

GREENWICH TOWNSHIP ZONING BOARD OF ADJUSTMENT

PUBLIC MEETING MINUTES

May 12, 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, Michael Black, Angelo Faillace, Steve Babula, Jeanne Zander, Dawn Marie Kondas, Jeremy Blunt

Absent: Robert Vetrecin

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

MINUTES

Motion to approve the minutes of April 14, 2011, was made by Mike Black and seconded by Ray Buckwalter

Members concurred on voice vote.

RESOLUTIONS

Metro PCS, Application #2011-2 / Resolution No. 2011-04
Block 23, Lot 1 Dumont Road --- PDZ zone

Grant and denial of completeness waivers, determination of incompleteness and delegation of completeness determination to Board Secretary

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

Motion to approve was made by Jeremy Blunt and seconded by Dan Detore

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

Effi Solar, Application #2011-3 / Resolution No. 2011-05
Block 14, Lots 2 and 2.01

Partial waiver of checklist item #38 to reduce escrow deposit to \$30,000 with applicant up-dating the escrow to \$30,000 monthly on the 15th.

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

Motion to approve was made by Steve Babula and seconded by Angelo Faillace

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

COMPLETENESS and PUBLIC HEARING

Frank Ricci, Application #2011-4
Block 34, Lot 10.22 25 Red Hawk Lane – R2

Applicant seeks a variance from the rear yard setback to construct a 22.5' x 19.5' wooden deck replacing a 22.5' x 19.5' block patio. Proposed setback 82.5' (pre-existing); required 100.0'.

Mr. Ricci and Mr. Finelli were duly sworn.

Motion to deem the application complete was made by Dan Detore and seconded by Steve Babula.

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

Requisite fees having been paid and jurisdiction established, Mr. Ricci introduced himself.

Mr. Ricci proposes to remove the pre-existing raised block patio and replace with a wood deck. The block patio was non-conforming. Realistically because of the placement of the house on the lot, there is no other area to place the deck.

Mr. Buckwalter invited Board members to question the applicant.

Mr. Finelli observed that this development was originally in the R-2 zone. There was an allowance for lots with public water that the lot size could be reduced to the R-1 standard. Setbacks were not reduced. Setbacks are consistent with 2-acre lot standards rather than

1-acre lot standards. The house is set toward the rear of the building envelope.
Conventional R-1 lots have a 50' setback.

Relief from the rear yard setback is required to allow encroachment of 17' into the rear yard setback.

Asked what is to the rear, Mr. Ricci testified there is a cornfield owned by the Beattys.

Public was invited to question or pose comments.

Since there were no questions or comments, motion to close the public hearing was made by Mike Black and seconded by Dawn Marie Kondas.

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

Motion to grant relief for rear yard setback allowing encroachment up to 25' was made by Ray Buckwalter and seconded by Steve Babula.

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

COMPLETENESS WAIVERS/COMPLETENESS

Effi Solar, Application #2011-3
Block 15, Lots 2 and 2.01, RCD

Applicant seeks a use variance and preliminary and final site plan approval to construct a photovoltaic facility.

Vincent DeSimone, Esq., introduced himself on behalf of applicant.

Mr. DeSimone referenced Mr. Finelli's review letter.

He sought clarification on j. Item 28 – Does the setback apply to each individual panel? Mr. Finelli referenced sheet #7 of the plans. He said there is no dimension from the property line to the panels. Mr. Finelli is seeking the measurement from the array to the property line, i.e., 4 setback dimensions.

Referencing page 5, t, item #65 Mr. DeSimone contended the landscape plan is diminimus and therefore, applicant seeks a waiver allowing the engineer to prepare the landscape plan rather than a professional landscape architect.

Matthew Hockenbury, P.E., said the total landscape buffer plan is shown on sheets 7, 10 and 11 with landscape details on sheet 28. Mr. Finelli clarified that the checklist provides that the plan should be prepared by a NJ professional landscape architect. Mr. DeSimone

requested a waiver for completeness to allow the engineer to prepare the plan.

Mark Balum introduced himself and indicated applicant would return with a report prior to the application being heard.

Mr. Finelli said he did not see how the application could be deemed complete tonight. He recommended that the application be deemed incomplete tonight and if completeness items are submitted, completeness may be determined by Board secretary and the matter scheduled for hearing.

Motion to grant a partial waiver of item #65, deny #73 and deem the application incomplete with designation of completeness determination to Board secretary and engineer was made by Ray Buckwalter and seconded by Angelo Faillace.

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

Metro PCS, Application #2011-2
Block 23, Lot 1 Dumont Road -- PDZ zone

Applicant seeks a use variance and site plan approval to construct a wireless telecommunications facility by mounting 6 antennas at the top of a 185' Ft. Worth structural insert within an existing 175' electrical transmission tower, and by placing electronic equipment cabinets on a concrete slab within a fenced compound at the base of the existing electrical transmission tower.

Applicant has requested an adjournment and granted an extension to determine completeness. Mr. Drill pointed out the applicant must decide whether or not to dig a test pit for a limestone investigation.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Motion to adjourn was made and seconded. The meeting was adjourned at 8:20 p.m.

These minutes were approved July 14, 2011.

Alice Oldford, Secretary to the Board

