

August 8, 2007

The monthly meeting of the Greenwich Township Planning Board was held on the above date and was called to order by Tom Bolger, Chairman, at 7:30 p.m. in the Municipal Building. The meeting opened with the Pledge of Allegiance.

Pursuant to the Open Public Meetings Act, Chapter 231, PL, 1975, adequate notice of this meeting has been given in accordance with the Open Public Meetings Act by:

1. Mailing a notice of scheduled meetings of the Greenwich Township Planning Board to the Express-Times and Star-Ledger.
2. Posting a notice thereof on the Township bulletin board.
3. Filing a copy thereof with the Township Clerk.

Board members present: Dave Barretto, Elaine Emiliani, Tim Gale, Ken Hoser, Bill Kanyuck, Doris Rayna, Tom Bolger, Chairman; Charles Stillman. Also present were Michael Finelli, PE., William Edleston, Esq., and David Banisch, Planner. Absent were Roy North, Helio Carvalho and Jim Adams.

Charles Stillman made a motion, seconded by Tim Gale, to adopt the minutes of the June 13, 2007 meeting. The motion carried with the following roll call vote:

IN FAVOR: Barretto, Gale, Hoser, Kanyuck, Rayna, Bolger,  
Stillman.  
OPPOSED: None.  
ABSTAINED: Emiliani.

Motion carried.

**Greenwich School Redevelopment/Rehabilitation Resolution.** Resolution memorializing planning board conclusions regarding redevelopment/rehabilitation investigation of unoccupied Greenwich Township School, as prepared by Attorney Edleston, was reviewed as to its' form and accuracy. Upon review, Elaine Emiliani made a motion, seconded by Dave Barretto, to adopt the Resolution as prepared. The vote is as follows:

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IN FAVOR: Barretto, Emiliani, Gale, Hoser, Bolger, Stillman.  
OPPOSED: None.  
ABSTAINED: None.  
RECUSED: Rayna.

Motion carried.

**Municipal Building/Fire Station Resolution.** Resolution memorializing planning board conclusions regarding redevelopment/rehabilitation investigation of township municipal building/fire station, as prepared by Attorney Edleston, was reviewed as to its' form and accuracy. Upon review, Charles Stillman made a motion, seconded by Tim Gale, to adopt the Resolution as prepared. The vote is as follows:

IN FAVOR: Emiliani, Gale, Hoser, Bolger, Stillman, Rayna.  
OPPOSED: None.  
ABSTAINED: Barretto.

Motion carried.

David Banisch, Planner, stated that the above adopted Resolutions will be forwarded to the township committee and the township committee is to decide whether or not they want to make a designation, to designate either of the two sites for redevelopment or, in the case of the school, in need of rehabilitation. Nothing happens until the governing body decides what they want to see something happen and then the preparation of a plan has to be prepared. The Redevelopment Plan would set forth the general redevelopment vision for the designated sites and would be adopted in a form of an ordinance by the township committee. At this point, it has the force of law that does zoning. This also positions the township committee to enter into negotiations with redevelopers to actually negotiate for redevelopment projects that are identified in the plan. If they chose to redevelopment either site, or both, they may be able to do it for less money than it might otherwise cost the taxpayers.

Elaine Emiliani asked Mr. Banisch if the Governing body needs to have a plan and determine what the sites can be used for before it moves forward with designating those sites. David Banisch stated that the designation can precede the adoption of the plan.

Chairman Bolger asked the planning board members if they want to prepare a plan or ask the township committee to prepare the plan. Tom suggested that the Capital Projects Committee should get involved also and feels that the township committee should come up with the recommendation as to what should be done.

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David Banisch stated that if the planning board prepares the redevelopment plan and sends it up to the governing body, the governing body can change it and the plan does not have to be referred back to the planning board. If the governing body prepares it, it does have to be referred to the planning board for comment. In the redevelopment plan, David Banisch stated that there should be options so all bases are covered.

David Banisch stated that because these are municipal owned sites, the board should prepare a Community Facilities Plan and then prepare the Redevelopment Plan. The Community Facilities Plan is an elective element of the Master Plan. Tom Bolger stated that preparing this becomes a budget issue. The chair stated that the issues are do we have the funding and if that answer is yes, does the planning board want to spend the money to do a Community Facilities Plan. If the money is not available, the plan for the building is prepared without the Community Facilities Plan, which David Banisch stated could be done. Charles Stillman stated that element would be a guide line for the township committee to consider and they would take those items into consideration for the drafting of a plan for the redevelopment of the sites.

Under the Municipal land Use Law, a Community Facilities Plan element shows the existing and proposed location and type of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations and other related facilities, including their relation to the surrounding areas. David Banisch stated that if a Community Facilities Plan is prepared, a public hearing on the plan will be held.

If the money is in the budget, the chair stated that, as a board, should the board come up with a Community Facilities Plan and make it part of the Master Plan. The input of the Capital Projects committee is needed.

Bill Kanyuck, Mayor, stated that if the money is there, he would recommend that the planning board prepare the plan.

**Farmland Preservation Plan Update.** David Banisch stated that the new rules have been adopted and are outlined in a memo, dated August 8, 2007. The SADC rules require submission of the updated draft municipal plan to the County by September 15<sup>th</sup>. Following receipt of the draft Farmland Preservation Plan, the County has 60-days to review and comment on the township's draft plan. The final adopted plan is due to the SADC by December 15, 2007, so the public hearing on the FPP should be scheduled following the County's review of the draft municipal FPP.

Mr. Banisch met with SADC staff to review their draft guidelines for preparing an updated Farmland Preservation Plan in accordance with the updated SADC rules. The SADC will phase out the conventional County easement purchase program by not appropriating any funding for that program in the coming years. Starting in 2008, each

County must participate in the PIG program to be eligible to receive SADC farmland preservation funding. A total of \$73 million will be made available statewide. The SADC plans to provide a base grant to each County in the amount of \$2 million. The SADC will award County PIG funding contingent upon performance.

Maximum yearly municipal PIG funding award is up to \$1.5 million per year, beginning in 2008, based upon available funding at the State level. The maximum of \$1.5 million per municipality per year may be decreased depending on a variety of considerations. PIG funds must be expended three years from the date the funds were appropriated or risk the loss of those funds and/or funds to be allocated in subsequent funding cycles.

There will be a ballot question to bond for \$200,000,000 this November for, basically, reauthorization of the Garden State Trust. \$73 million of that will be put into farmland preservation program and \$25 million will be provided to Green Acres.

The local .04 Open Space Tax is approximately \$250,000 per year. The planning board should expect that, with the changes in the new rules, there will be additional burdens placed on these funds to preserve farmland locally. The scarcity of State funding and a revamping of the County program will heighten competition in the County for limited farmland preservation dollars, which, in turn may require a greater municipal financial commitment to farmland preservation.

Township Committee should create an Agricultural Advisory Committee, consisting of at least three (3), but not more than five (5) members residents of the municipality, majority of the members actively engaged in farming and owning a portion of the land that they farm. So, the Chair stated that we need two (2) farmers and one non-farmer. Their input is needed. Doris Rayna, farmer, will be on the committee. Ken Hoser, farmer, was asked to be on the committee, but if Ken is planning to preserve his farm he can not be on the committee. Dawn Marie Kondas, resident and on the Open Space Committee, will be asked to be on the committee. The Mayor would set up the committee and they would report to the planning board.

**Ordinance update** – An initial meeting has been held with Michael Finelli, Attorney Edleston, Dave Barretto, David Banisch and Elva to identify needed ordinance revisions. Another progress report due in September.

**Cross Acceptance report** – David Banisch discussed the following three issues related to cross-acceptance:

1. Scenic roads: are not designated in the State Plan and will, therefore, not be included in the final draft plan.
2. Historic resources: will be limited to those eligible for inclusion, or those listed on the State and National Registers of Historic Place.

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3. PA-2 Suburban Planning Area for the Millstein and Pultey pieces adjacent to the Dumont Road extension. The planning board suggested a PA-4 (rural) planning area designation. Warren County Planning staff had no objection to that recommendation, but the Office of Smart Growth will not agree to change that designation due to the presence of significant development in the area. The designation is to remain PA-2.

David Banisch asked the board if they want him to prepare a report and a comment letter and try to and pursue, at least the planning area designation, or let it go as zoned, which is OP/LR. The chair stated that the property would be designated a PA-2 area, which is a growth area, because of its' proximity to the other growth area as well as our designation as OP/LR. Michael Finelli stated that this area is in the sewer service district. The chair stated that it is currently in the sewer service designation but why does it have to remain in that designation. After discussion, several board members feel a letter would not do any good. Other board members felt that the board should stick with the recommendation of PA-4. The chair stated that he is not ready to give up on it and the board should follow through and make enough noise about it. On designations, the Chair stated that the board spent months and months on what changes should be made, not only to the township's Master Plan, but also to the State Plan. David Banisch stated that he feels this area will always be a focus of attention by the OSG.

Elaine Emiliani made a motion, seconded by Charles Stillman, to have David Banisch write a letter to the Office of Smart Growth to petition the State to designate that piece of property PA-4 as opposed to being PA-2. The vote is as follows:

IN FAVOR: Emiliani, Kanyuck, Bolger, Stillman.

OPPOSED: Barretto, Gale, Hoser, Rayna.

ABSTAINED: None.

Tie vote. Motion fails.

**Disclosure (ethics).** The Chair informed the board that a developer presented a concept plan for a rezoning to the township committee, not the planning board. Although this is allow by N.J. Statute, that is not how business is done in Greenwich Township. This particular piece of property received extensive discussion and review during the Master Plan update process. The proposal before the township committee was for an adult community, 55 and older. The chair would like to propose an adoption of a full disclosure resolution. As part of the development application process, the developer would be obligated to:

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1. Disclose their campaign donations.
2. Non-public discussions with Greenwich Township Committee and board members.
3. How township committee, or any committee or board member, would benefit financially from this development.

Tom Bolger would propose that the planning board make a recommendation to the Township Committee to adopt this as an ordinance within the township for full disclosure. No private meetings are to be held with developers and all business comes before the planning board or board of adjustment. Charles Stillman strongly endorses this, as does Elaine Emiliani. Tom Bolger stated that any committee member of the township would have to adhere to this ordinance. Mayor Kanyuck would like to see something in writing and then the planning board would vote on it at the September meeting.

**Planning Courses:** Dave Barretto and Roy North have not taking their planning courses yet. All other members have completed their course.

**Community Day.** Elaine Emiliani announced that Joe and Doris Rayna will be the 2007 honorees for the Community Day. Community Day will be held on September 29, 2007.

Elaine Emiliani made a motion, Bill Kanyuck seconded, to adjourn the meeting. Meeting adjourned at 8:50 p.m.

Elva N. Pomroy  
Planning Board Secretary

Tom Bolger  
Chairman