

CHATHAM BOROUGH PLANNING BOARD
April 4, 2018 7:30 p.m.

In Chrmn. Favate's and Vice Chrmn. Wagner's absence, Mayor Bruce A. Harris called this Regular Meeting of April 4, 2018 to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. Mayor Harris announced that all legal notices have been posted for this meeting

Name	Present	Absent
Mayor Bruce Harris	X	
Council Member Peter Hoffman		X
Steve Williams	X	
Chrmn. Susan Favate		X
H.H. Montague	X	
William Heap	X	
Vice Chrmn. Matthew Wagner		X
Torri Van Wie		X
Matthew Engel	X	
Kyle Muir	X	
Curt Dawson	X	
Vincent K. Loughlin, Esq.	X	

Also present:
Vincent DeNave, Borough Engineer and Zoning Officer

Mayor Harris reminded Board members that they have received their Annual Financial Disclosure Statement Filing Requirements from the Borough Clerk. This document must be filed online by April 30th.

Mayor Harris had new Land Development Ordinance books to distribute to all Board members.

Public Comment

There was none.

Resolution #PB 2018-13

Mr. Williams made a motion to approve the Planning Board minutes for the February 21, 2018 meeting as amended. Mr. Montague seconded the motion. A voice vote was taken. The minutes were approved.

Resolution #PB 2018-14

Mr. Williams made a motion to approve this resolution appointing seven people to serve on the Borough Sign Committee for the year 2018. Mr. Montague seconded the motion. A voice vote was taken. All Board members present voted aye.

Resolution #PB 2018-15

Mr. Williams made a motion to approve this resolution appointing Clarke Caton Hintz as Planner to the Borough of Chatham Planning Board effective from March 21, 2018 through December 31, 2018. Mr. Montague seconded the motion. A voice vote was taken. All Board members present voted aye.

Resolution for Application PB #18-03

Nancy Cotto & Isra Balbaki

260 Main Street

Change of Permitted Use with Request for Waiver of Site Plan

Mr. Williams made a motion to approve this resolution approving Application PB #18-03 for a Change of Permitted Use with Request for a Waiver of Site Plan for 260 Main Street in order to utilize the premises for a bagel shop. Mr. Montague seconded the motion. A roll call vote was taken:

Mr. Williams	-	yes
Mr. Montague	-	yes
Mr. Dawson	-	yes
Mr. Heap	-	yes
Mr. Engel	-	yes
Mr. Muir	-	yes
Mayor Harris	-	yes

The resolution was approved.

New and Returning Applications

Application PB #18-04

Kenneth Decker

8-10 South Passaic Avenue

Conditional Use

Block 120, Lot 6

John Butler, Esq., attorney for the applicant, came forward.

Kenneth Decker, the applicant, was sworn in to testify.

Mr. Decker testified that he is proposing to put some outside dining behind his existing restaurant, Charley's Aunt, located at 8-10 So. Passaic Ave. The outside dining area will close down at 11:00 p.m. to prevent any possible noise issues. Also, the restaurant starts to "staff down" at 11:00 p.m.

Mr. Montague asked about the lighting that will be used for the outdoor dining.

Mr. Decker testified that there are photo-cell lights existing in that area. Antique lighting will be strung below the existing fence. Customers will have enough lighting. None of the lighting will be intrusive to nearby properties.

Mr. Montague recalled that a while back there had been a garbage concern regarding the outside area of the restaurant. Has that been resolved?

Mr. Decker pointed out that there are photos in the application packet showing the improved conditions of that outside area.

Mr. DeNave stated that outdoor eating and drinking establishments are a conditional use in this particular zone. Mr. DeNave reviewed all the zoning regulations that Mr. Decker's outdoor dining has met. The lighting standards will be checked on. Mr. DeNave testified that Walter Nugent, the Borough Fire Official, has inspected and approved of the access in and out of the proposed outdoor dining site. Mr. Nugent had suggested a certain distance be maintained between the customers' tables. Mr. Decker then followed this suggestion, as well as an adequate way to enter and exit this site.

Mr. Heap confirmed with Mr. Decker that the only access to this outdoor dining site will be by a customer first entering the front door of Charley's Aunt.

Mayor Harris asked how many customers could be seated at this outdoor site.

Mr. Decker answered approximately 20.

Attorney Loughlin confirmed with Mr. Decker that the correct alcohol licenses will be in place for this outdoor dining area. Mr. Decker stated that the Borough Clerk is working with him on this matter.

Attorney Loughlin asked if the Board of Health had given their approval for this outdoor dining area. Mr. Decker answered that he will submit an application for their approval.

Attorney Butler stated that Mr. Decker and a painting contractor had toured the restaurant with him. The two had discussed the renovations that could be done to make that back area more attractive.

Mr. Engel asked if music would be playing during the late-night hours.

Mr. Decker said there won't be any music played outside.

Mr. Heap asked if umbrellas will be on the tables in case of rain.

Mr. Decker answered that there are umbrellas on the table, but they are used more for protection from the sun. Mr. Decker didn't think his outdoor dining area will conduct business in the rain. He will have heaters installed for the outdoor area to extend the outdoor dining season as long as possible.

There were no questions or comments from the public.
There was no further Board discussion.

The testimony was finished.

Mr. Williams made a motion to approve Application PB #18-04 for a Conditional Use at 8-10 South Passaic Avenue, Block 120, Lot 6, with the following agreed upon conditions:

- 1) The applicant will obtain **ABC** approval of the licensed premises to expand into this alleyway for outdoor dining
- 2) The applicant will obtain Board of Health approval for this outdoor dining area

Mr. Montague seconded the motion, along with the agreed upon conditions.

A roll call vote was taken:

Mr. Williams	-	yes
Mr. Montague	-	yes
Mr. Dawson	-	yes
Mr. Heap	-	yes
Mr. Engel	-	yes
Mr. Muir	-	yes
Mayor Harris	-	yes

The application was approved.

Application PB # 18-05

The Glam Team, LLC

228 Main Street

Change of Permitted Use with a Waiver of Site Plan

Block 56, Lot 16

Amanda M. Curley, Esq., attorney for the applicant, gave an introductory statement. She stated that personal services are permitted in this particular zone, B-4. No exterior changes are being proposed. However, interior changes are being proposed. Attorney Curley noted that the applicant will be moving her business from Union NJ to Chatham. She introduced Dina Torres, the owner of the Glam Team, LLC. Also, present tonight is the applicant's architect, Jerry Bruno.

Dina Torres, the applicant, was sworn in to testify.

Ms. Torres testified that her business, The Glam Team, provided a diverse quality of services, which included hair and make-up. She stated that she styles one customer at a time. Customers will make appointments.

Ms. Torres testified that she will employ two make-up artists and two hair stylists. Her hours of operation will be Tuesday through Saturdays, 10 a.m. to 6 p.m. Ms. Torres stated that hopefully, in the future, her business will be open on Sundays. Ms. Torres testified that no deliveries will be made to her salon.

Ms. Torres stated that the garbage from her business will be taken care of by the landlord.

Mr. DeNave reported that Ms. Torres has submitted a sign application. The application has been reviewed by the Borough Sign Committee. A few small changes were made. Attorney Curley stated that she recently had talked with Mrs. Baldwin in the Zoning Department. A final decision on the signage will be made very soon. Attorney Curley suggested that the Sign Committee's approval could be made one of the conditions if the application were approved.

Mr. DeNave confirmed that the decision by the Sign Committee is imminent.

Mr. Engel asked if signage will be installed on the side of the store, looking towards the Library.

Attorney Curley said the architect could answer that question.

Mr. Montague asked for more information on the garbage situation. Ms. Torres testified that her business did not generate much trash. Her make-up artists bring their own work materials in a bag. Ms. Torres does her own inventory, when it comes to hair-coloring.

Mr. Williams confirmed with Ms. Torres that the number of people working on the site will be Ms. Torres and four employees. He asked where do they plan to park?

Ms. Torres indicated an interest in obtaining a yearly parking permit. She will get more information on these permits.

Mr. DeNave explained how the Borough parking lots worked. He strongly recommended that Ms. Torres apply for Borough parking permits for her employees who plan to be working at the store for more than 3 hours a day. These parking permits could be a condition if the application were approved. Mr. DeNave felt that permits may be available either in the Center Street Lot or Bowers Lane. Both lots are fairly close to the store unit in question.

There were no questions from the public for Ms. Torres.

Jerry Bruno, the applicant's architect, was sworn in to testify. Mr. Bruno submitted his professional credentials. The Board accepted them.

Mr. Bruno placed a copy of the site plans and photos of the store unit on the easel.

Mr. Bruno testified that the applicant's proposed place of business is the corner unit of the building at 228 Main Street. The applicant's front sign will remain the same size as the previous sign. This sign will be fluorescent **and** lit from behind. Mr. Bruno explained that the applicant's logo will be done in a burgundy color to match the awning. There will be no signage on the side of the building closest to the Library. The window glass on that same side may feature a sticker giving the applicant's logo and business phone number.

Mr. Bruno stated that the unit is currently vacant. The existing basement will remain as a storage space. However, a refrigerator and sink will be installed in the basement for employees to store their lunches. In the store itself, the floor and lighting will remain as it now exists. A reception

desk will be installed, five chairs, and a half wall to separate, and a couple of sinks for hair-washing. The existing bathroom will remain as is.

Mr. Bruno testified that any garbage will be put in the dumpster behind the store. The dumpster is emptied by a private hauler.

Attorney Curley asked if there will be any changes made to the exterior of the building, besides the sign.

Mr. Bruno answered no. The exterior of the building will remain as is.

Mr. Montague asked how long will the sign be lit into the evening hours.

Attorney Curley said Ms. Torres will abide by whatever hour the Board deems that the business sign should be shut off.

Mr. DeNave said he was not aware of any local businesses keeping their business signs lit beyond 11 p.m. He felt 10:30 p.m. or 11:00 p.m. would be a reasonable time to turn off the sign's lighting. Mr. Heap suggested a timer be installed for this lighting.

Attorney Loughlin recommended a condition that a timer be set to turn off the sign's lighting at 11:00 p.m.

Also regarding the business signage, Mr. DeNave pointed out that, by the way the building is set, the applicant is allowed to have a second sign on that elevation looking towards the Library. The applicant can go before the Sign Committee at a future date for such a proposal, if she wanted to. The applicant is allowed to cover up to 20% of the glass with window signs.

Mayor Harris asked if anything was planned for the store's window wells.

Mr. Bruno answered no. Empty space will just exist there.

Mr. Williams noted that the half window will be blocked with plywood, with a mirror on the inside. What will be on the other side?

Mr. Bruno answered that the other side will have a nice finished piece of plywood.

Mr. DeNave reminded Mr. Bruno that this particular window faces the Library. He was concerned about how the plywood would appear from the outside.

Mr. Bruno assured Mr. DeNave that the plywood will be nicely finished. The plywood could also be painted.

Mr. Montague asked when will the store officially open.

Attorney Curley and Ms. Torres answered as soon as possible. If the Board approves this application, a resolution still has to be memorialized and voted on. Also, approval for signage is needed from the Borough Sign Committee.

Mr. Montague made a motion to approve Application PB #18-05 permitting a Change of Permitted Use with a Waiver of Site Plan for The Glam Team LLC to operate a salon at 228 Main Street with the following conditions:

- 1) The applicant will obtain the necessary parking permits for her employees
- 2) The applicant will obtain approval from the Borough Sign Committee on the proposed sign
- 3) The store's exterior lighting will be set on timers set to turn off the lighting at 11 p.m.
- 4) The business uses will be restricted to what was testified to the Board tonight and nothing beyond.

Mr. Williams seconded the motion with the agreed upon conditions.

A roll call was taken:

Mr. Williams	-	yes
Mr. Montague	-	yes
Mr. Dawson	-	yes
Mr. Heap	-	yes
Mr. Engel	-	yes
Mr. Muir	-	yes
Mayor Harris	-	yes

The application was approved.

Application PB #18-06
Stephanie Talbot & Jenna Parcels
17 Watchung Avenue
Change of Permitted Use with Waiver of Site Plan
Block 140, Lot 12

The following were sworn in to testify:
Jenna Parcels, and Stephanie Talbot, the applicants

Ms. Talbot testified that she and Ms. Parcels are equal partners in the Village Play Café. They are seeking a Change of Permitted Use for space at 17 Watchung Avenue. This space is currently used for retail. Ms. Talbot and Ms. Parcels are proposing to change the use to recreational instruction.

Ms. Talbot stated that she and Ms. Parcels are full-time moms who are at home with their children, all under the age of 5. They understand the importance of young children having meaningful and educational experiences outside of the home. Ms. Talbot explained that Village Play Cafe will provide instructors for classes. Both the children and their parents/caregivers

attend and participate in these classes. Village Play Café will have no vehicle drop-off procedure.

Ms. Talbot testified that the operating hours will be Monday through Friday from 9 a.m. to 5 p.m. and Saturdays and Sundays from 9 a.m. to 12 noon. Ms. Talbot explain the concept of “meaningful play” means activities giving developmental benefits to the children. The maximum number of participants per class is 15.

Ms. Talbot stated that when the regular business hours are completed on Saturday and Sunday, Village Play Café will be available for private party rentals. Ms. Talbot believed that no more than 30 parking spaces would be needed for this business. Ms. Talbot reported that she and Ms. Parcels had made daily observations of the parking space situation on the subject property. They feel that ample parking will be available in that lot. Ms. Talbot noted that the highest demand for parking would be for Village Play Café; however, Twin Elephant Brewery is securing off-site parking for their customers on Saturday.

Regarding food on the premises, Ms. Talbot testified that gourmet coffee will be offered to the adults. Pre-packaged healthy snacks for the children will be offered. No food will be prepared on site.

The current awning will be replaced with a new awning with the Village Play Café logo. Some lettering will be put on a window. Ms. Talbot stated that these proposals will be submitted to the Borough Sign Committee. Ms. Talbot and Ms. Parcels will be applying for a Food Handlers’ License from the Board of Health. One main entrance into the building, for the public, will be created on the River Road side of the building.

Mayor Harris asked who is currently occupying this particular business space.

Ms. Talbot answered that currently the space is empty. It was previously used by a high-end paint store, Dundean.

Ms. Talbot discussed the security measures that will be established for Village Play Café. The business will be staffed at all hours of operation. Either Ms. Talbot or Ms. Parcels will be on site. Security cameras will be installed throughout the Café space. Parents/caregivers must sign a security liability and release waiver before their children can participate in either open play or any of the offered classes. Ms. Talbot testified that there will be no additional methods for entry and exit to be utilized to make sure that no one enters or exits with a child who they didn’t arrive with. A matching stamp will be put on the hands of the both the child and the parent/caregiver.

Attorney Loughlin asked if a parent drop off a child at the Café for all day.

Ms. Talbot answered no. She testified that at no time will any of the staff members will be responsible for care of supervision of a child. The parents/caregivers must agree that they are the ones responsible for their child, thus releasing the Village Play Café from any liability with the child. Ms. Parcels stated that no drop-offs will be allowed at the site even for birthday parties.

Mayor Harris confirmed with Ms. Talbot and Ms. Parcels that the parent/caregiver will participate in the classes.

Mr. Montague asked what would be the age range of the children at the Village Play Café.

Ms. Talbot answered that the Village Play Café will accept children age 5 and under. If there is a demand in the future, Ms. Talbot said perhaps older children, after school hours, can spend time at the Village Play Café.

Mr. Heap asked Ms. Talbot and Ms. Parcels if either of them had a background in education.

Ms. Talbot answered that she didn't have a background in education; however, she had spent nine years developing charitable programs in NYC. Ms. Parcels answered that she has a business/marketing background and event planning experience. Both ladies are mothers.

Mr. Montague asked for more information on the food that will be served on the premises.

Ms. Talbot answered that all the food will be pre-packaged, such as yogurts, fruit cups, veggie straws, goldfish crackers, etc. These snacks will be stored in refrigerator cases. Fresh coffee will be the only food prepared on site.

At Mr. Montague's request, Ms. Talbot reviewed a typical day for a child and his parent/caregiver at the Village Play Café. A parent/caregiver would sign their child up for an 8 week session of classes.

Answering a question from Mr. Dawson, Ms. Talbot gave more details on the bathroom layout for the facility. One bathroom will be ADA approved.

Mr. DeNave confirmed with Ms. Talbot and Ms. Parcels that they will hold follow-up meetings with Mr. Nugent, the Borough Fire Marshal. Mr. Nugent will be reviewing how the five doors should safely work in their facility, and the necessary panic bars that should be installed. Ms. Talbot pointed out that the facility's insurance carrier requires to have an emergency evacuation plan to be in place.

Mr. Williams asked where Twin Elephant Brewery will have its off-site parking.

Ms. Talbot reported that she had spoken with Ms. DeRama of the Twin Elephant Brewery. Ms. DeRama has plans to secure a lease agreement for the Burling Instruments' parking lot, during the off-hours, on River Road.

Mr. DeNave felt that the biggest challenge for Ms. Talbot and Ms. Parcels would be the coordination of parking with the landlord and other tenants at 17 Watchung Avenue. In the future, shared parking will be encouraged up and down River Road. He pointed out that Burling Instruments will not be on River Road forever. Apartments and other positive projects will be happening soon on River Road.

Ms. Talbot said that contingency plans are already being discussed with Mr. Prisco, the landlord, and the Twin Elephant Brewery. Hopefully, these contingency plans will not be needed.

Mr. DeNave said hopefully, in the future, River Road will **be** widened. Also, sidewalks will be installed. River Road will then become more walker-friendly.

Mr. Heap asked Ms. Talbot and Ms. Parcels if they planned to be opened by Labor Day.

Ms. Talbot answered that the opening day had been planned for September 1st. However, if things get organized in time, an opening day in August is a possibility.

Mr. Engel asked the number of personnel working at the Village Play Café.

Ms. Talbot answered four.

Mr. Engel asked if Ms. Talbot and Ms. Parcels had spoken with any of their neighboring tenants about any noise issues their facility may produce.

Ms. Parcels believed the walls in the building are very thick. Ms. Talbot said that the landlord didn't believe noise would be an issue. There is already a construction business in the building, which already creates noise. This business will be helping with some of the interior work for the Village Play Café. Mr. Williams pointed out that there is an existing stairwell that effectively segregates the different businesses in the building.

There were no questions or comments from the public.

Mr. Montague made a motion to approve Application PB #18-06: Stephanie Talbot & Jenna Parcels for a Change of Permitted Use with a Waiver of Site Plan for 17 Watchung Avenue, with the following conditions:

- 1) The applicant will obtain Board of Health approval for their food service
- 2) The applicant will comply with the requirements specified by the Borough's Fire Prevention Officer
- 3) The applicant will coordinate with the landlord and other tenants on a parking management plan, with the applicant giving her parking spreadsheet to Mr. DeNave
- 4) The use will be restricted to what was testified to at tonight's meeting

Mr. Williams seconded the motion. A roll call vote was taken:

Mr. Williams	-	yes
Mr. Montague	-	yes
Mr. Dawson	-	yes
Mr. Heap	-	yes
Mr. Engel	-	yes
Mr. Muir	-	yes
Mayor Harris	-	yes

The application was approved.

Mayor Harris reported that Application PB #17-18: a Minor Subdivision proposed for Stanley Congregational Church at 94 Fairmount Avenue will be heard at the next Board meeting.

Mr. DeNave listed two other applications that the Planning Board will be hearing in the near future.

Mr. William reported on a recent meeting that he and Mr. DeNave had attended with Topology, the redevelopment planning consultants for Post Office Plaza. The Topology representatives gave them a draft of the Post Office Plaza RFQ. Mr. Williams distributed copies of the draft to the Board members. He asked Board members to review this draft and submit their questions and comments to either himself or to Mr. DeNave.

Mr. DeNave clarified that this draft is not the redevelopment plan for the post office plaza. This draft is a request for qualifications that will be sent out to potential developers. The actual plan will be developed over time.

Mr. DeNave and Mr. Williams asked that Board members submit their comments to them on the draft before April 18th.

On other matters, Mr. Montague reported on the Zoning Bd. of Adjustment meeting held on March 28, 2018. There is still a heavy volume of applications that the Zoning Board must hear. Related to this situation, Mr. DeNave reported that he has met with the Zoning Board Chairman. The Chairman is asking that the Borough consider tightening up or expanding the requirements for Zoning Board applications. He would like the applicants to present more proofs for certain variances. Streetscapes and neighborhood analysis should be asked of applicants to submit as “proofs”. Many applicants are now seeking larger and larger variances. Mr. DeNave felt these proofs should be listed on the application form.

Before adjourning, Mr. Engel reported some crumbling on the arched railroad bridge on Lafayette Avenue. Mr. DeNave said he will check out these conditions and take photos for NJ Transit. Mr. Williams gave an update on the repair work done by NJ Transit on the other Borough train bridges.

At 8:55 p.m. the meeting adjourned.

The next Planning Board meeting will be on Wednesday, April 18, 2018, 7:30 p.m., in the Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

