

## Greenwich Planning Board

June 10, 2009 Minutes

The monthly meeting of the Greenwich Township Planning Board was held on the above date and was called to order by Chairman, Tom Bolger, 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 Planning Board 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 Board and members of the audience stood for the Pledge of Allegiance.

Board members present: Tom Bolger, Doris Rayna, James Adams, Elaine Emiliani, Tim Gale, Frank Marchetta, Michael Black, Joe Schiller, and Deborah Pasquarelli. Helio Carvalho and Charles Stillman had excused absences.

Also present were: Jonathan Drill, Esq., Michael Finelli, P.E., Carl Hintz, PP and Betty Ann Bechtold, Secretary.

### **Adoption of Minutes**

Ms. Rayna made a motion, seconded by Ms. Emiliani to adopt the May 13, 2009 minutes. Motion carried with 7 Ayes and 2 abstentions.

### **Adoption of Closed Session Minutes**

The closed session minutes were numbered 1 – 12 and handed out to the members and professionals.

Mr. Adams made a motion, seconded by Ms. Rayna, to adopt the closed session minutes. Roll call vote showed the following result: 9 yes votes by – Tom Bolger, James Adams, Elaine Emiliani, Doris Rayna, Tim Gale, Michael Black, Joe Schiller, and Deborah Pasquarelli. Motion carried.

## **Extension Requested**

### **Medarex, Inc. – Block 31, Lots 11.02 & 11.03 - Case# 240-04**

*Medarex, Inc. requests an extension to April 13, 2010 unless the Permit Extension Act is applicable. This is the 3<sup>rd</sup> and Final 1 year extension request to obtain Final Site Plan approval.*

Mike Selvaggi, Esq., applicant's attorney, stepped up and explained that they were here tonight to request a 1 year extension to obtain Final Site Plan approval. The reason for the request is because of the economic situation. It was determined that the Permit Extension Act did not apply.

Mr. Hintz noted that the COAH obligation to the town has increased since preliminary approval in 2005 and now their obligation is to provide for 4.75 units.

Mr. Schiller made a motion, seconded by Ms. Rayna, to grant a third a final 1 year extension - expiring in July 2010. Roll call vote showed the following result: 9 yes votes by - Tom Bolger, James Adams, Elaine Emiliani, Doris Rayna, Tim Gale, Michael Black, Joe Schiller, and Deborah Pasquarelli. Motion carried.

## **Resolution to Adopt**

### **Polaris Retail Center – Phase 2 – Block 25, Lot 2 – Case No. 249-08**

*On March 11, 2009 the Board granted completeness waivers for preliminary site plan application and denied completeness waivers for final site plan application.*

Mr. Gale made a motion, seconded by Mr. Adams, to adopt the resolution. Roll call vote showed the following result: 9 yes votes by - Tom Bolger, James Adams, Elaine Emiliani, Doris Rayna, Tim Gale, Michael Black, Joe Schiller, and Deborah Pasquarelli.

## **Public Hearing**

### **Polaris Warren, LLC – Block 25, Lot 2 – Phase 2 - Case # 249-08**

*An existing building exists on the site which was formally known as Superior Quartz. A Minor Site Plan was approved for Polaris Retail Center, Phase I to develop 11,400 SF of the existing building. The applicant is presently before the Board for Preliminary Site Plan approval and "c" variance relief for Phase 2 of the project. This phase entails complete build-out to 27, 970 SF of the building.*

It was determined that the Board had jurisdiction to open the public hearing. Mr. Adams made a motion, seconded by Mr. Gale, to open the public hearing. Motion carried.

Vincent Perna's, applicant's engineer, credentials were accepted. All the professionals were sworn in by Mr. Drill. Mr. Selvaggi, applicant attorney, stepped up and identified himself. He explained that this was phase 2 of the re-development project.

Phase 1 was previously approved but the parking area and storm water structures have changed so essentially Phase 2 includes Phase 1 and the project will be developed together. Since this is a redevelopment project; there is no COAH obligation. Sheet 3 of 24 entitled Site Layout Plan, Phase 2, Polaris Retail Center, dated May 27, 2009 was marked as exhibit A-1.

Mr. Perna described the variances that were requested and noted that the variances requested were do to pre-existing conditions and to enable them to closely adhere to the design requirements of the ordinance.

Discussion went to the freestanding sign and the business signs on the façade. Some board members wanted to see exactly what the signs will look like. Mr. Selvaggi explained that he could only testify to the size - since they had no idea who the tenants would be - and that they would comply with the sign ordinance requirements. When they come back for Final Approval the architectural details would be provided, as well as for the landscaping.

The Board discussed the hours of operation and wondered if it could be the discretion of the Board. Mr. Drill noted that they could retain jurisdiction until Final. Although the ordinance didn't address hours of operation it did address lighting and prohibited lighting, other than for safety purposes, between the hours of 11 p.m. and 6 am in a mixed use area. Mr. Drill suggested that we deal with the hours of operation before granting preliminary approval.

Mr. Bolger felt that the application should be carried to the July 8, 2009 meeting. The Board wanted to see more definitive architectural elevations and a colored landscape plan.