

**TOWNSHIP OF GREENWICH
PLANNING/ZONING BOARD
REGULAR MEETING
FEBRUARY 2, 2015**

The regular meeting was called to order by Chairman Rook indicating, “Adequate notice of this meeting was provided in compliance with the Open Public Meetings Act by notifying The News of South Jersey on January 6, 2015”.

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

Pledge of Allegiance was led by Chairman Rook.

Approval of Minutes: None

Resolution No. 1-2015 – Resolution Granting Use Variance Approval to John and Lorraine Serabian for an Existing Apartment – Block 21, Lot 2.01 (272 Tindall Island Road)

RESOLUTION NO: 1-2015

**RESOLUTION GRANTING USE VARIANCE APPROVAL
TO JOHN and LORRAINE SERABIAN
FOR AN EXISTING APARTMENT
BLOCK 21, LOT 2.01
(272 Tindall Island Road)**

WHEREAS, an application was made to the Greenwich Township Land Use Board by John and Lorraine Serabian, the owners of 272 Tindall Island Road, Greenwich Township, Cumberland County, New Jersey identified as Block 21, Lot 2.01 on the Greenwich Township Tax Map for approval to utilize an existing residential apartment within the single-family structure, which use does not conform to the current ordinance; and

WHEREAS, the application was filed, the appropriate fees were paid and proper notice was sent and published; and

WHEREAS, the Applicants requested waivers for all checklist requirements and from the submission of a plan as there would be no new structure; and

WHEREAS, the Applicants established the appropriate escrow; and

WHEREAS, the matter was considered by the Greenwich Township Planning Board at a public hearing on October 20, 2014 wherein the application was deemed substantially complete with appropriate waivers such that the Planning Board had jurisdiction; and

WHEREAS, John Serabian was duly sworn and provided testimony in support of the application; and

WHEREAS, after hearing testimony, considering the property, which is familiar to all members of the Planning Board and considering the comments of the Planning Board solicitor, the Board made the following findings:

1. The subject property is a residential structure situated on 6.7 acres.
2. The apartment that exists within the structure was created by a prior owner to provide living quarters for a residential caretaker. The entire property relies on a single septic system, single well, but the apartment has separate electric and heat from the rest of the residence.
3. The Applicants are frequently away from the property and would like to have someone present as a caretaker to oversee and protect the property from vandalism.
4. The Applicant testified that the use of the internal apartment could be for related family members, but the current plan is to rent the apartment and maintain a presence on the premises while the owners are away.
5. The Applicant testified that he and his wife are usually on the premises during the weekends, but are away during the work week.
6. The apartment is located on the first floor and there is access to the rest of the house through a doorway that can be locked.
7. No member of the public spoke in opposition.
8. The apartment contains only a single bedroom and cannot be occupied by more than two (2) people. As such, there will be no significant impact to residential and traffic density as the remainder of the house is quite large. All members of the Board are familiar with the property, and it is not apparent from the outside that an apartment exists within the structure.
9. Prior use of the property with the included apartment has not resulted in any detrimental impact to the surrounding community.
10. The Board determined that because of the size of the principal structure in relation to the limited size of the apartment, the fact that the apartment has existed in the property for a considerable time, and the overall size of the parcel and the surrounding area, the requested relief can be granted without a substantial detriment to the public good. Because this is a single small apartment contained within the footprint of an existing residential structure, the grant of the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance so long as said use is consistent with conditions contained here.

NOW, THEREFORE, BE IT RESOLVED, by the Greenwich Township Planning Board, that the requested variance be granted to permit the existing one bedroom first floor apartment to be used and occupied by no more than two (2) persons and that access to the main house be continued with a lockable door but not permanently sealed. This approval is granted subject to the following additional conditions, which must be satisfied by the Applicants:

1. All required fees that are due or may become due to the Township must be paid within seven (7) days notice thereof.
2. Approval or letters of non-applicability must be obtained from any other governmental/regulatory body having proper jurisdiction.

3. An escrow balance must be posted with the Greenwich Township treasurer for such professional fees as may be properly billed for the application. The Board secretary is authorized to notify the Applicants and demand escrow replenishment to maintain the escrow in an amount sufficient to cover all anticipated professional review fees, however, at no time shall the escrow exceed the amount established by ordinance.
4. The Applicants must comply with all representations made during the course of the presentation to the Planning Board and in accordance with all documents filed or submitted with the application.
5. The Applicants must pay all fees and escrows before any zoning permit can be signed and approved.
6. The Applicants shall indemnify, defend and hold the Greenwich Township Planning Board harmless from all claims of any kind which may be made as the result of the use of the premises or any approvals granted by the Planning Board.

Only members of the Planning Board who voted for the application may vote on this resolution, and a vote of a majority of such members present at the meeting at which the resolution is presented for adoption shall be sufficient to adopt the resolution. (*See N.J.S.A. 40:55D-10(g)(2)*). A member of the Planning Board may also vote if they comply with the provisions of *N.J.S.A. 40:55D-10.2* and sign an affidavit or certification to that effect. A copy of this resolution shall be sent to the Applicant or the Applicant's attorney without charge within 10 and a brief notice of the decision shall be published in the official newspaper for Greenwich Township.

The undersigned Chairman of the Greenwich Township Planning Board hereby certifies that the above is a true copy of a resolution adopted by said Board this 2nd day of February, 2015 to memorialize action taken by the Board on October 20, 2014.

On motion of Mr. Sheppard, seconded by Mr. Ivanick to approve and adopt the foregoing resolution, carried upon roll call vote with two (2) abstentions by Mr. Hedges and Ms. Watson.

Old Application - None

New Application - None

Old Business –

CCO Fees - Ms. Garrison indicated the Township Committee will be reviewing a draft ordinance at their next meeting as per the Board's request.

Escrow and Application Fees - Mr. Sheppard distributed information, he had compiled from surrounding municipalities, for review. Discussion ensued and it was then determined he will provide a draft for the next meeting for further review. At this time Mr. Hedges and Mayor Reinhart recused themselves at 8:00 p.m. due to a fire/rescue call.

RFQ Solicitor - Ms. Garrison presented a draft RFQ which was reviewed and revised.. The draft, with the revisions, will be presented to the Township solicitor for his review and will be posted on the website.

New Business

International Property Maintenance Code (IPMC) – It was recommended the topic be tabled until next month when Mr. Lamanteer was present.

Mr. Rook indicated he had attended a meeting at the CCIA, along with Mr. Henry and Mayor Reinhart regarding the subject of sewer lines. Ms. Watson indicated there is \$30,000 USDA grant available for a planning study, which other of the bayshore municipalities have applied for and received. Ms. Watson indicated she has completed the application and if approved the next step will be a consultant. The study will be grant funded and there is also the possibility for implementation funds.

Correspondence – None

Public Comment - None

Adjournment - On motion of Mr. Ivanick, seconded by Mr. Sheppard to adjourn, unanimously carried.

Respectfully submitted,

Lisa Garrison
Secretary