



Mr. Siegel, listed his qualifications, proceeded to outline the application. The first submission shows various views. A side yard setback is required. We have a continuation of a pre-existing condition. There is proposed portico alteration to enclose the vestibule which is not part of the application. We have submitted drawings of what is proposed (A2) shows the floor plans. ( Inaudible – papers/plans overriding the testimony) There will be three bedrooms. He noted that the existing bedrooms will remain and will be used as a laundry room and storage room. The master bedroom suite will be over the garage and the far side of the house.

Mr. Weston asked for any other questions. As there were none a site visit was scheduled for 9 am on November 7<sup>nd</sup>.

Mr. Shaw advised the members of the public that this matter will be carried to the next meeting – November 19<sup>th</sup> without further legal notice.

**Durso Construction Mgmt.**

246 Lafayette Avenue  
Block 83, Lot 18.

**Calendar BOA-83-18**

Mr. DeAngelis, Attorney  
David Busk, Project Manager

Mr. DeAngelis said the applicant wants a construction trailer on the site during the time of the construction. We have a plan showing the trailer location. This plan and the house construction has been approved by the building department. You will see that we have located the trailer to the rear of the property for various reasons. We have tried to comply with the side yard setback requirement even though it is temporary. We have tried to supply some specifics about the trailer in the event the Board would have questions. There are some specifications' on size and height. The proposed is temporary.

Mr. Busk explained why the trailer was needed. He said the owner travels from Connecticut and New York at least once a week to have meeting with us. He wanted to have meetings in this trailer. He wanted to meet on the site as it because of the construction of the home. We are trying to comply. We feel it would be there approx. 12 months at most. The smaller trailers are not as functional and this particular trailer was best. The trailer is eight feet by 32 ft. Presently, if the weather is good, we stand outside for our meetings and if its not we try to do a make shift shelter. We hope to have the house framed by the end of November and then the next step would be the roof etc. Obviously to be able to do work in the house while people are roaming around while its under construction is hard for internet access. We also need internet access for our project manager so he could do his work and this would allow us to all meet there. As of now we don't have that. At this time there has been excavation, tree removal, and a lot work going on. We are impacted with not having the trailer but I would say that in the beginning there were not meetings every day/week. Most of the time its been a couple of weeks for excavation, tree removal but when you have the house framed up then a lot more work will be going. We have been doing what we could to get by but as the work progresses we will need internet access. When questioned about the size of the trailer he advised it was more suitable for their needs.

Mr. Vivona noted that they were like mobile homes.

Mr. Shaw noted that there was an ordinance for temporary structures which arises in the context of Planning Board approvals for site plans and subdivisions. A construction trailer - if it's a big sight plan or subdivision - the ordinances do contemplate having construction trailers. If the Planning Board does not have jurisdiction and if there is no requirement for family residential that ordinance doesn't directly apply but it does certainly indicate that if you have a big enough project you are then to recognize that there is a need for a construction trailer. This is the first application for one that I have seen before this Board since 2006. This was the correct method of addressing it so what we have is an ordinance that recognizes construction trailers can be a temporary use. It is done in the context of sight plans and subdivisions. The general purpose is appropriate under certain circumstances and that is why it here.

Discussion ensued regarding the ordinance, trailers, time limits, etc.

Mr. Vivona questioned legal notice and was advised that the neighbors had been notified. He also noted the temporary fence by the neighbor.

Mr. Busk said there was a fence surrounding the property approx. 6 ft. high. He thought the trailer would not be too visible.

Mr. Vivona said there would be a site visit at 9:30 on November 7<sup>th</sup>. This is a temporary structure and we could by pass if the board so chooses.

Length of time for the structure to remain was discussed.

Mr. Shaw said if the Board wanted to and we don't do a site inspection as we basically heard the presentation/testimony, in terms of the Township Ordinances do recognize this sort of criteria where there is a need to have a construction trailer on site so he thought that would provide a basis for the Board to find that it is in furtherance of the MLUL purposes. The testimony indicates no negative detriment. If the Board wanted to you could entertain a motion and vote on it this evening and a Resolution could be prepared for the November 19<sup>th</sup> meeting.

Mr. Vivona asked if there were any other questions/comments. There were none. He asked for a motion on the matter with a condition that it must be removed before a CO is issued and with a maximum of 12 months..

Mr. Williams moved to approve the application with the conditions outlined which was seconded by Mr. Hyland.

Roll Call: Mr. Vivona, Mrs. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano, Mr. Styple, Mr. Borsinger, Mr. Hyland      All in Favor

**Chatham Day School**  
Block 135 Lot 1 & 9.

**Calendar BOA 15-135-1 & 9**

**Mr. Schaeffer Attorney** - This is an application for amendment to a preliminary/final subdivision. Re: 2<sup>nd</sup> phase. The school is located in an R2 district. We seek preliminary/final approval for two separate issues. We are asking to add a second story to Phase Two. No change in the foot print is proposed. There will be a total 11,480 sf. of which the first floor would be 5,072 and 6,358 on the second floor. The proposed second floor is for the education facilities. There is no proposal to amend the parking lot. There are no changes in the drainage, disturbance, etc. The second story will not be visible to the houses behind. The only aspect that may need approval, that has changed, is the parking requirement because of the additional square footage. One hundred twenty-seven were approved. There is plenty of available parking. We will give testimony regarding that. Our witnesses tonight are Mr. Richard Schommer of Schommer Engineering and Mr. Gary Dean, P.E. and P.P. and Walter Kneis, A.I.A. from N.K. Architects. Amy Kelly a trustee, of Chatham day School, who can answer any questions

Mr. R. Schommer, Professional Engineer/Planner was sworn and listed his qualifications. He had submitted a set of plans, one of which is a rendering dated 10/14 (A13) . We are here tonight because of the school portion. The property consists of 15 acres. You would enter from Shunpike and the parking is off to the left. The footprint is still the same as what you have seen before. There are other variances granted in prior approvals i.e. disturbance of steep slopes; setbacks for the tennis court; etc. We are not here for those but we are here because of the increase of the floor area and increase in parking. The school satisfies the criteria in terms of the planning aspects. The only condition we will have to deal with is parking. As we pointed out prior approvals have been for 240 and we are keeping it as such. The school has needs for computer labs so the second floor addition is for bathrooms. It is an increase of 6337 sf. For the institutional standards as pointed out in prior resolutions – the parking for institutional uses is based on square footage. The parking as required by the ordinance for the total sf. goes up because of the second floor addition. Now 375 parking spaces would be required. Presently there are 240 on site and that what we are proposing to keep as there is plenty of parking on site. He noted that the tennis court was being removed. The population of the site will remain the same. What is proposed presents no detriments to the zone plan.

There are reports from Mr. Ruschke dated October 13, 2015 and Mr. Michaels dated October 8, 2015. Re: Mr. Ruschke's report – we will be happy to provide any information requested in respect to drainage and will comply with all other requirements.

Mr. Ruschke had a few questions regarding the temporary access. What size vehicles will be going up the ramp.

Mr. Schommer –re: construction access will go up the secondary driveway, thru the parking area, through the tennis court area to get to the addition area. There is a change in grade at the retaining wall. We will construct a temporary ramp.

Mr. Ruschke said they just need to be able to accommodate the trucks. The tennis courts are actually going to be a temporary.

Mr. Schommer said the tennis courts will be coming out toward the end as right now it is a good stable surface to drive on.

Mr. Ruschke – last comment – you are going to build a ramp; use parking spots associated with the administration building and you also will have construction parking for workers, etc.

Mr. Schommer said the construction traffic will be occupying the area where the construction access is and will be separated off. The people who would be parking in the administration side will be parking in the main parking lot.

Mrs. Kelly said she was familiar with the project. The car plan is new. At some point there will be one/two but right now the second floor will be for 7-8<sup>th</sup> grade students. As of today, for next year, there is no intention of increasing athletes.

Mrs. Kenny asked if this was always a plan to add the second story. Was it a funding issue.

Mrs. Kelly said initially the plan was just the first floor. The middle school has grown a little bit and we find ourselves with bigger kids who kind of take up more space. We realized that we needed more room. Initially it was one floor now we are taking more middle school children. So we may really be talking about maybe 35-36 students.

Mrs. Kenny asked what changed re: tennis court.

Mrs. Kelly said it never happened. We now have this fabulous field house. They use it for basketball.

Mrs. Kenny referred to Mr. Ruschke's report about parking.

A discussion ensued.

Mr. Vivona said he had no further questions of Mr. Schommer. He asked if there were any questions of this witness from the Public.

Mr. DiMieri, a Madison resident adjoining the property. He said there had been trees but they were removed to build their parking lot but they were not replaced. He then questioned the square footage of 6,000+. How many class rooms will be up there? You mentioned bathrooms and labs.

Mrs. Kelly said that there are five rooms for class rooms. There are no plans to increase the population. Our parking is at 240 anticipated and we would be able to go up to 2 classes for each grade above 214. Two hundred forty is our intention and there is no plan right now for any kind of a raise.

Mr. Simon, Esq. He asked if there was any construction vehicle accessing the property from the north. Staging during the construction – is any of that going to be taking place up to the north. He was told no.

Mr. Vivona as there were no further questions he asked Mr. Schaffer to present his next witness.

Mr. Walter Kneis, Architect was sworn and listed his qualifications. He outlined the building in question with the plans showing the layouts of the various halls and class rooms. What is proposed will be built over the existing first floor with a build over the existing roof. There will also be access to the existing elevator. Elevations are shown on the plan. The exterior will match the existing buildings. (plans marked as A14 with dated 10/29/15)

Mr. Vivona asked about visual impacts.

Mr. Kneis said there would be none.

Mr. Vivona commented that he had been there and had noted the barrier wall which blocked any visual from the Madison side. The plantings still have to be done. He said you can barely see it from any angle. Basically we are just talking about parking.

Mr. Ruschke had some general questions. Based on the addition, with this being constructed and the number of classrooms you will ultimately have, if every classroom is filled up to capacity how many students can fit in the building.

Mr. Kneis said looking at the existing classrooms from the original building, they are very long and narrow so realistically 14 is the maximum you can fit as a total classroom count.

Mr. Ruschke asked if with this addition are you now at a capacity, if you could, you could accomodate 300 – 400 students. He was just trying to see....

Mr. Kneis said realistically, knowing the building, he would say the answer is no. He would say 240 would be it.

Mr. Ruschke asked if that was from an occupancy determination.

Mr. Kneis did not think it was so much in occupancy issue as it's an operational issue. Right now the school scrambles find space for various functions. This is not a luxury but is to serve a necessity.

Ms. Kelly said she could not imagine any more than 240. We now have 178 students.  
Questions from the public.

Mrs. Stillinger, Chatham Twp. Environmental, asked if there was any thought given to incorporation green conditions into the building.

Mr. Kneis said they had.

Mr. Dean, Prof. Planner/Engineer was sworn and listed his qualifications. They had presented the plans for the previous applications which address the 240 spaces. The last revised plan is dated 4/17/2009. Site

visits have been made to the school. The ordinance requires additional parking for the proposed expansion with an increase of 63 spaces. The ordinance however is sort of a one size takes all standard – 1 space for every 100 sf. of institutional use. In so far as a planning tool it is appropriate however not in a history of use/practice of this school. We as planners/engineers cannot better define what is a realistic number. This is an elementary school and the students do not drive but are dropped off. This application from a logical/functional prospective does not change the parking. . You can see clearly that there is an abundance of parking even with the proposed second floor expansion. There is not increase in enrollment or staff and for that reason there is justification in seeking the relief because it would be a negative impact.

Ms. Kelly was asked to parking situation. She said that even on back to school night there is adequate parking. The first couple of days of school we get close to a full lot but we now we are tracking with double lines it works more efficiently. It is from the top of the driveway for about 10 car lengths and then it flows forward. During the summer we follow the same procedure from traffic flow.

Mr. Vivona said it had been discussed in the previous application that if you did need additional parking you would arrange for shuttle bus service from one of the local shopping centers and that had not been necessary. That condition would remain.

Mr. Dean said in terms of circulation and how the parents pick up the children has not been a problem. Mr. Dean said out of 131 families drop off in the morning and return for pickup. With the afternoon activities not everyone leaves at the same time. The higher concentration is in the morning. In answer to a question raised about possible accidents at the entrance/exit on shunpike he replied to his knowledge there has never been any accident.

Mr. Vivona said his main concern was with the 127 spot of which you only use 48 for administration it doesn't make sense to tear up the property further. He asked for any further questions from the Board/Public.

Mr. Schaeffer noted that at the previous applications there had been some neighbors that had some concerns. There was an agreement between parties. We have installed and will maintain the privacy fencing, buffering. We have contacted our Garbage Collector and rescheduled the pickup time. Mr. Simon wanted to express how there thanks for the cooperation of the applicant and the maintenance of the property.

Mr. Vivona asked if anyone wanted to make a motion to approve/second application as submitted with conditions as set forth in Mr. Ruschke's review comments.

Mr. Williams move to approve the application as presented, Seconded by Mr. Weston.

Roll Call: Mr. Vivona, Mr. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano (recused), Mr. Borsinger, Mr. Hyland,

Mr. Shaw said he had prepared a Resolution in advance for your review. One correction is Mrs. Kelly testified as a trustee rather than as the head of the school. With that correction it would be appropriate to have a motion to approve the Resolution.

Motion made by Williams seconded by Mr. Weston. Roll Call: Mr. Vivona, Mr. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano (recused), Mr. Borsinger, Mr. Hyland,

**New Cingular Wire;Ess Pcs  
(At&T) & T-Mobile Northeast, Llc  
T-Mobile)**  
300 Shunpike Road  
Block 95 Lot 18.01.

**Calendar BOA 15-95-18.019**

A transcript will be provided for this hearing by the applicant.

**Mr. & Mrs. Lima**  
12 Mitchel Avenue  
Block: 109 Lot: 27.

**Calendar BOA 15-109-27**

Mr. Vivona recused himself.

Mr. Weston (acting Chairman)

Mr. Weston advised that this had been carried for a decision by the Board as previously there were not enough eligible members present for a vote. He advised that those members not present for the hearing had listened to the tapes and were now eligible to vote.

Mr. Lima gave a brief presentation/recap of the application.

Mr. Weston asked for a motion with the conditions outlined.

Mr. Hyland made a motion, Mr. Williams seconded

Roll Call: Mrs. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano, Mr. Style, Mr. Borsinger, Mr. Hyland – all in favor.

**Greg Dunn,**  
206 Lafayette Avenue  
Block: 85 Lot: 28.

**Calendar BOA 15-85-28**

Site Visit Report 10/3/2015

Mr. DeAngelis, Esq. said his applicant had testified previously as to the reason for the request and explained the difficulties in backing out of the premises.

Mr. Vivona felt we had experienced firsthand the difficulties involved with the property. It was noted that several neighboring properties also have circular drives. We had asked about utilities and were advised that the contractor would be in charge of that.

Mr. Dunn explained the parking situation, entrance/exit onto property as is and proposed.

Mr. Vivona felt the application was pretty straight forward. Discussed was drainage, curb/sidewalks, pitch of driveway etc. As there were no further questions from the Public/Board he asked for a motion.

Mr. Hyland moved to vote in favor, seconded by Mr. Weston

Roll Call: Mr. Vibona, Mrs. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano, Mr. Style, Mr. Borsinger, Mr. Hyland – all in favor.

**Mr. Hoe Jung**

**Calendar BOA 15-102.03-1 2**

Country Club Road,

Block: 102.03 Lot: 1.

Site Visit report read in to record by Mr. Borsinger.

Mr. Vivona noted that the applicants just wanted to save a beautiful tree and you had the house built to preserve it. There are no problems entering/existing driveway. The main concern is the law pertaining to emergency vehicles.

Mr. Ruschke this is a standard conventional turnaround and the ordinance was introduced because we were having a lot of situations where people were maximizing the width to the house resulting in a lot of smaller driveways. It was awkward the way they were being built. In this case he is trying to save the tree and we want to encourage that whenever possible. It's a condition that can be changed if a new homeowner requests it.

Mr. Vivona said that they certainly preach that and as long as it's not against the law to do what he did he saw no issue with it. He asked for comments from the Board/Public. He asked if the Board wanted to bring it to a vote.

Mr. Williams moved to approve which was seconded by Mrs. Kenny.

Roll Call: Mrs. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano, Mr. Style, Mr. Borsinger, Mr. Hyland, Mr. Vivona – all in favor.

**Mr. & Mrs. Black**

**Calendar BOA 15-48.04-16**

52 Thornley Drive

Block: 48.04 Lot: 16.

Site Visit report was read into record by Mr. Hyland.

Mr. Boerner, Arc. Using Sheet 8 of the Plans – Floor Plan - gave a brief explanation what was proposed.

Mr. Vivona asked Mr. Ruschke if there were any issues. He had none.

Mr. Vivona had no issues, drainage is the same. He asked for questions from the Board/Public. None Heard. He then asked if anyone wanted to make a motion.

Mr. Hyland moved to approve which was seconded by Mrs. Romano

Roll Call: Mrs. Kenny, Mr. Weston, Mr. Williams, Mrs. Romano, Mr. Styple, Mr. Borsinger, Mr. Hyland, Mr. Vivona – all in favor

Mr. Shaw said distributed Resolution 2015-0012 whose determination was made in Executive Session. He asked for a motion to accept that Resolution. Said motion was made by Mr. Williams seconded by Mr. Borsinger,

With all in favor.

Meeting Adjourned

Respectfully submitted:



Mary Ann Fasano  
Transcribing Secretary