calculations for this plan. If the developer proposed more or less or about the same density, the Public, the Council and the Planning Board could decide based off the proposal.

Council Member Kobylarz indicated that his understanding is that what Topology pointed out with the background zoning is that if the developer who already owns three lots of land were to decide to develop on his own without any recourse to the “Borough’s” redevelopment plan, it would be in his legal rights to put up a building with 345 units. The redevelopment plan that we are in the process of considering does if it is passed, give us the power should we deem 345 to be too much to put a lower limit on it.

Ms. Hindenlang answered, Yes. You could amend the plan if needed.

Mr. Kobylarz noted, that given the fact that we are going to have a period for public outreach this would allow residents here in town to say we do not want 345, we want less. Ms. Hindenlang answered in the affirmative.

Mayor Harris said without getting too complicated because of the bulk standards to get that number of units is going to be difficult if you must accommodate parking and stay within the building height.

Mr. Montague remarked that in this area there was a request from a builder and the Board did permit a building with 50 apartments, parking in the back, three stories with the top story setback, sidewalk and trees and inquired if that project is that still standing or is that out, because the Board did accept it and they liked the façade.

Ms. Hindenlang said “if someone wanted to come in and build they had the approval, but it would depend on when it was approved and when it expired. Either way they have that approval and if it is still legal and within its time limits they could still build, but the other alternative is whatever is negotiated under this redevelopment plan. They could do either; it does not just remove that approval if it is still under its effective period.”

Council President Collander inquired about the thousand square feet and why that was an industry standard? Ms. Hindenlang explained the industry standard in this area of New Jersey. It is also a safe number to use.

Mrs. Mathiasen inquired about the possibility of including mixed use in this project? Ms. Hindenlang indicated that this could be included in the redevelopment agreement. Mrs. Mathiasen said she would like to see that as a provision in the agreement. Mrs. Van Wie mentioned she would like to see a Zip Car type program available. She also recommended a blanket Ordinance to cap the number of units?

Mr. Dawson inquired about the width of the travel lanes on River Road and what the width of the sidewalks need to be.

Mrs. Dempsey asked about the redevelopment on River Road and asked that other considerations be included that will set a good precedent as we move forward with redevelopment.

Mayor Harris proceeded with opening the meeting for public comment.

MEETING OPEN TO THE PUBLIC

NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

Stewart Carr - 3 Crestwood Drive inquired what the density relative of 345 was, prior to the land use amendment in 2013. He thought that it is 345, but prior to 2013 it might have been different and wanted to know if anyone knew about it. He suggested that Council Member Kobylarz’s presentation of several weeks ago with the incubator and all the high-tech and cyber security was really pushing that in addition to the residential dimension. He said it is something that the Borough would get substantial revenue with no population and that’s probably a very good thing. Also, that it may be a long shot, but Chatham has Silicon

Alley and Silicon Valley, a great area and a great airport and that idea is really something that should be considered and pushed.

Seeing no one else wishing to speak, Mayor Harris closed the Public Comment section.

Mayor Harris said that he did not know what the zoning was prior to the gateway. Ms. Hindenlang indicated that residential was not permitted in that area.

Mayor Harris stated that the Celgene site in Summit is being used for incubators at this time and the Borough did not know that it would happen when they first started this project, but its gratuitous. Mr. Kobylarz also gave an overview of current incubator programs in and around the Borough.

ADJOURNMENT

Having no further business to conduct at the Special Joint Meeting, Mayor Harris asked for a motion to adjourn.

Council Kobylarz made a motion to adjourn the Special Joint Meeting, seconded by Council Member Weber. The motion unanimously passed.

Meeting adjourned 8:38 p.m.

Minutes Respectfully Submitted:

Stephen W. Williams,
Borough Administrator and Acting Borough Clerk
BOROUGH OF CHATHAM