

11/10/09

Greenwich Township Board of Adjustment

August 20, 2009 Minutes

The monthly meeting of the Greenwich Township Board of Adjustment was held on the above date and was called to order by Vice Chairman, Dawn Marie Kondas, 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 Board and members of the audience stood for the Pledge of Allegiance.

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

Also present were: Mike Finelli, P.E., Jon Drill, Esq. and Betty Ann Bechtold, Secretary.

Adoption of Minutes

Adoption of the May 14, 2009 Minutes.

Mr. Vetrecin made a motion, seconded by Mr. Faillace, to adopt the May 14, 2009 minutes. Motion carried. Mr. Schiller and Mr. Babula abstained.

Adoption of the May 14, 2009 executive session minutes.

The closed session minutes were numbered and distributed. Ms. Kondas made a motion, seconded by Mr. Faillace, to adopt the May 14, 2009 closed session minutes. Roll call vote showed the following result: 4 yes votes by - Angelo Faillace, Dawn Marie Kondas, Robert Vetrecin, and Tom Strozeski. Motion carried.

Since Dawn Marie Kondas had a conflict of interest she left the meeting for the Warren Solar I, LLC application. Joe Schiller took over as Chairman.

Completeness Waivers

Warren Solar I, LLC – Block 14, Lot 10; Block 15, Lot 1; Block 16, Lot 6; Block 17, Lots 1 & 2; Block 18, Lot 3; Block 19, Lot 1

Case # 3 - 2009

The Board considered the applicants request for waivers from the submission requirements. Once the application is deemed complete a public hearing will be scheduled.

The applicant seeks variance relief in accordance with N.J.S.A. 40:55D-70(d) to install a solar energy facility (solar farm).

Mr. Selvaggi, applicant's attorney, stepped up and identified himself. He explained that he was here tonight to ask for waiver from certain check list items and to be deemed complete and schedule a public hearing.

The first waiver requested was for checklist item 2i, which requires architectural drawings or photographs with the proposed elevations of the proposed structures. The reason in support of the request was that the panels will not exceed 12' in height. He noted that the architectural drawing would be submitted during the site plan phase of the project. The Board did not grant the waiver; it wanted it's professional to have the information in order to prepare reports for the public hearing on the application. The Board members also wanted to have the information itself to review prior to the commencement of the hearing.

The second waiver requested was for checklist item 2j, which requires the plan to include the location of the well or water service and septic or sewer location. The Board agreed to grant this waiver if restrooms were not required by law since, in that case, running water will not be required.

The third waiver requested was for checklist item 12, which requires 5 photographs of the property from different locations of the property. The Board did not grant the waiver as it wanted it's professional to have the information in order to prepare reports for the public hearing on the application. The Board members also wanted to have the information itself to review prior to the commencement of the hearing. Mr. Selvaggi asked the Board if it would indicate the locations where it wanted the photos taken from, even if more than 5 photos were suggested. The Board had its engineering expert, Mike Finelli, marked up a map with 6 separate locations they wanted photos taken from. A copy of this map was given to Mr. Selvaggi.

Mr. Drill reminded Mr. Selvaggi that the 2 items would have to be submitted prior to a determination of completeness would be made and, in any event, all information would have to be submitted by August 21, 2009 under the Board's rules in order for a Public Hearing to be scheduled for September 9, 2009.

Mr. Vetrecin made a motion, seconded Mr. Strozeski, to grant a waiver from checklist item 2j and deny waivers from checklist items 2i and 12. Roll call vote showed the following result: 5 yes votes by - Angelo Faillace, Robert Vetrecin, Joe Schiller, Steve Babula and Tom Strozeski. Motion carried.

Mr. Selvaggi thanked the Board.

Dawn Marie Kondas rejoined the Board serving as Chairman.

Closed Session

Closed Session to Discuss Litigation: Mansions at Allamuchy

Mr. Vetrecin made a motion, seconded by Mr. Faillace, to enter into closed session to discuss litigation, specifically Mansions at Allamuchy vs. Greenwich Township Planning Board, Greenwich Township Board of Adjustment, Docket No. WRN-L-218-09. A proposed resolution authorizing closed session was read into the record, which resolution provides that the minutes of the closed session may be released to the public upon the final disposition of the litigation, including any and all appeals. Roll call vote showed the following result: 6 yes votes by - Angelo Faillace, Dawn Marie Kondas, Robert Vetrecin, Joe Schiller, Steve Babula and Tom Strozeski. Motion carried.

Out of Closed Session

Mr. Faillace made a motion, seconded by Mr. Strozeski, to enter into regular session. Roll call vote showed the following result: 6 yes votes by - Angelo Faillace, Dawn Marie Kondas, Robert Vetrecin, Joe Schiller, Steve Babula and Tom Strozeski. Motion carried.

Mr. Schiller made a motion to adjourn. Motion carried.

Meeting ended at 9:15 p.m.

Respectfully submitted,

Betty Ann Bechtold, Secretary