

Greenwich Township Land Use Board Meeting  
MEETING MINUTES  
December 12, 2019

The December 12, 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: Joseph Cicchiello, Frank Marchetta, Ray Buckwalter, Bruce Williams (ran 10 minutes late), Cathie Cullen, Dawn Marie Kondas, Mark Scuderi, Joseph Fiamma, Jeremy Blunt, Bill Kanyuck, and Pam Peslis

Excused Members: Paul Beam

Absent: Gary Hill

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

Excused Professionals: Board Engineer Michael Finelli

**Flag Salute**

**Minutes**

October 10, 2019 Regular Meeting.

A motion was made by Dawn Marie Kondas and seconded by Jeremy Blunt to approve the Land Use Board’s October 10, 2019 regular meeting minutes.

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

Ayes: Joseph Cicchiello, Bill Kanyuck, Dawn Marie Kondas, Pam Peslis, and Cathie Cullen

Abstain: Ray Buckwalter, Mark Scuderi, Frank Marchetta, Joseph Fiamma, and Jeremy Blunt

Absent: Paul Beam, Gary Hill, and Bruce Williams (came in after the vote was taken.)

Nays: None

**Presentation Regarding the Re-Examination of the Master Plan.**

Beth McManus, Board Planner, gave a detailed presentation about the process required for a Master Plan re-examination. She explained some already adopted master plan documents, permitted master plan elements, policies, and various requirements. She emphasized that it's up to the town to decide how involved they would like the re-examination to be or how little they want to change. Beth focused on the importance of a Master Plan Committee, which is already in place with members from the Land Use board. Most likely a mandatory re-examination is due in 2021, yet both Jon Drill, board attorney, and Beth will check to confirm.

Chairman, Ray Buckwalter, advised the board that if they have any suggestions and/or recommendations regarding the re-examination of the Master Plan to reach out to Dawn Marie Kondas, who is part of the Master Plan Committee. Ray Buckwalter also explained that the Land Use Board will be providing its recommendations to the Township Committee of areas they feel

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need change/modification. Eventually, both the Land Use Board and the Township Committee will decide collectively the type of re-examination they are looking for Beth to complete. Beth then will then determine an adequate budget to satisfy the project requested.

Beth confirmed that if a re-examination is in fact due in 2021, time should not be a problem. She explained the town would be on schedule to complete that for 2021.

**Presentation regarding the Solar Panel Ordinance, 16-4.19ala.**

Ms. MJ Hoffman, from Vivint Solar Developer LLC, came before the board to express her concern for residents whom are subject to board approval when placing any solar panels fronting a road. She asked the board to consider changing the current ordinance, 16-4.19ala. MJ explained that the panels provided by Vivint Solar are aesthetically pleasing, and have visually improved over the years for its customers.

The board did ask questions, while also discussed the topic in detail. The board explained that this is the first time they have heard of this ordinance being so problematic to homeowners. The board decided they would re-evaluate this topic if and when they begin to see recurrent variance applications before the board. Although Vivint Solar has aesthetic improved, it's not to say that all solar companies would provide the same look. The chairman did add that if any resident came before the board, it would be something the board would consider on a case to case basis.

Attorney, Jon Drill, also added different scenarios as to why this would be handled as a case by case, depending on aesthetics along with other factors. The board felt ordinance, 16-4.19ala, has more of a positive impact to the town rather than a negative one.

Chairman, Ray Buckwalter, asked if there were any other questions before he asked for a motion to adjourn the meeting.

Mr. Gullian, from the public, asked the board if applicant JERC Partners LIX, LLC was being heard?

Jon Drill, township attorney, informed Mr. Gullian that although the applicant was original scheduled, they submitted a request to postpone.

A letter from attorney, Jong Sook Nee, representing the applicant, JERC Partners LIX, LLC dated December 4, 2019 was read. The letter was address to the board secretary.

Jon Drill read the letter on record:

“With respect to the above referenced application, on behalf of the applicant, please accept this request for an extension of the hearing for Preliminary Site Plan Application to be carried from December 12, 2019 to February 13, 2020. Due to the passage of time, we will re-issue notices to the property owners within 200 ft of the property listed above and re-publish notice in the newspaper of record in anticipation of the new hearing date. As part of this request, the Applicant consents to extend the time the Board has to decide the application to April 20,2020.”

Jon Drill informed the board and public that the January hearing would most likely only have one application, the Beatty application. He explained that Ross Stores Inc, is currently waiting on

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the landlord to submit for a site plan approval before they could proceed with the sign application.

Jon also then read the letter for Ross Stores Inc. which clarified their current situation. The letter was addressed to Jon, dated December 3<sup>rd</sup>, 2019, from attorney Michael J. McKenna, whom represents Ross Stores, Inc.

Jon Drill read the letter on record:

“By way of follow up I wanted to advise you and the Board that the landlord will be pursuing the site plan approvals required for the façade alterations pursuant to their contractual obligations with my clients. Accordingly, we will not be processing our signage application unless and until the landlord has completed his application process. I understand that process is underway.”

Chairman, Ray Buckwalter, stated that with all the changes occurring it is best to check the agenda posted.

Mrs. Gullian then also asked the board who regulates the re-examination of the Master Plan, Jon advised her that it's a state law.

No further questions followed from the board or from the public. The chairman then asked for a motion to adjourn the hearing.

**Adjournment**

A motion was made by Dawn Marie Kondas and seconded by Mark Scuderi to adjourn the meeting at 8:40p.m. The motion was passed unanimously.

Zuzana Karas, Land Use Board Secretary.