

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
DECEMBER 2, 2024**

Mr. Sullivan called the Regular Meeting of the Planning Board to order at 7:35 P.M.

Adequate notice of the meetings of the Planning Board of the Township of Chatham was given as required by the Open Public Meetings Act as follows: Notice in the form of a Resolution setting forth the schedule of meetings for the year 2024, and January, 2025 was published in the *Chatham Courier* and the *Morris County Daily Record*, a copy was filed with the Municipal Clerk and a copy was placed on the bulletin board in the main hallway of the Municipal Building.

Roll Call

Answering present to the roll call were Mr. Sullivan, Mr. Neibert, Mrs. Ewald, Mr. Choi,. Mr. Shehady, Mr. Nikolopoulos and Mr. Duemling. Mr. Kahn arrived a few minutes late.

Mr. Miller, Mrs. Stillinger and Mrs. Foran were absent.

Also present was Board Attorney Steve Warner.

Approval of Minutes

Mr. Neibert moved to approve the minutes of the November 4, 2024 meeting. Mr. Nikolopoulos seconded the motion which carried unanimously.

Resolution

PBA-24-002 Robert Jansen, 437 Green Village Road, Block:48.21 Lots: 158, 158.01

Mr. Sullivan said that this application was for the merging of two lots in connection with a septic installation.

Mrs. Ewald moved to approve Resolution PB-24-012 to memorialize the approval of Application PBA-24-002. Mr. Neibert seconded the motion.

Roll Call: Mr. Sullivan, Aye; Mr. Neibert, Aye; Mr. Kahn, Absent; Mrs. Ewald, Aye; Mr. Shehady, Aye; Mr. Choi, Aye; Mr. Duemling, Aye; Mr. Nikolopoulos, Aye; Mr. Miller, Absent; Mrs. Stillinger, Absent; Mrs. Foran, Absent.

Discussion

Setbacks

Mr. Choi provided an overview of the subcommittee's discussion on setbacks in the R3 and R4 zones. He also commented on discussions regarding accessory structures and detached garages. Mr. Choi said that regulations in other towns were reviewed.

Mr. Neibert said that both the R3 and R4 zones should be considered. He also noted that in some neighborhoods the homes are set pretty far back, and he commented on the potential of having neighborhood averaging. Mr. Neibert also said he wants setbacks to be fair to everyone.

Mr. Nikolopoulos asked if it would be feasible to break the Township down into smaller neighborhoods where properties have more in common with each other. He also said he does not want to negatively affect property owners.

Mr. Sullivan said that lot size will determine redevelopment, and the desire is to avoid having a mishmash of front yard setbacks.

Mrs. Ewald asked if the desire is to move the front yard setbacks further back. Mr. Neibert said that the goal is for houses on a street to be consistently far back from the road. He also said that other towns have neighborhood averaging, and Chatham Township is the exception by not having that. He also said that the minimum setbacks could be changed.

Mr. Kahn said his concern is the uncertainty created for those looking to build a home if there is not a defined setback. He also expressed concern about the Planning Board playing so proactive of a concern trying to decide what the correct setback should be, and there could be unintended consequences. Mr. Neibert said that the neighborhood averaging language in other towns is pretty consistent with each other.

Mr. Sullivan said that this may be an issue that does not need to be solved. He also said that the conversation began with a discussion about garages and what they might morph into. Mr. Neibert said that the conversation about garages focused on making sure that they remain garages and are not converted into other uses. Mr. Choi said an ordinance may be needed to make sure they are not converted into secondary residences or apartments.

Mr. Choi said that a recommendation could be made regarding the R4 zone, as there is less variation in that zone and a recommendation could be straightforward. He said the R3 zone would be more complex. Mr. Sullivan asked if the Board should make a recommendation if there is a consensus.

Mr. Warner noted that zoning is by district, and a zone must be treated equally within the zone. He said that if there was going to be an effort to govern at a more community level, additional zones would need to be created. Mr. Warner said that a minimum setback and neighborhood averaging can work together to address the matter at hand.

Other Business

Mr. Sullivan said that it is possible that the second December meeting may be cancelled due to a lack of agenda items. A decision will be made closer to the meeting date.

Mr. Sullivan thanked the Board members for their service this year.

Mr. Kahn noted that his term is up at the end of the year, and he was curious about the appointment process. Mr. Warner said that appointments are made by the Mayor. Mr. Shehady added that at the Township Committee's Reorganization Meeting, they will determine who will be Mayor for 2025. Once the Township Committee has reorganized, they can and will make appointments to the various boards and committees.

Mr. Kahn moved to adjourn at 8:13 PM. Mr. Neibert seconded the motion, which carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary