

**TOWNSHIP OF GREENWICH  
PLANNING/ZONING BOARD  
REGULAR MEETING  
JUNE 2, 2014**

The regular meeting was called to order by Chairman Rook.

Those present were Chairman Rook, Vice Chairperson Watson, Mr. Valente, Ms. Hunter, Mr. Ivanick, Mr. Hedges, Mr. Sheppard, Ms. McOscar, Mr. Van Pelt and Mayor Reinhart. Also present was Lisa Garrison, Board Secretary and Mr. Lamanteer, Zoning Officer. Absent: Ms. Facemyer

Pledge of Allegiance was led by Chairman Rook.

Approval of Minutes: April 5, 2014. On motion of Mr. Ivanick, seconded by Mr. Valente to approve said minutes, carried with four (4) abstentions by Mr. Henry, Mr. Sheppard, Mr. Van Pelt and Mayor Reinhart.

New Application - Ron Tyson - Application No. 1-2014, 973 Ye Greate Street, Block 19, Lot 26 - Mr. Tyson indicated he had attended the April meeting for the informal meeting he had additional items on the house showing shutters and a chimney at which time he had a lot of questions. He declared his uncertainty regarding the process. Mr. Rook indicated an approval in a formal application process will provide a resolution to receive a building permit. Mr. Tyson indicated he wanted to do shutters and other items in the future on the house but had received a comment from Mr. Henry indicating they did not want to review things that was not going to happen immediately. Mr. Tyson indicated he would like an overall approval but does not want to put too much on the plate that would be contingent on a timeline. Mr. Henry questioned the timeline on tonight's presentation with Mr. Tyson indicating it would be done immediately. Mr. Henry indicated the context of the comment regarding the timeframe was in response to Mr. Tyson's comment "you might do this or you might do that" and you had not decided and were unsure what it would look like. Mr. Henry indicated if you know something is going to be done and it is going to be done within a couple of years you probably should put it in the same application. Mr. Tyson responded he had no uncertainty. He indicated he has no exact timeline but he knows what it is going to look like. If there is an expiration in regards to the approval he does not want to do it. Mr. Tyson concluded he would prefer to have a master plan approach and pursue separate building permits. Mr. Tyson indicated his application tonight is for an 8' x 3' addition for the bay window. Mr. Tyson indicated he had included the requested information regarding the brackets. There is one remaining original bracket on the house and he will be fabricating the existing bracket. The roofing on the addition will be copper, the raised panels will be historically accurate and correct. Ms. Watson questioned if the panels will be Victorian molding profile and Mr. Tyson concurred this to be the case. The current foundation is sandstone which is stuccoed over. The bay window will be concrete block and stuccoed over to match the existing exterior. The windows are real wood muttoned. Mr. Tyson assured all of the work on the bay window will be historically accurate. Ms. Garrison indicated the application and plans were received in a timely manner.

On motion of Mr. Sheppard, seconded by Ms. Watson to approve the application as presented, unanimously carried upon roll call vote.

#### Unfinished Business

- Historic District Ordinance - Ms. Watson indicated she had reviewed the procedure under C, which did not seem to be well clarified. Ms. Watson rewrote and distributed a copy to the Board for review. Mr. Henry indicated this ordinance refers back to Mr. Tyson's question which is procedurally which paper does he get and rather than a formal resolution it is an application which simplifies it. Ms. Watson concurred and that it also outlines the order in which things happen. Mayor Reinhart questioned the Class A & B members of the Board. Mr. Henry indicated when there is a Board that reviews historic district applications it is required to have a class A & B. If the Board did not have these classes the Township would have to hire a professional. Currently Mr. Henry and Ms. Watson serve as the class A & B members. Mayor Reinhart questioned the timeline and Ms. Garrison expressed her concern regarding the lack of staffing and ten (10) days may be too short. The Board discussed and concurred to extend the application submission to fifteen (15) days. Ms. Watson indicated she still has to review Section E. She stated some of the ideas came from other towns. Mr. Valente expressed his concerns that there is no mention of neglect. The Board is addressing the approval process to fix the properties but not addressing the opposite. Mr. Henry agreed but the problem is this ordinance acts on an application and if the Board wants to do this it must be a separate section, not by modifying the language in this ordinance. Mr. Lamanteer indicated the International Property Maintenance Code could be adopted and volunteered to distribute copies. Mayor Reinhart indicated it had been discussed but questioned if the Township must adopt the Code in its entirety. Mr. Lamanteer indicated it must be adopted as a whole or the Township could adopt their own property maintenance code. Mr. Lamanteer indicated it is more detailed and very helpful in a court situation. Mr. Sheppard questioned if the Township has not adopted a property maintenance code would there be a lack of teeth in any enforcement if there is no property maintenance code in effect. Mayor Reinhart questioned if it could be assumed the Township acted under no property maintenance code. Mr. Lamanteer indicated the old code was the BOCA code which has been replaced by the International Property Maintenance Code. Ms. Watson indicated the Board should act on the procedural ordinance now and move forward with this issue in the future. Ms. Garrison recommended from a Secretarial position this change was important for any upcoming applications. The Board has determined there is a need to clarify the process for making applications for work in the historic district and concurred to move forward with this change and on motion of Mr. Valente, seconded by Mr. Sheppard to approve and recommend the amendment to the Procedural Ordinance Section 9.4 Historic Conservation District Regulations to the Township Committee, unanimously carried.

New Business

- Sheppards Mill Pond - Mr. Rork indicated this was an informational discussion. Mr. Henry distributed maps of the area. Mr. Henry indicated the Planning Board had adopted a resolution to investigate and support the purchase of said property to secure as a natural resource area. There has been a long process with the State negotiating with the Girl Scouts, mitigation is being done to improve the dam and at some point the State will close on the property. In an executive session, with the Township Committee the State had offered various options with no drawings or detail. One option was for the township to lease the swim area with many requirements for parking and access. The other option was for the Township to purchase the swim area and own and operate on our own. The Township Committee was not given any specifics and was at a loss to evaluate. Mr. Henry volunteered that the Planning Board could review as to what could be done as a subdivision if the Township Committee decided to proceed. The property is located in the Rural Agricultural Zone which requires a 6 acre lot. The price has been set for a 6 acre lot. The problem with a 6 acre lot is that it is a lot of space the township does not need. The State has an easement on the Fenimore property to be utilized to get to the dam. They want parking near the road for kayaks and access to the dam. A flag lot could be created that would leave the property that the State wants. Mr. Rosenberger had been contacted and advised it could be done. It would have visible parking near the state and an easement would be provided with access through locked gates that would not be accessed by the public. This plan would be approximately 3 ½ acres that should also lower the price. There would be a need for variances that would have the Mayor and zoning officer not voting. Mr. Sheppard indicated the map with the flag lot makes more sense without reviewing the criteria for a variance and if approvable and it is doable with not stating whether the Board states a position of support or non-support it makes more sense. Mayor Reinhart indicated there were 2 people from the Girl Scout Council and Fish & Game that had been present at the meeting and no plan had been presented to the Committee and this was the reason the Board was being requested to review. Mr. Henry indicated it is all land and the use of the water may be an easement and indicated it should be referred to the Township Solicitor. Ms. Watson indicated the State allows kayaking and boating but you are not allowed to get out of the boat. Mr. Henry indicated it is understood if the Township decided they do not want to do something with this in the long haul it would go back to the State. Mayor Reinhart indicated it was made clear that it must be sold back to the State. Mr. Sheppard indicated the points Mr. Henry made was the reason he preferred the subdivision. Mr. Valente questioned if the shore line changed would it be an issue. Mr. Henry indicated there are already private properties along the shore line and it would have to be reviewed. Mr. Henry indicated he focused on the high ground and if a lot could be configured that the Board could endorse similar to this with all the exceptions and variances required. Mr. Henry indicated there are two master plan goals that can be referenced in the resolution. Goal 3 and Goal 7, which Mr. Henry read to the Board. On motion of Mr. Sheppard,

seconded by Mr. Valente to approve a resolution for proposed recommendations regarding the feasibility of purchasing a parcel of land located at Sheppards Mill Pond, carried with one (1) abstention by Mayor Reinhart.

Mayor Reinhart indicated no one has mentioned the word money and Mr. Rook indicated the Board would only review the issue of a subdivision. Mr. Valente questioned if leasing could be discussed and Mayor Reinhart indicated it was discussed and not favored.

- New Provisional FEMA Flood Zone Maps - Mr. Henry indicated the Township Committee had received the maps from FEMA. The new flood zones had been identified and referred to as 1% and 2% flood zones. The elevations have been revised. Greate Street compared to old maps show less of Greate Street on the south end that gets flooded but a flood zone located in another area that is new. The maps are to be reviewed and comments given. Mr. Henry suggests the planning board form a small committee to review and suggest comments to the Committee. A meeting is expected with FEMA in the near future. Mr. Rook, Mr. Sheppard, Mr. Henry, Mr. Valente and Ms. Watson will be the members of said committee. The maps will control insurance and require updating the ordinance with a new flood plain zone which will determine where people build. Mr. Valente will coordinate the meetings.
- Report on Dike Committee meeting with Army Corps of Engineers (6/2/14) – Mr. Henry indicated a meeting had been held and in attendance were Eric Port, Larry Niles, Steve Carnahan and Michael Henry along with three individuals from the Army Corps of Engineers; two from FEMA; two from the DEP Division of Coastal Engineering; and Bob Brewer and Doug Whittaker from the County. The meeting was initiated by the Army Corps of Engineers as they have Sandy money to come into the Bayshore communities to review what can be done for flood protection based on Sandy damage and preventing further damage. It was made clear on the onset through an exchange of emails that if they were going to be here the hook would be the impact on historic resources. A package had been distributed to them with an illustration from the Environmental Resource Inventory. The State Historic Preservation Office provided a letter that there was more than was seen. The next issue is to establish Sandy impact which could include Irene. Hopefully the Fire Dept. can pull together road closures due to flooding and hope for a feasibility study. It is not small money but a match will be likely. If a match can be obtained more can be done.
- Financial Disclosure Statement Filing – June 13. An email reminder will be sent.

Bacons Adventure, on Tindall Island Road, has a sign up for an apartment rental. Mr. Valente indicated there is a mother-in-law suite. Ms. Watson indicated it should be investigated. Mr. Lamanteer will review.

Bulls Eye House is a bank owned property and is uninterested in showing the property. The house has been damaged and it was requested Mr. Lamanteer investigate. It was requested the bank be advised of the Township's interest in maintaining the property.

Correspondence –

Cramer property - Mayor Reinhart indicated correspondence had been received from Mr. Cramer's attorney which indicated an easement and flood prevention activities would be detrimental. Mr. Henry indicated the Planning Board had recommended to the Township that an easement be provided for flood prevention activities. Mr. Cramer and Riverwatch want to maximize their profit from farmland preservation at the expense of residents living in that area. The Board reviewed the flood map. An easement had been requested along the existing waterline, of 50 feet wide, it does not cut across the farmland, it begins along the road comes along the waterline continues around Delaware Avenue. If Pine Mount Dike cannot be rebuilt the Township needs a place to put flood protection. This is what the Army Corps of Engineers had also recommended. Mr. Henry indicated that Mr. Cramer and Riverwatch want to maximize their profit from farmland preservation at the expense of the people who live on these roads. Mr. Henry questioned if the Township Committee wants a resolution from the Board recommending the Township stay the course. On motion of Mr. Henry, seconded by Ms. Watson recommending the Township Committee stay the course to acquire the easement for flood protection along the Riverwatch property as previously described, unanimously carried.

Public Comment - Mr. Tyson requested an explanation in regards to the initiation of the new ordinance and hopes it clears up the procedural issues. Ms. Watson explained there was a 1979 ordinance, which had been updated in 1983, it called for actions requiring a building permit to be reviewed and the things requiring the building permit were changed in the interim that left a gap which needed an update. Mr. Tyson indicated a package should be prepared that would make the application process easier. It was advised once updated it will be placed on the website.

Mr. Carluzzo questioned the attorney's response regarding the cell phone tower. Mr. Henry indicated we have no application and until there is another application the Board cannot look at another property. There were two application that had been received that the Board had acted on. Mr. Carluzzo questioned if the township would not be getting a cell tower. Mr. Henry indicated the State has an application which is being reviewed and the application is proceeding and has not been denied. Mr. Carluzzo says he has documentation stating it has an adverse visual impact. Mr. Henry indicated that is not a denial. The Board would hear from the State if the application is denied.

Mr. Price questioned that Bridgeton has the largest historic district in the State of New Jersey and do they have a cell tower. It was advised their towers are on top of the high rise. He advised the Township should discuss with the BPU that the telephone wires should be underground, in the Historic District, as telephone poles are an infringement, if this is the case that the cell phone tower would be denied due to visual impact. Mr. Henry indicated there has not been any indication the township cannot have a cell tower.

Adjournment - On motion of Mr. Valente, seconded by Mr. Sheppard, unanimously carried.