

**GREENWICH TOWNSHIP ZONING BOARD OF ADJUSTMENT**

***PUBLIC MEETING MINUTES***

**March 10, 2011 7:30 p.m.**

***CALL TO ORDER and PUBLIC NOTICE***

Mr. Buckwalter called the meeting to order at 7:30 pm. Ms. Oldford said this is the 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 and the Star Ledger, and the notice of and agenda for this meeting was posted on the bulletin board in the Township Administration Building, and notice was filed with the Township Clerk.

***FLAG SALUTE***

***ROLL CALL***

Present: Ray Buckwalter, Dan Detore, Steve Babula, Michael Black, Robert Vetrecin, Angelo Faillace, Jeanne Zander, Dawn Marie Kondas, Jeremy Blunt

Professionals in attendance: Jonathan Drill, Esq., Michael Finelli, P.E.

***MINUTES***

Motion to approve the minutes of February 10, 2011, was made by Steve Babula and seconded by Michael Black

Members in favor: Dan Detore, Steve Babula, Michael Black, Dawn Marie Kondas, Ray Buckwalter

Abstaining: Angelo Faillace, Robert Vetrecin, Jeanne Zander, Jeremy Blunt

***RESOLUTION***

***Warren Solar***, Application #2009-03 / Resolution No. 2011-01  
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

Denial for “d(1)” use variance for a solar electric generation facility.

The latest draft of Resolution No. 2011-01 which is before the Board for adoption is dated and was emailed March 6, 2011 and is draft #6.

Members eligible to vote: Mike Black, Steve Babula, Robert Vetrecin, Dan Detore

Motion to adopt was made by Robert Vetrecin and seconded by Dan Detore

Members in favor: Mike Black, Steve Babula, Robert Vetrecin, Dan Detore

***Rath's Deli***, Application ##2011-1 / Resolution No. 2011-02  
Block 24, Lot 4

Interpretation that condition #2 of prior resolution requiring use variance to further subdivide the retail / service space or expand the building is required due to the fact that the property has been re-zoned from R-1 to B-2 so the retail / service use is now permitted.

Second draft dated 3/8/11.

Members eligible to vote: Dan Detore, Steve Babula, Michael Black, Dawn Marie Kondas, Ray Buckwalter

Motion to approve was made by Dawn Marie Kondas and seconded by Steve Babula

Members in favor: Dan Detore, Steve Babula, Michael Black, Dawn Marie Kondas, Ray Buckwalter.

### ***PUBLIC HEARING***

***Masonis***, Application #2010-03  
Block 42.02, Lot 6 (corner lot) RCD zone 106 Birch Lane

Applicant seeks "c" variances to construct a 67' x 43' garage/natatorium addition which will be connected to the existing dwelling by a breezeway.

Variances required:

- Front yard setback – proposed 59 ft., required 75 ft.
- Impervious coverage – proposed 11.11%, required 10%
- Rear yard setback – 97.7 ft., required 100 ft.

Applicants and professionals were called and sworn:

Michael Finelli, P.E., Donna Masonis, Alden Masonis, Jeff Martin, AIA

Requisite fees have been paid and jurisdiction established.

Mr. Martin presented a sealed survey for Mr. Finelli's review. Mr. Finelli said the survey confirms variances outlined in his letter of March 4, 2011. Plot plan was marked Exhibit

A-1.

Mr. Martin testified that the property is a corner lot which creates the hardship requiring setback variances, namely, the side yard is considered a front yard requiring a greater setback.

Mr. Buckwalter asked how the neighboring properties will be affected. The "side yard is buffered by large pine trees. The back of the property is a wooded easement. The only portion of the proposed addition which will be visible is the front.

Mr. Masonis testified that the façade of the building conforms to the appearance of the neighborhood. This is a two-story addition. The upper level is intended to be used as a game room and business storage area for a virtual business.

The height of the building conforms to ordinance requirements.

Mr. Detore asked about the Lauren Way elevation. Applicant responded there is a berm along Lauren Way where there is a fence. Asked whether the asphalt area will remain as it is, Mr. Masonis testified it will.

Mr. Finelli noted this is a typical residence. Applicants intend to keep both the inside and outside pools. The indoor pool is a lap pool.

Mr. Faillace asked how much garage space is intended. Mr. Masonis testified the garage will house 6 cars.

Mr. Buckwalter asked about eliminating the need for impervious coverage variances. Mr. Martin said applicant had not considered the need until late in the design phase. Mr. Finelli explained the calculation. To comply with ordinance requirements applicant would have to eliminate 1120 square feet.

Mr. Vetrecin asked about the visual impact.

Mrs. Masonis noted they were concerned with the community appearance and future resale ability.

Asked the height limit, Mr. Finelli confirmed the maximum height allowed is 35', and this proposed addition conforms.

Mr. Buckwalter invited questions from the public. There were no members of the public wishing to question or comment.

Motion to close the public hearing was made by Robert Vetrecin and seconded by Dan Detore.

Members concurred on voice vote.

Mr. Buckwalter confirmed applicant seeks 3 variances:

Front yard setback – proposed 59 ft., required 75 ft.  
Impervious coverage – proposed 11.11%, required 10%  
Rear yard setback – 97.7 ft., required 100 ft.

Motion to grant with conditions including mitigating any storm water runoff was made by Ray Buckwalter and seconded by Robert Vetrecin.

Mr. Drill confirmed resolution would allow applicant two years to obtain a permit and two years to complete the project.

Applicant takes no exception to the terms recommended in Mr. Finelli's second technical review dated March 4, 2011.

Deliberation as to impervious coverage, it noted that reducing the size of the addition would require a 35% reduction. Mr. Finelli said worst case scenario is that there would be additional run off. However, he noted this is an established development with few drainage issues.

This property is located in the RCD zone. Mr. Finelli said there was a provision that all the lots and subdivisions were exempt from RCD standards because no lot would comply. Lot should be considered as R-2. Reducing the addition would be problematical. Locating cars inside rather than outside is preferable.

Members in favor: Ray Buckwalter, Dan Detore, Steve Babula, Michael Black, Robert Vetrecin, Angelo Faillace, Jeanne Zander, Dawn Marie Kondas, Jeremy Blunt

***OLD BUSINESS***

***NEW BUSINESS***

***ADJOURNMENT***

Motion to adjourn was made and seconded. The meeting was adjourned at 8:30 p.m.

These minutes were approved April 14, 2011.

Alice Oldford, Secretary to the Board

