

January 08, 2009

The monthly meeting and re-organization of the Greenwich Township Board of Adjustment was held on the above date and was called to order by Betty Ann Bechtold, at 7:30 P.M., in the Municipal Building.

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 Board of Adjustment to the Express-Times and The Star-Ledger.
2. Posting a notice thereof on the Township bulletin board.
3. Filing a copy thereof with the Township Clerk.

The following appointments were made by the Township Committee:

Dan Detore, Member Term expires 2012
Ray Buckwalter, Member Term expires 2012
Dawn Marie Kondas, member Term expires 2012
Tom Strozeski, Alternate #1 Term expires 2010

Board members present: Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Dan Detore and Richard Williamson had excused absences.

Also present were Jonathan Drill, Board attorney, Michael Finelli, Board engineer and Betty Ann Bechtold, Board Secretary.

The secretary received nominations from the floor for the position of Chairperson. Robert Vetrecin made a motion, seconded by Steve Babula, to nominate Ray Buckwalter. There were no other nominations. Roll call vote showed the following result: 6 yes votes by - Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried. Mr. Buckwalter accepted the nomination.

January 08, 2009

Page 2

Nominations were received from the floor for the position of Vice-Chairperson. Ray Buckwalter made a motion, seconded by Robert Vetrecin, to nominate Dawn Marie Kondas as Vice-Chairperson. There were no other nominations.

Roll call vote showed the following result: 6 yes votes by - Ray Buckwalter, Joe Schiller, Robert Vetrecin, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried. Ms. Kondas accepted the nomination.

Steve Babula made a motion, seconded by Joseph Schiller, to appoint Betty Ann Bechtold as board secretary for the 2009 year.

There were no other nominations.

Roll call vote showed the following result: 6 yes votes by - Ray Buckwalter, Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried. Ms. Bechtold accepted the nomination.

Mr. Schiller made a motion, seconded by Mr. Vetrecin, to approve the Nov. minutes as recorded.

Roll call vote showed the following result: 5 yes votes by - Ray Buckwalter, Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Angelo Faillace, and Steve Babula. Tom Strozeski abstained.

Motion carried

Mr. Schiller made a motion, seconded by Mr. Babula, to approve the Nov. executive session minutes as recorded.

Roll call vote showed the following result: 5 yes votes by - Ray Buckwalter, Dawn Marie Kondas, Robert Vetrecin, Angelo Faillace, and Steve Babula, Joe Schiller and Tom Strozeski abstained

Resolutions Adopted

(Executed resolutions are attached to the minutes.)

RESOLUTION APPOINTING BOARD ENGINEERING EXPERT

Mr. Vetrecin made a motion, seconded by Mr. Babula to appoint Michael Finelli, PE as Board Engineer for the year of 2009. Roll call vote showed the following result: 7 yes votes by- Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

RESOLUTION APPOINTING AND RETAINING BOARD ATTORNEY

Mr. Faillace made a motion, seconded by Mr. Vetrecin, to appoint Jonathan Drill, Esq. as Board Attorney for the year of 2009. Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

RESOLUTION APPOINTING BOARD PLANNING EXPERTS

Mr. Schiller made a motion, seconded by Mr. Strozeski, to appoint Carl Hintz, PP and Lisa Specca, PP as Board Planners for the year of 2009. Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

RESOLUTION ELECTING BOARD SECRETARY AND APPOINTING BOARD ADMINISTRATOR

Mr. Faillace made a motion, seconded by Mr. Schiller, to appoint Betty Ann Bechtold as Board secretary and administrator for the year of 2009. Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

RESOLUTION ADOPTING RULES OF PROCEDURE

Mr. Schiller made a motion, seconded by Mr. Vetrecin, to adopt the resolution for the Board's rules of procedure for the year of 2009. Roll call vote showed the following result: 6 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, and Steve Babula. Tom Strozeski abstained. Motion carried.

RESOLUTION ADOPTING CHARGES FOR COPIES OF MEETING SCHEDULES AND NOTICES OF MEETINGS AS WELL AS COPIES OF MEETING MINUTES FOR 2009

Mr. Vetrecin made a motion, seconded by Mr. Babula, to adopt the resolution listing the standard charges for the year of 2009. Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

RESOLUTION ADOPTING MEETING SCHEDULE FOR 2009

Mr. Vetrecin made a motion, seconded by Mr. Faillace, to adopt the resolution listing meeting schedule for the year of 2009. Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

November's meeting is subject to change.

RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS

Mr. Schiller made a motion, seconded by Mr. Babula, to adopt the resolution designating the official newspapers for the year of 2009. Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

The re-organization portion of the meeting was closed.

Public Hearing

Block 26, Lot 22 – Case # 8-08 – Schisler

Mrs. Bechtold noted that the notice was sufficient and all listed property owners had been notified. It was determined that the Board had jurisdiction to open the Public Hearing. Mr. Babula made a motion, seconded by Mr. Faillace, to open the public hearing.

Mr. James R. Watson, P.L.S., P.P., applicant's representative, from the firm of EKA Associates, P.A., stepped up and offered his credentials. Mrs. Schisler, applicant/owner, stepped up and identified herself. They were both sworn in by attorney Drill. .

- Mrs. Schisler explained the reason she wanted to construct the addition.
1. The existing kitchen is long and narrow and the applicant would like it to be square.
 2. The existing kitchen has 3 doorways and an archway and there is very little wall space for cabinets/appliances.
 3. The washer and dryer are currently located in the kitchen and with the addition they can be located in the proposed laundry room. They can not be placed in the basement because the basement has a dirt floor.

Mr. Watson explained that the applicant was requesting a side yard variance, pursuant to N.J.S. 40:55D-70c(1), to locate a 10' x 26' addition situated 4.81' from the northerly side line whereas 10' is required and a variance for lot coverage of 20.17%

whereas 20% is required. Mr. Watson explained the negative and positive criteria for granting the variances.

1. The side lines are not parallel and it would be a hardship to correct the existing deficiencies because the only remedy would be to tear down the house.
2. The proposed addition would be 4.62 feet from the northerly sideline, which is roughly 2” closer than the existing violation but due to the fact that the dwelling is not parallel to the property line. .
3. Due to reasons of exceptional narrowness, shallowness and shape of the lot, the strict application of the side yard setback requirement would cause exceptional or undue hardship by preventing the applicant from constructing any addition to the rear of her home so a variance from such strict application should be granted. The property has an unusual shape because the sidelines are not parallel.

The meeting was opened to the public. There being no one in the audience Mr. Vetrecin made a motion, seconded by Mr. Babula, to close the public portion of the meeting.

Since there were not architectural drawing the Board had questions on aesthetics. The Board also discussed conditions to attach to any approval.

Mr. Vetrecin made a motion, seconded by Mr. Babula, to grant the two side yard setback variances with conditions.

Roll call vote showed the following result: 7 yes votes by – Dawn Marie Kondas, Joe Schiller, Robert Vetrecin, Ray Buckwalter, Angelo Faillace, Steve Babula, and Tom Strozeski. Motion carried.

The applicant thanked the Board.

RESOLUTION AUTHORIZING CLOSED SESSION

Mr. Babula made a motion, seconded by Mr. Buckwalter, to closed session as follows:

WHEREAS, N.J.S.A. 10:4-12 (the Open Public Meeting Act) authorizes this Board to exclude the public from that portion of a meeting at which this Board discusses certain matters;

WHEREAS, the Board is about to discuss such a matter, specifically

related to attorney client privilege legal advice regarding COAH and how it relates to the Board of Adjustment.

WHEREAS, this Board believes the public should be excluded from that discussion;

NOW, THEREFORE, be it resolved by the Greenwich Township Board of Adjustment on this 8 day of January, 2009, that the Board now go into closed session and the public be excluded and that the Board believes that the discussion conducted in the closed session may be disclosed to the public after the Township obtains substantive certification.

AYES: 7

NAYES: 0

After the Board came out of closed session, no action was taken and Mr. Vetrecin made a motion, seconded by Mr. Schiller, to adjourn. Motion carried.

Respectfully submitted,

Betty Ann Bechtold, Secretary