

Greenwich Township Land Use Board Meeting

MEETING MINUTES

July 11, 2019

The July 11, 2019 Regular 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, Gary Hill, Joseph Fiamma, Bill Kanyuck, Pam Peslis, Ray Buckwalter, Dawn Marie Kondas, and Jeremy Blunt

Excused Members: Joseph Cicchiello and Cathie Cullen

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

Absent Professional: None

Flag Salute

Minutes

June 27, 2019 Special Meeting, open session.

A motion was made by Mark Scuderi and seconded by Dawn Marie Kondas to approve the Land Use Board’s June 27, 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, Gary Hill, Joseph Fiamma, Pam Peslis, Ray Buckwalter and Dawn Marie Kondas

Abstain: Jeremy Blunt and Bill Kanyuck

Absent: Joseph Cicchiello and Cathie Cullen

Nays: None

June 27, 2019 Special Meeting, closed session.

Attorney Jon Drill mentioned the word ‘Closes’ should be changed to ‘Closed’, the board agreed.

A motion was made by Dawn Marie Kondas and seconded by Mark Scuderi to approve the Land Use Board’s June 27, 2019 special meeting minutes from closed session.

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

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

Abstain: Jeremy Blunt, Frank Marchetta and Bill Kanyuck

Absent: Joseph Cicchiello and Cathie Cullen

Nays: None

Adoption of Resolutions

Approval of Resolution No. 2019-01, JERC Partners LIX, LLC (Petrucci) Completeness

Waivers-(Application # 2019-02) Application for Preliminary Site Plan Approval and Variance

Application for a 64-unit 100% affordable housing development on the so-called Furhmann site.

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A motion was made by Gary Hill, and seconded by Dawn Marie Kondas to approve Resolution 2019-01 following a roll call vote by the board members who were eligible to vote on the matter.

Roll Call Vote:

Ayes: Paul Bean, Bruce Williams and Gary Hill, Frank Marchetta, Mark Scuderi, Joseph Fiamma, Bill Kanyuck, Pam Peslis, Ray Buckwalter, Dawn Marie Kondas and Jeremy Blunt

Absent: Joseph Cicchiello and Cathie Cullen

Approval of Resolution No. 2019-02, memorializing the Land Use Board's approval granting Greenwich Dumont Urban Renewal Associates, LLC (Ingerman) application for preliminary site plan approval with c variances-(Application #2019-01) - Block 26, Lot 2- Greenwich Street (CR-638) and Dumont Road – Application for Preliminary Site Plan Approval for a 66-unit 100% affordable housing development on the so-called “Dumont Road site.” The board along with Jon Drill discussed the resolution and condition in place focusing significantly on the sidewalk options. Mike Finelli pointed out a sentence on page 18 which he thought should be removed and which Jon and the board agreed should be removed.

A motion was made by Bruce Williams to adopt the resolution, as amended to remove the sentence in question, which was then second by Gary Hill to approve Resolution 2019-02. A roll call vote followed for the board members who were eligible to vote on the matter.

Roll Call Vote:

Ayes: Bruce Williams, Paul Beam, and Gary Hill

Abstain: Dawn Marie Kondas, Frank Marchetta, Mark Scuderi, Joseph Fiamma, and Ray Buckwalter

Absent: Joseph Cicchiello and Cathie Cullen

Nays: None

Public Hearing: Application No. 2019-02-JERC Partners LIX, LLC-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, Esq. (representing the applicant), Robert Streker PE (from Bohler Engineering, Applicant's civil engineering expert), Robert Hayes (Applicant's Architectural expert), Heather Balgowna P.E., (Applicant's traffic engineering expert), Brian Seidel, P.P, (Applicant's planning expert).

It was noted for the record that the applicant supplied all documents needed for review by the dates required as per the Land Use boards' 2019-01 resolution. Board attorney, Jon Drill, also noted that he did recommend the applicant to re-notice to the 200-foot radius list, which the applicant did yet the wrong hearing date was indicated on that notice, making that notice deficient. Mr. Drill added that even though he did recommend the applicant to re-notice, the applicant's first notice was not deficient in his opinion. That said, Mr. Drill did add that if the notice should be challenged in court he would advise the Board not to defend it and that the applicant would defend it. The applicant agreed that it would continue at its own risk.

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Board attorney Jon Drill, swore in all the witnesses for the applicant along with the boards' engineer, Mike Finelli and boards' planner Beth McManus.

The applicant's attorney Jong Sook Nee came forward and explained the applicant is seeking Preliminary Site Plan Approval and would return for Final Site Plan Approval at a later date if preliminary approval was granted. As stated by Mrs. Nee, the applicant is seeking to develop 64-unit 100% affordable housing development. She explained further that this site is designated on the Township tax maps as Block 40, Lot 1.01. She stated that the applicant is also seeking C-1 variance relief.

The applicant's engineering expert, Robert Streker PE, came forward. He provided his credentials to the Board and was accepted as an expert to provide testimony on the application.

Exhibit A-1 was entered into evidence and is an aerial exhibit with the current site including grading, and the current swale.

Exhibit A-2 was entered into evidence and is a color rendered "Site Layout Plan" which is sheet 4 of the proposed site plan.

Mr. Streker explained the various areas shown on both the exhibits specifically focusing on exhibit A-2, explaining the buildings height, 128 proposed parking and landscaping proposal. He went into general detail regarding potential drainage, lighting, sidewalks, landscaping, and utilities being presented on the site. He explained the relocation of the current swale where board engineer, Mike Finelli, confirmed that grading has not been confirmed to the township topographic map.

Mr. Streker agreed on that the trash enclosure gate would be replaced from a proposed chain-link fence to a wooden gate.

Mr. Streker also went into detail about the possibility of having a break in the required buffer due to the storm water design. Mr. Finelli then addressed the board to provide some background information of the current situation taking place with the drainage on the property. The boards engineer explained that a meeting took place on July 9th between Mr. Finelli, the applicant's engineer and an engineer for Mr. Slack, a property owner next door, to discuss drainage and the possibly effects it might have on Mr. Slack's property. In conclusion, Mr. Finelli did add that nothing was yet determined due to not having enough information to make such a determination.

Board member Paul Beam, who is a landscaper by trade, had concerns regarding the selection of plantings proposed on the submitted landscaping plan. A condition was agreed on by both the board and applicant to review the plant selection in detail by the township planner, applicant along with Paul Beam to make sure the plants selected have the best guarantee of survival in years to come.

The applicants engineer also explained that no gas would be provided on the site but rather electric only.

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The topic of signage was brought up by board member, Dawn Marie Kondas, since no signage was proposed on the plans submitted by the applicant. A condition was agreed to by the board and the applicant that if signage is requested later the applicant must receive approval from the Board since no signage plan was submitted to be reviewed by the board at this time.

The play area became a topic of discussion regarding fencing. The Board decided that this issue could be decided at the time of the final site plan application. A condition was agreed to by the Board and the applicant that the play area shall be enclosed with a fence with the details to follow later at the time of the final site plan application.

Chairman addressed the board if anyone had any further questions for the applicant's civil engineering expert regarding his testimony, in which nobody had any questions.

Chairman, Ray Buckwalter, then asked if anyone from the public had any questions as well.

Mr. Dave Slack-Block 40, Lot 1, asked Mr. Finelli if the drainage area had been determined? Mr. Finelli responded that he has not yet determined that due to the rush in getting a report out for the meeting. Mr. Slack then informed the board his professional has got some number she will provided to the board at the appropriate time.

The applicant's architectural expert, Robert Hayes, came forward. He provided his credentials to the Board and was accepted as an expert to provide testimony on the application.

Exhibit A-3 was entered into evidence and is a color rendering of the rear of the building shown. Exhibit A-4 was entered into evidence and is a color rendering exhibit of the front of the building, where both presented to the board.

Board attorney Drill asked the architect why the exterior of the building as reflected in his exhibits was different than what was specified in the affordable housing agreement. According to the affordable housing agreement the architecture must match the exhibits attached. Attorney Drill stated that the exhibits presented do not match that and recommended that the Board take a recess to allow time for Mr. Hayes to determine how he'd like to continue his testimony.

A five-minute recess was then declared.

Once chairman brought the meeting back to order, Attorney Drill advised that Mr. Hayes had decided that the two exhibits, A3 and A4, would be withdrawn from the application to avoid any confusion. The architect agreed and then used the exhibit attached in the affordable housing agreement during his testimony.

The architect started off by informing the board that the height of the proposed building would be compliant to what's required in the zone. The colors, he said would be relevant to what the figures display in the affordable housing agreement. Attorney Drill then asked the Board if there would be any objection to the applicant submitting all building details with the final site plan application, if approval was granted on preliminary. These samples would be provided with the

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final application to be reviewed by the board and professionals. The Board and the applicant agreed to proceed in this manner.

Mr. Hayes continued with providing information regarding the overall building, explaining that the three entrance doors would all be secure, laundry machines would be supplied in each unit and no HVAC equipment would be placed on the roof of the building. The board asked if any grills would be permitted on the units with balconies, the applicant replied no. A manger would also be on the site to monitor all needs and maintenance required. In addition, the applicant also agreed to provide a copy of the lease so that the Board could see the provisions. Finally, no elevators would be present in the building, just stairs.

Chairman, Ray Buckwalter, then asked if any board members had any further questions or comments regarding Mr. Hayes testimony.

Board member, Gary Hill, recommend that the doors at the staircase should have windows to allow visibility to avoid any accidents, applicant agreed.

Dawn Marie Kondas ask if the hallways would have carpet flooring. Mr. Hayes informed Ms. Kondas that would be something specified at the time of final site plan.

Bruce Williams questioned if each unit would have its own dryer vent or if there would some other venting system. Mr. Hayes stated this would be an item specified at the time of final site plan.

Chairman, Ray Buckwalter, then asked if anyone from the public had any questions, in which nobody came forward.

The applicant's traffic engineer expert, Heather Balgalow, came forward. She provided her credentials to the Board and was accepted as an expert to provide testimony on the application.

Ms. Balgalow presented to the board that her findings for the proposed 64 units would provide a max of 29 trips during peak hours which would not be significant. Level of service, without this development, would remain the same with only a slight increase to the delay. From all the studies done in this area with the proposed development Ms. Balgalow testified that this project would not change much of anything with regards to traffic patterns.

Board member, Dawn Marie Kondas, asked if the closed bridge was considered during the traffic evaluation. Ms. Balgalow along with Mr. Finelli confirmed this would not make changes to the figures presented.

Chairman, Ray Buckwalter, then asked if any board members had any further questions or comments regarding Ms. Balgalow's testimony. Nobody had any questions.

Chairman, Ray Buckwalter, then asked if anyone from the public had any questions as well, but no one came forward.

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The applicant's planning expert, Brian Seidel, came forward. He provided his credentials to the Board and was accepted as an expert to provide testimony on the application.

Mr. Seidel started off by providing the school aged children impact this project would have, as per the board's request. He informed the board that with the proposed 64 units, there would be about 45 school aged children.

He went on to explain the various services that would supply to the residents living in this building, mostly regarding staffing and overall financial support. The board asked questions regarding the services to understanding the positive impact it would have on the overall site.

Chairman, Ray Buckwalter, then asked if any board members had any further questions or comments regarding Mr. Seidel's testimony. Nobody had any questions.

Chairman, Ray Buckwalter, then asked if anyone from the public had any questions as well, but no one came forward.

Chairman, Ray Buckwalter, then asked if anyone from the public had any questions or comments regarding the overall application presented to the board.

Mr. Dave Slack-Block 40, Lot 1, came forward and introduced his civil engineering expert to present storm water management testimony on his behalf. Linda G. Peterson, PE came forward, she provided her credentials to the Board and was accepted as an expert engineer on behalf of Mr. Slack. She informed the board of her findings on the site and concerns regarding the swale and overall design proposed. Referencing both exhibit A1 and exhibit A2 she came to a number of conclusions regarding the inadequacy of the storm water management plan. Mike Finelli commented that until the drainage area has been determined, he cannot come to a conclusion as to the adequacy of the storm water detention system.

Jon Drill confirmed that in Mike Finelli's completeness report the applicant was required to provide the drainage area, in which they did not. Jon continued that this is an item that is most defiantly required since it can possibly change everything discussed and possibly approved on the site. Mr. Drill explained that drainage was one of the four essential elements of a development (the four are water, sewer, drainage and traffic) and the Board cannot legally grant preliminary approval unless all of the four essential elements of the development are satisfied.

Mr. Drill concluded with advising the applicant that the application would need to be carried to August 8th, since the Board is unable to determine whether the storm water management plan is adequate tonight. Mr. Drill added that a drainage area map must be provided to Mr. Finelli as well as be provided to Mr. Slacks engineer by July 18th. Mr. Slacks engineer must also supply any documents by July 18th, giving Mr. Finelli enough time to review the documents submitted by both engineers.

Mr. Finelli added that although there was a meeting held on the 9th of July, with applicant engineer, Mr. Slack, Ms. Peterson (Mr. Slack's engineer) and Mr. Finelli, much of nothing was resolved since the applicant has not yet supplied a detailed storm water drainage plan.

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Mr. Tim Drek-Block 40, Lot 1.01, came forward and explained that his property is quite close to the site and he has lots of concern of how much of an impact this will have on his property. He expressed to the board his concerns with the amount of crime that will increase. The board understood his worry and advised him that this is not something for the Board to review. The board also recommended the homeowner use the police department as a resource in staying safe.

Mr. Drill announced that the hearing on the application would be continued to August 8, 2019 without need for further notice but that the applicant could provide additional notice if it wished. However, in order for the hearing to take place on August 8th, the following would have to be provided by the following dates:

Drainage area calculations by July 18
Storm water management plan by July 29
Proof of submission to Fire Chief by July 18
Truck turning movement exhibit by July 18
Dryer vent configuration by July 18
Copy of lease by July 18

Adjournment

A motion was made by Mark Scuderi and seconded by Ray Buckwalter to adjourn the meeting at 11:40p.m. The motion was passed unanimously.

Zuzana Karas, Land Use Board Secretary.