

Greenwich Township Land Use Board Meeting
MEETING MINUTES
June 27, 2019

The June 27, 2019 Special Meeting of the Greenwich Township Land Use Board was called to order by chairman, Ray Buckwalter at 7:30 p.m.

Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act in that a notice was published in the “Star Ledger” and “Express Times” newspapers. Notice was posted on the municipal bulletin board in the Township Administration Building in Greenwich Township, New Jersey and notice was filed with the Township Clerk.

Roll Call

Members present: Frank Marchetta, Bruce Williams, Paul Beam, Mark Scuderi, Joseph Cicchiello, Gary Hill, Joseph Fiamma, Pam Peslis, Cathie Cullen, Ray Buckwalter and Dawn Marie Kondas

Excused Members: Jeremy Blunt and Bill Kanyuck

Others present: Board Attorney Jon Drill, Board Engineer Michael Finelli and Board Secretary Zuzana Karas

Absent Professional: Board Planner Elizabeth McManus

Flag Salute

Minutes

June 13, 2019 Regular Meeting

A motion was made by Bruce Williams and seconded by Mark Scuderi to approve the Land Use Board’s June 13, 2019 regular meeting minutes.

A roll call vote was taken and the motion was approved on the following vote:

Ayes: Frank Marchetta, Bruce Williams, Paul Beam, Mark Scuderi, Joseph Cicchiello, Gary Hill, Joseph Fiamma, Pam Peslis and Cathie Cullen

Absent: Bill Kanyuck

Abstain: Ray Buckwalter, Dawn Marie Kondas and Jeremy Blunt

Nays: None

Public Hearing: Application No. 2019-02-JERC Partners LIX, LLC-Proposing Multi-Family Housing- Block 40, Lot 1.01-Route 173 - Application for Preliminary Site Plan Approval for a 64-unit 100% affordable housing development.

Appearing for the Applicant: Jong Sook Nee (representing the applicant) and Brad Bohler, from Bohler Engineering.

It was noted for the record that the application was deemed incomplete as per Mr. Mike Finelli's report dated 6-25-19. Jong Sook Nee, representing the applicant, proceeded to go through all the numbered comments outlined in Mr. Finelli’s completeness report., Ms. Jong Sook Nee aided at times by the applicant’s engineer Mr. Bohler, provided testimony confirming which open items would be satisfied, , confirming what waivers would be granted for Preliminary Site Plan, and agreed on dates that missing items would be provided to Board Professionals for

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final review. The board, professionals and applicant discussed every comment made in Mr. Finelli's report and came to an agreement on the disposition of each.

The following was agreed on:

It was agreed by the board, professionals and applicant that #6, #25, #30, #34, #42, #81, and #86 would be provided to professionals Mike Finelli and Beth McMannus by July 3rd, #47 was confirmed to be supplied by July 8th, while #47 would be completed by July 9th. Items #38 and #40 were deemed complete at the meeting.

A motion was made by Bruce Williams and seconded by Dawn Marie Kondas to grant the following waivers #15, #31, #44, #45, #50, #55, #57, #64, #67, #74, part of #78, #80 and #85.

Roll Call Vote followed

In Favor: Frank Marchetta, Bruce Williams, Paul Beam, , Mark Scuderi, Joseph Cicchiello, Gary Hill, Joseph Fiamma, Pam Pelsis, Cathie Cullen, Ray Buckwalter and Dawn Marie Kondas.

None Opposed.

Board Secretary Zuzana Karas confirmed that notices were sent by certified mail to all owners of lots within 200' of the property and that notice was published in the newspaper. Board attorney Jon Drill advised that the notice published in the newspaper was perfect as to contents but the notice sent to the 200-foot list was different than the notice sent to the newspaper. He explained that while the notice that went out to the 200' radius list was not defective in the information provided, because it differed from the notice that was published in the newspaper and provided less information, it could be a grounds for appeal if an objector wanted to challenge it in the event that the Board approved the application. Mr. Drill advised the applicant that since the hearing would be carried to the July 11th hearing the applicant would do well by re-noticing the 200-foot list. The applicant's attorney said that she understood and said it would be taken care of.

Attorney, Jon Drill, closed the conversation by informing the public, board and applicant that he would put together a resolution indicating the waivers granted, items no longer needed and items with their expected date of submission. This resolution would then be filed to establish a clear understanding of the status of all checklist items and the requirements for the application to be deemed complete. The board agreed with Attorney Drill's summation of the pending completeness items.

Per recommendation of Board Attorney Jon Drill, Chairman Ray Buckwalter asked for a motion to enter into a closed session to discuss Attorney – Client privileged information.

Closed Session

A motion was made at 8:45pm by Bruce Williams and seconded by Gary Hill to adopt the following resolution to go into closed session.

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Ayes: Frank Marchetta, Bruce Williams, Paul Beam, , Mark Scuderi, Joseph Cicchiello , Gary Hill, Joseph Fiamma, Pam Peslis, Cathie Cullen, Ray Buckwalter and Dawn Marie Kondas

GREENWICH TOWNSHIP LAND USE BOARD

RESOLUTION AUTHORIZING CLOSED SESSION

GREENWICH TOWNSHIP LAND USE BOARD

RESOLUTION AUTHORIZING CLOSED SESSION

WHEREAS, N.J.S.A. 10:4-12 (the Open Public Meeting Act) authorizes this Board to exclude the public from that portion of a meeting at which this Board discusses certain matters;

WHEREAS, the Board is about to discuss such a matter where confidentiality is required for the attorney to exercise his ethical duties as a lawyer, namely, attorney client privileged legal advice regarding sewerage and the pending affordable housing litigation titled In re Greenwich Township Compliance with Third Round Housing Obligation, Docket No. WRN- L-228-15;

WHEREAS, this Board believes the public should be excluded from those discussions;

NOW, THEREFORE, BE IT RESOLVED by the Greenwich Township Land Use Board on June 27, 2019 that the Board now go into closed session and the public be excluded and that the Board believes that the discussions conducted in the closed session may not be disclosed to the public because all discussions will involve attorney-client privileged advice and information.

RETURN TO OPEN SESSION

Upon return to open session, the Board decided to advise the Township Committee that the Land Use Board recommends that a definitive determination be made that the Furhman site is in a Sewer Service Area (“SSA”) and, if it is determined that it is not in a SSA, that the SSA be amended to encompass the site within the SSA.

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A motion was made by Mark Scuderi and seconded by Gary Hill to adjourn the meeting at 9:20p.m. The motion was passed unanimously.

Zuzana Karas, Land Use Board Secretary.