

GREENWICH TOWNSHIP BOARD OF ADJUSTMENT

PUBLIC MEETING MINUTES

May 13, 2010, 7:30 p.m.

CALL TO ORDER and PUBLIC NOTICE

Chairman Ray Buckwalter called the meeting to order at 7:30 p.m. Mr. Buckwalter said this is a regular meeting of the Board of Adjustment of the Township of Greenwich. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in *The Express Times*. Notice was posted on the municipal bulletin board in the Township Municipal Building in Greenwich Township, New Jersey, and notice was filed with the Township Clerk.

FLAG SALUTE

ROLL CALL

Present: Ray Buckwalter, Michael Black, Robert Vetrecin, Dawn Marie Kondas, Angelo Faillace, Jeanne Zander, Steve Babula, Tom Strozeski

Absent: Dan Detore

Professionals: Jonathan Drill, Esq.; Michael Finelli, P.E., Lisa Specca, P.P.

APPROVAL OF MINUTES

Approval of minutes of meeting of March 11, 2010.

Motion to approve the minutes of March 11, 2010, was made by Steve Babula and seconded by Tom Strozeski

The minutes were approved unanimously on voice vote.
There were no abstentions.

RESOLUTIONS

Resolution No. 2010-03 – Warren Solar, Application #2009-03
Block 15, Lot 1; Block 17, Lots 1 & 2; Block 13, Lot 3; Block 19, Lot 1; Block 16, Lot 6;
Block 14, Lot 10

Incompleteness determination and appointment of designee to certify completeness/incompleteness of application subject to replenishment of escrow account

Ms. Kondas recused herself.

Members eligible to vote: Ray Buckwalter, Dan Detore, Michael Black, Robert Vetrecin, Tom Strozeski

Motion to approve the resolution was made by Steve Babula and seconded by Robert Vetrecin.

Members in favor: Ray Buckwalter, Dan Detore, Michael Black, Robert Vetrecin, Tom Strozeski

Resolution No. 2010-04 - Phillipsburg-Easton Honda, Application #2010-01
Block 25, Lot 2.01

C2 variance to permit additional signage.

Members eligible to vote: Michael Black, Dawn Marie Kondas, Thomas Strozeski, Robert Vetrecin, Ray Buckwalter.

Michael Selvaggi, Esq., introduced himself on behalf of the applicant. Mr. Selvaggi said question has arisen as to illumination of the sign. Resolution condition #2 says no illumination. Mr. Selvaggi indicated that the proposed sign is backlit.

Discussion ensued as to the intention of the Board. It was suggested that Mr. Selvaggi listen to the CD recording of the meeting to ascertain the intention of the Board.

Motion to table the resolution to the June meeting was made by Robert Vetrecin and seconded by Steve Babula.

Members in favor: Michael Black, Dawn Marie Kondas, Thomas Strozeski, Robert Vetrecin, Ray Buckwalter

PUBLIC HEARINGS

Warren Solar, Application #2009-03
Block 15, Lot 1; Block 17, Lots 1 & 2; Block 13, Lot 3; Block 19, Lot 1; Block 16, Lot 6;
Block 14, Lot 10

Applicant seeks approval for “d(1)” use variance and site plan approval for a solar power generating facility. A “d(3)” conditional use variance, conditional use approval and site plan approval may be the relief ultimately required if the Township adopts an Alternative Energy Ordinance which is being considered by the Township Committee.

Michael Selvaggi, Esq., introduced himself on behalf of Warren Solar. Mr. Selvaggi requested adjournment to the June 10 meeting because of expert unavailability and to

allow more time to respond to Ms. Specca's report.

Mr. Buckwalter requested that applicant re-notice. Mr. Selvaggi observed it is not unusual to request an adjournment without need for further notice. The Board insisted on re-notice.

Motion to adjourn the hearing to June 10 with re-notice required was made by Ray Buckwalter and seconded by Robert Vetrecin.

Members concurred on voice vote.

Robert Falvey, Application #2010-01
Block 64, Lot 23.08
1520 Megan Circle

Applicant seeks variance relief from the rear yard setback requirements to construct an 18' x 24' deck on the rear of the home. Rear yard setback requirement is 15' whereas 3' are proposed.

Mr. Faillace recused himself.

Requisite fees having been paid and jurisdiction established, Robert Falvey introduced himself. Mr. Falvey and Mr. Finelli were duly sworn.

The proposed deck is 24' x 18' x 15'. The home is located adjacent to the setback so that no construction can occur without variance relief. In addition, there is a slope constraining the use of the land. Consequently, a deck would allow additional usage of the property.

Mr. Strozski visited the property. Mr. Strozski asked whether there is a foot path behind the property. Mr. Falvey confirmed there is. From the end of the deck to the footpath, there will be approximately 13'. Mr. Strozski asked whether there are any restrictions related to use of the footpath. Mr. Falvey testified other homes on the cul de sac have decks, and he is not aware of any restrictions.

Mr. Babula referenced compliance with the building codes.

Mr. Falvey confirmed there will be stairs from the deck to the ground. Sketches of the deck were marked A-1 and A-2. Mr. Falvey described the exhibits, A-1 being a plan view and A-2 a sketch from the walkway looking toward the rear of the home.

The area behind the home is common area.

Mr. Falvey noted there are 300 homes in the project, and since the homes encompass most of the building envelope, no construction at all can be undertaken without need for variance.

Members of the public were invited to pose questions or give input. No one responded.

Mr. Drill explained standard conditions to applicant, including a one-year time frame to complete the building. Mr. Falvey requested 18 months to complete the construction.

Motion to grant the relief sought was made by Ray Buckwalter and seconded by Dawn Marie Kondas.

Members in favor: Ray Buckwalter, Michael Black, Robert Vetrecin, Dawn Marie Kondas, Jeanne Zander, Steve Babula, Tom Strozeski

OLD BUSINESS

NEW BUSINESS

Dawn Marie Kondas requested an excused absence for June.

ADJOURNMENT

The meeting was adjourned at 8:30 pm.