

**Planning/Zoning Board
TOWNSHIP OF GREENWICH
REGULAR MEETING
Monday, April 5, 2021 at 7:30 P.M.
GoToWebinar Electronic Meeting due to COVID-19**

I. Meeting called to order & Open Public Meeting Act:

The regular meeting was called to order by Renée Brecht-Mangiafico, Secretary acknowledging as required by the Open Public Meetings Act, that “adequate notice of this meeting was provided in compliance with the Open Public Meetings Act by notifying South Jersey Times on January 26, 2021.”

II. Roll Call:

Present: Ms. Watson, Mr. Ivanick, Mr. Henry, Mr. Mangiafico, Mr. Lamanteer, Mayor Reinhart, Mr. Pisarski, Ms. Bacon, Mr. Riley,

Absent:

Also present: Mr. DeSimone, Solicitor and Renée Brecht-Mangiafico, Secretary Public: Joan Berkey, Jim Caruluzzo, Mr. Ted Ritter, Esq., Mr. Brewer, Leslie Gomez, Kathleen Gomez, Howard Waller, Neal Sheppard

III. Approval of Minutes:

Chairperson February noted a correction on – 2nd page, long paragraph PZ should make... Mr. Riley made a motion to accept February minutes with that correction; seconded by Mr. Ivanick. None opposed or abstained.

Mr. Pisarski noted that the March minutes should reflect that the County “Health Department” has approved the septic system. Chairperson Watson noted the correct spelling of the surname “Serabian.” She is unsure whether the individual who is interested in board membership is Michelle or Lorraine and will follow up with that.

Mr. Pisarski made a motion to accept February minutes with that correction; seconded by Mr. Ivanick. None opposed or abstained.

IV. Historic District Research Project

Ms. Berkey updated the board on the progress of the historic district research project. The report is attached as part of the official record.

Mr. Riley made a motion to accept the report and invoice into the minutes; Mr. Ivanick seconded the motion; all were in favor.

V. Applications:

- **Gomez, 851 Sheppards Mill Road**

Mr. Ritter presented the application for his client, Gomez, for Block 5, Lot 10.05 to certify the pre-existing non-conforming duplex use of the

residential structure which was recently subdivided from a larger lot. Mr. DeSimone swore in both witnesses, Kathleen Gomez, and Robert Brewer. Mr. Ritter reviewed the various exhibits that were submitted to the Planning-Zoning Board. The contract of sale is contingent upon the relief from the Planning-Zoning Board as to the use of the property as a duplex.

Mr. Henry asked if he should recuse himself, as he has retained Mr. Ritter for a matter. Mr. Desimone agreed, and Mr. Henry asked that the record reflect that he has recused himself on this matter.

Ms. Kathleen Gomez testified to concern with being in step with the laws. Both tenants would like to remain. Ms. Gomez testified that each unit has a bedroom and a dining area in addition to the kitchen and bath as well as separate utilities and entrances. There is no interior staircase that connects the two units. It is Ms. Gomez' intention to move into the family manor house upon sale of their residence in Maryland. While they could move into one of the apartments, they would prefer to have paying tenants in the units. It is her understanding that a septic system will need to be installed, as part of the provision of sale; the monies for that system has been built into the sale by Ms. Fenimore, who most recently owned the property. David Lautaret will be replacing the septic system in both this property and the associated Manor House.

Mr. Robert Brewer, former Planning Director, Cumberland County, testified that although a duplex does not appear to be allowed in R-1 zone in Greenwich without a variance, it appears that the property has been viewed as multi-family dwelling by the Tax Assessor in the past. He also noted that the access for the property between floors is consistent with separate units.

The Holly Shores Girl Scout Council at one point owned the property, and at that time it also had two entrances. Mr. Brewer confirmed the need for County Health Department approval of a new septic system before sale, and that new standards would be beneficial due to the building's proximity to the mill pond.

Looking forward, it is his professional opinion that the certificate for pre-existing non-conforming use from the zoning officer (his suggestion as cleaner, a more administrative approach), or a D variance non-conforming use are possible solutions.

Mr. Brewer addressed the testimony in 2013 that claimed the building was a one family home, and its inconsistency with the physical structure.

Mr. DeSimone inquired as to the applicant's envisioning of the tract; Mr. Ritter stated that the purchase of the property in question is contingent upon the Board's decision as to use. Mr. Ritter has not been able to confirm how far back the duplexes were in use. Mr. Ritter also prefers the Zoning Officer certificate of pre-existing non-conforming use as it does not create a precedent for the Township.

Mayor Reinhart echoed concerns that the Township should not create a precedent, and that the septic system must be built.

Mr. DeSimone inquired as to intent to re-lease the property after the leases expire; Ms. Gomez confirmed that is their intent at this time, though it could conceivably change if their family were to expand in the future. It is her preference to have 1 or 2 individuals in each unit; she does not feel the size of the units is appropriate for families.

Mr. Lamanteer noted that the septic systems have been approved. His understanding is that the property has always been a duplex.

Ms. Watson felt that continuing that use without a precedent would be acceptable; Mr. Lamanteer agreed.

Mr. Mangiafico inquired as to the status of the septics; per Mr. Lamanteer, the duplex would not receive a CO if the septic is not installed. Chairperson Watson asked about the time frame for installation. Mr. Ritter explained that the monies are to be escrowed with him, and he is to pay Mr. Lautaret; and suggested that it be included in the resolution.

Mr. Riley made a motion to approve the certificate of non-conformance; Mr. Mangiafico requested adding in the 180 day time-line to the motion. Mr. Riley amended his motion to include such.

Mr. Lamanteer noted that a lot of septic systems are being replaced currently, and that a time restriction could be difficult. Currently the septic is in compliance but will not be after sale. Mayor Reinhart expressed concern that installation could be delayed indefinitely if not in the resolution. Mr. DeSimone suggested that the resolution can allow 180 days, with the option of the applicant to return to the Board for an extension if necessary. Mr. Mangiafico seconded. Mr. DeSimone noted that public comment must be opened before finalizing the vote.

Mr. Lamanteer motioned to open comment to the public and Mr. Ivanick seconded, all in favor. Leslie Gomez spoke, thanking the Board for its consideration, and expressed determination to replace septics in a timely manner; they will also be replacing outside stairwell as well as other improvements.

Ms. Kathleen Gomez inquired if the taxes were different from a single-family dwelling. Mr. Ritter responded that the Tax Assessor is responsible for that determination.

Mr. Reinhart motioned to close comment, second by Mr. Lamanteer, all in favor.

Mr. Riley made a motion to approve as noted above; Mr. Mangiafico seconded. All in favor, with one abstention by Mr. Pisarski and Mr. Henry.

Mr. Lamanteer asked when he should plan on inspecting. Mr. Ritters responded that he would coordinate with him, shortly after April 12th.

- **Waller, 999 Ye Greate Street**

Mr. Waller has a lean-to and a shed currently. He does not have basement for storage, and is in business. He would like to place a building on the property for some of his equipment.

Chairperson Watson inquired as to the setback, as he is located in the Historic District. Ms. Watson stated that a new building must follow setback requirements; Mr. DeSimone concurred, and noted that he would need to apply for a variance if that is the case.

Mr. DeSimone explained the process for measuring setbacks. Mr. Waller confirmed that he has measurements on his paperwork; Mr. DeSimone suggested that a survey may be helpful down the road. It would be built like a prefabricated shed, but Mr. Waller would build it himself. Chairperson Watson and Mr. DeSimone noted that because it is in the historic district, he would need a certificate of appropriateness in order to comply with certain historic ordinances. Two members on the Board are qualified (this is a federal standard) and can review for him. Ms. Watson suggested that a picture of the building he is copying, that would be sufficient; the window and doors, included.

Mr. Waller noted that he would return next month. Chairperson Watson extended the offer to help; she is the Board's Historic Preservation member.

- **6 Pier Road (Rock Haven)** Neal Sheppard, realtor, appeared on behalf of Mr. Henry's widow. He explained that Mr. Henry, who is now deceased, had purchased what was 1 Pier Road, and currently now known as 6 Pier Road. Mr. Henry had applied for necessary septic, which was approved by the County Health Department and subsequently installed. However, electrical permits have not yet been issued by Upper Deerfield Township. Mr. Henry was advised to speak to the Planning Zoning Board to verify the building use before permits can be issued. It is the intention of Ms. Henry to put the property up for sale. As such, they would like to verify the use as a warehouse and verify the septic.

Chairperson Watson requested verification that the size of the septic is based on the square footage of the warehouse, and that currently permission to install two basic restrooms for workers to accompany the septic is needed. Mr. Sheppard confirmed such, noting that the information has been submitted to the Upper Deerfield Township Construction Office, and were awaiting verification of use from the Planning Zoning Board. Due to lack of funds after Mr. Henry's passing, the project cannot move forward, thus sale of the property is necessary. He noted that the desire was for two basic restrooms for workers in the warehouse and for those using the docks.

Mr. Sheppard inquired as to whether there is an application necessary. Ms. Watson noted that it is not in the historic district. Mr. DeSimone asked if the property is zoned marina. Mr. Sheppard replied that it was a special zoning for maritime use and that 40-50 years ago was a shucking house and has been used as a warehouse since. It has never had restrooms, though it had drainage which went directly into the river, that has since been decommissioned.

Mr. Mangiafico inquired as to the zoning of the property. Ms. Watson replied that the zoning is Commercial Recreation (CR). Its history includes marine services and supplies; seafood dealer; boat building, storage, and repair; public and private recreational facilities; activities including fishing, hunting, and boating; incidental food and beverage and a restaurant.

Mr. Riley made a motion to approve the septic; Mr. Pisarski second; all were in favor with one abstention by Mayor Reinhart.

Mr. DeSimone stated that the only issue is that of permitting. Mr. Lamanteer stated that the electrical permitting should now be able to finalize the permit. Mr. DeSimone felt a resolution was appropriate in order to reassure prospective buyers.

- **Hayes, 28 Bacons Neck Road**

Mr. Lamanteer updated the Board. Mr. Hayes had previously come to the Planning Zoning Board for approval for a shed, which was granted. However, Mr. Hayes put in a different size building than was approved and it is right on the property line. Ms. Watson noted that he will need to either move the shed or come in for a variance. Mr. Lamanteer said that he explained that to him. While Mr. Hayes has applied for a construction permit, it does not address the concerns. Both Ms. Watson and Mr. Lamanteer noted that lot coverage is a concern due to the size of the building. Ms. Brecht-Mangiafico said that she had received an email from Ms. Hayes on Thursday informing her that Ms. Hayes had sent the permits to Mr. Lamanteer on Wednesday, and asked if this matter would be discussed at this meeting, to which Ms. Brecht-Mangiafico replied yes and provided the link to the meeting. Neither Mr. or Mrs. Hayes were in attendance. Mr. Lamanteer said that he would send them a letter of violation, as they were aware of the violation. Mr. DeSimone requested that Mr. Lamanteer include mention in the letter that they were aware of the meeting and were provided the link for the meeting but did not attend.

VI. **Resolutions**

None

VII. **Old Business:**

- **Stormwater Control Ordinances**

Per Mayor Reinhart, this is complete except for filing. Mr. DeSimone confirmed that Ms. Garrison, Township Clerk, had it put into ordinance form, which addressed the two issues that needed to be addressed: namely the more restrictive versus the less restrictive development criteria of and that of penalties. Once approved, it will be recorded, and the County will need to be made aware. Mr. Pisarski said that he, at the County level, has not yet received a copy of the ordinance. Once they receive it, they will have 60 days to review it and approve it. Once approved by the County, it will take effect immediately. Mayor Reinhart will check with Ms. Garrison to ascertain status.

- **Vacant Property List Updates**

Mr. Lamanteer said that we are scheduled to go to Court on May 5th with 4 properties and noted that it will be difficult, between requests to demolish, or owners not showing up to court. He also noted that the Thompson's house (1044 Ye Greate Street) was sold and they currently applying for permits for work. There are still several properties that Mr. Lamanteer stated he still needs to check on. Mr. Lamanteer inquired as to 15 Bacons Neck Road and whether it was conditional approval, to which Ms. Watson replied that was her recollection.

- **Potential alternate board member** – already discussed
- **Documents for Checklist** – to be added to the next meeting due to time constraints.

VIII. **New Business:**

Mr. Lamanteer stated that he had a number of emails regarding the Bait Box, who is putting up a canopy for outside dining. That was a result of Covid-19 need to provide outside dining for customers. Mr. Lamanteer confirmed that he has a zoning permit and his construction permits. Mr. Pisarski asked if it required site plan approval. Mr. Lamanteer did not believe so, it is a CR zone and standard use. Mr. Pisarski stated that because it was new construction, it increases the square footage and inquired how that affected parkin. Mr. DeSimone was unsure what state legislative efforts were enacted to address these concerns for businesses during Covid-19, but that many municipalities allowed them in order to keep companies in business. Ms. Watson stated that it was not a tent, but a permitted structure, to which Mr. DeSimone replied it needed approval. Mr. Pisarski said that the structure is concrete piered, within 40' or less of the river; and asked if there were DEP requirements that needed to be met. Mr. DeSimone replied that he should come in for approval. Mr. Pisarski feels that it requires both municipal and county review and approval. Mr. Lamanteer confirmed that it is currently in construction. Mr. DeSimone suggested that it may be wise to hold off on construction until further approval. Mr. Lamanteer will request that he attend the next meeting.

Mayor Reinhart inquired as to a large fence in a yard across from Wood Mansion and asked if it were part of the historic village (Park Drive). Ms. Watson confirmed that it is and that location has double frontage; it should be reviewed. Mr. Lamanteer will contact the property owners.

IX. **Bill Review:**

None

X. **Public Comment**

A motion was made by Mr. Riley and seconded by Mr. Ivanick to open the meeting to public comment. All were in favor.

No public comments were received.

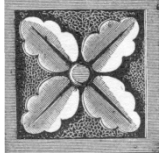
A motion was made by Mr. Ivanick and seconded by Mr. Riley to close public session. All were in favor.

XI. **Adjournment**

On motion of Mr. Riley, seconded by Mayor Reinhart to adjourn, unanimously carried.

Respectfully submitted,

Renée Brecht-Mangiafico
Secretary



Joan Berkey
Historic Preservation Consultant

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Greenwich Township Planning and Zoning Board
Cumberland County, New Jersey

Consultant's Report
Greenwich National Register Historic District
Additional Information and Potential Expansion

March 31, 2021

As of this date I have not yet heard back from Andrea Tingey, the State Historic Preservation Office staffer who is reviewing the nomination which I submitted to her last month. It is not unusual for the SHPO to take several months to review a nomination, particularly one as complex and lengthy as this one.

Respectfully submitted,

Joan Berkey