

**BOROUGH OF WESTWOOD  
PLANNING BOARD MINUTES  
PUBLIC MEETING AGENDA  
REORGANIZATION/REGULAR/WORKSESSION MEETING  
JANUARY 8, 2009**

**1. OPENING OF THE MEETING**

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Reorganization/Regular/Worksession Meeting of the Planning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

**2. PLEDGE OF ALLEGIANCE**

**3. SWEARING IN OF MEMBERS:** Board Members William Martin and Daniel Olivier were sworn in by the Board Attorney. The Board welcomed new member Philip Cerruti, who was sworn in as Alternate #1, filling the unexpired term of Richard Bonsignore, who became a Regular Member.

**4. ROLL CALL:**

**PRESENT:** Mayor Birkner  
Otokar von Bradsky  
William Martin  
Thomas Constantine  
Councilwoman Cynthia Waneck  
Ann Costello,  
Richard Bonsignore  
Jaymee Hodges, Chairman  
James Schluter, Vice-Chairman  
Philip Cerruti (Alt. #1)  
Daniel Olivier (Alt. #2)

**ALSO PRESENT:**

Thomas Randall, Esq., Board Attorney  
Ed Snieckus, Burgis Associates, Board Planner  
Louis Raimondi, PELS, Board Engineer

**ABSENT:** None

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**5. REORGANIZATION MEETING:**

**NOMINATIONS FOR CHAIRMAN OF THE PLANNING BOARD:**

Thomas Randall, Esq. requested a nomination for the position of Chairman of the Planning Board.

A motion to nominate Jaymee Hodges as Chairman of the Planning Board was made by Richard Bonsignore and seconded by Otokar von Bradsky. There were no further nominations.

Upon motion of Richard Bonsignore, seconded by Otokar von Bradsky, all in favor, none opposed, the Board closed the nominations for Chairman. On roll call vote, all members voted yes.

**NOMINATIONS FOR VICE-CHAIRMAN OF THE PLANNING BOARD:**

Chairman Hodges requested a nomination for the election of a Vice-Chairman:

Mr. von Bradsky nominated Ann Costello. Councilwoman Waneck nominated James Schluter. Richard Bonsignore seconded that motion. Mayor Birkner then seconded the motion for nomination of Ann Costello. As there were two nominations made for Vice-Chairman, Mr. Martin asked Mr. Randall for advice on how to proceed in this regard. Mr. Randall advised they can take a roll call separately for each nomination after a second is made. Mr. Hodges commented he did not formally call for a second, but the nominations were seconded. Mayor Birkner made a point of order and commented the second should have been called for procedurally, based on Robert's Rules of Order. Upon Mr. Randall's advice about taking separate roll calls, Mr. Hodges stated the vote would be taken first for Ms. Costello's nomination. Ms. Costello said she would decline the nomination, even though she enjoyed serving as Vice-Chairman, and that she would look forward to serving again if nominated. However, she declined. There were no further nominations.

Upon motion of Mayor Birkner, seconded by Mr. Constantine, all in favor, none opposed, the Board closed nominations for Vice-Chairman. On roll call vote all members voted yes.

**NOMINATIONS FOR APPOINTMENT OF RECORDING SECRETARY FOR THE PLANNING BOARD:**

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Chairman Hodges requested a nomination for the appointment of a Recording Secretary:

A motion to nominate Mary R. Verducci as Recording Secretary for the Planning Board was made by Richard Bonsignore and seconded by Otokar von Bradsky. There were no further nominations.

Upon motion of Richard Bonsignore, seconded by Ann Costello, all in favor, none opposed, the Board closed the nominations for Recording Secretary. On roll call vote, all members voted yes.

**NOMINATIONS FOR APPOINTMENT OF ATTORNEY FOR THE PLANNING BOARD:**

Chairman Hodges requested a nomination for the appointment of an Attorney:

A motion to nominate Thomas W. Randall, Esq. as Attorney for the Planning Board was made by Councilwoman Waneck and seconded by Richard Bonsignore. There were no further nominations.

Upon motion of Otokar von Bradsky, seconded by James Schluter, all in favor, none opposed, the Board closed the nominations for Attorney. On roll call vote, all members voted yes.

**NOMINATIONS FOR APPOINTMENT OF PROFESSIONAL ENGINEER FOR PLANNING BOARD:**

Chairman Hodges requested a nomination for the appointment of Professional Engineer for the Planning Board:

A motion to nominate Louis Raimondi, PELS as Professional Engineer for the Planning Board was made by Ann Costello and seconded by Otokar von Bradsky. There were no further nominations.

Upon motion of Richard Bonsignore, seconded by William Martin, all in favor, none opposed, the Board closed the nominations for Professional Engineer. On roll call vote, all members voted yes.

**NOMINATIONS FOR APPOINTMENT OF PROFESSIONAL PLANNER FOR THE PLANNING BOARD:**

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Chairman Hodges requested a nomination for the appointment of a Professional Planner:

A motion to nominate Burgis Associates, as Professional Planner for the Planning Board was made by Ann Costello and seconded by Thomas Constantine. There were no further nominations.

Upon motion of Richard Bonsignore, seconded by James Schluter, all in favor, none opposed, the Board closed the nominations for Professional Planner. On roll call vote, all members voted yes.

**ADOPTION OF 2008 MEETING DATES:**

Upon motion of Councilwoman Waneck, seconded by William Martin, all ayes on roll call vote, the Board adopted the 2009 Meeting Dates for the Planning Board as attached.

**ADOPTION OF PROCEDURAL RULES & BY-LAWS:**

Upon motion of Mayor Birkner, seconded by Ann Costello, the Board adopted its Procedural Rules and By-Laws for 2009. On roll call vote, all members voted yes.

**6. MINUTES:** The Minutes of **12/4/08** were approved on motion of William Martin, seconded by Otokar von Bradsky and carried on roll call vote. The Minutes of **12/18/08** were approved as amended on motion of Councilwoman Waneck, seconded by Ann Costello and carried on roll call vote. Mayor Birkner had pointed out that on page four regarding the turnout for Pascack Valley Hospital, 2,000 people should be corrected to read 200,000 people;

**7. CORRESPONDENCE:**

**1. Ordinance 08-38 - Development Fee Ordinance -** Mr. Randall advised a copy was sent to COAH for review;

**2. Memo dated 12/15/08 from Burgis Associates RE: Diamond Financial -** Ed Snieckus stated he was in receipt of a letter from applicant's attorney, stating that Lot 45 is not to be included in the application, even though it is shown as being part of the submitted plans.

**3. Email printout dated 1/7/09 from NJPO RE: Mandatory and Advanced Training with forms for registration;**

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**4. NJ Planner for December/January;**

**5. Memo dated 1/2/09 from Armand Marini, Construction Official RE: Delinquent Escrow;**

**6. RESOLUTIONS:**

**1. Dr. David Goldberg Center (applicant) from Puccio - Carver Avenue** - Mr. Randall advised he spoke with applicant's attorney, who informed him they forwarded payment of the escrow deficiency to the Borough in this matter. Councilwoman Waneck suggested getting confirmation from the Treasurer's Office. William Martin noted the Resolution is subject to all escrow fees being paid. The Resolution must be acted upon within 45 days of the approval, in this case from 11/20/08. The Board agreed to proceed and vote on the Resolution. Mr. Raimondi commented the escrows would also have to be satisfied prior to execution of the final plan. A motion for approval was made by Richard Bonsignore and seconded by Ann Costello. On roll call vote, Thomas Constantine, Otokar von Bradsky, Ann Costello, Richard Bonsignore, Daniel Olivier, and Jaymee Hodges voted yes. The remaining members were not eligible to vote.

**7. VOUCHERS:** None

**8. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS:**

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS  
The Board Professionals were sworn in

**1. Diamond Financial LLC - Block 2001, Lots 38, 39, 44, 46, Jones Street, Alvin Street - Subdivision** - See correspondence above; not scheduled for this evening;

**2. Ruth Risman, 701 Broadway, Block 701, Lot 7 - LB Zone Application for Commercial Tenant Approval** - Nancy Saccente, Esq. represented the applicant and stated the application was filed on 12/12/08, but it was inadvertently omitted from the agenda and packages. The Board Professionals were in receipt of the application package. Mr. Raimondi prepared a report dated 1/5/09; however, just the applicant and Mr. Snieckus received it as of this date. Mr. Snieckus did not issue a report, as procedurally he is not required to do so, but he could discuss the application. Mr. Martin noted the Board was already in open session. The Board proceeded as such.

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Ms. Saccente presented the application for the property in the LB Zone across from Kmart. The site is currently vacant and was used as a granite and marble showroom in front and stone in back for countertops, etc. That tenant vacated several months ago. Mr. Risman was present on behalf of Mrs. Risman, via Power of Attorney. He would describe the difficulty in pursuing a tenant for the building, and hence this application is presented to divide up the space into five different spaces. They have one tenant with them tonight, Steve Maciosi, who would occupy 1,500 sq. ft. for a personal training studio in the rear of the building. Their architect was Jon Fellgraff, who prepared plans dated 12/1/08. Thomas Randall, Esq. asked the Board how far they wanted to go with the hearing of the application, and whether this would be considered a worksession. Ms. Saccente commented there was no notice required since it was a tenant application, so they could proceed as a hearing. Mr. Martin suggested hearing the matter in its entirety in public session, there were no other matters on. The Board agreed.

Mr. Raimondi gave his report. There was a site plan prepared by Richard Eichenlaub, Professional Engineer, from 10 years ago. Robert Risman, of Pearl River, NY, husband of the owner of the building, was sworn in. Mr. Raimondi had a question as to how the tenants would enter the site from the rear of the building. Mr. Risman explained you enter into the three doors to a vestibule. Mr. Raimondi wanted to know where the door to the parking lot was, and Mr. Risman said by space 2C. The door opens out. Mr. Raimondi advised he should check the Fire Code, as it may be a violation. Applicant agreed. Mr. Raimondi asked if the parking spaces would be allocated, and the answer was yes. Ms. Saccente said Mr. Maciosi would take four. Mostly they are shared. The gate as shown has been moved.

Mr. Raimondi had questions as to the physical configuration of the parking stalls and the dumpster. He recommended an up-to-date site plan. Mr. Bonsignore agreed and commented he has a file on the history, with revisions to the site plan. It has always been a very controversial site because of the condition of the site plan. Now that it is empty, we should have something that is an exact rendition of the existing conditions. Mr. von Bradsky inquired about a door now removed. This is shown on the site plan, but not on the architect's plan. Again, the Board felt an accurate plan was needed.

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Mr. Martin commented it is important that the documents properly document what is there now. When Mr. Eichenlaub prepared the site plan 10 years ago, there were things missing, and the property has changed since then. This is the same with the architect's plan. There were many tenants that came before the Board, and we have always had the same issue. We are not trying to impose all of the zoning ordinances on them, but we want to see what is there and what is required. Mr. Randall agreed and advised many of these conditions require clarification, given the history of the site. Mr. Martin stated revised plans would be important. Mr. Constantine asked, and Mr. Risman stated the premises have been vacant for three months. Mr. Olivier inquired about photos, and Ms. Saccente explained and distributed same. Mr. Olivier asked how many heating units there were. Each space has its own unit and meter Mr. Risman responded. Councilwoman Waneck asked about signage. Mr. Risman indicated he would use a billboard type signage with directional arrows like his building with multiple tenants in Hillsdale.

Mr. Bonsignore expressed that it is unfortunate, and we will have a time delay, but this building is part of the resurgence on Broadway, and this is because the Board asks for proper drawings. We must be able to see the plan, from tenant to tenant, with exactly what is there. We understand you cannot comply with the ordinances as they exist, but the Board needs to see the exact drawings. Mr. Schluter stated the plans should clearly reflect the egress and ingress. Chairman Hodges asked if there were sprinklers, and Mr. Risman said they are in full compliance. He also asked if he was going to take the signs down from the top of the building. Mr. Risman said they are grandfathered. Mr. Bonsignore said they are unsightly and add to the age of the building. Mayor Birkner had questions about completeness of the plan, particularly pedestrian access, garage doors as they exist, and he is uncomfortable with the parking configuration in the back of the building and would like clarification. Mr. Snieckus asked that the lighting for the back of the building, as well as the fixtures, be shown on the plan.

Ms. Saccente asked if the Board would want to hear from the tenant. Stephen Maciosi, Lincoln Park, NJ was sworn in. He intended to occupy space #5, consisting of 1,500 sq. ft. for a small, personal training facility. There will be no shower, locker room or child care. There would be about three other

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people there, and the maximum parking spaces required are four. The hours are 9-10 a.m. and 5-8 p.m. He has a full time job he works during the day. Mr. Martin commented this is consistent with what we have seen and approved before. Mr. Schluter asked about weekend hours, and the hours would be 9-12 on Saturdays. Councilwoman Waneck asked, and the clients would remain for one hour maximum. Mr. Bonsignore asked, and Mr. Maciosi explained there are no requirements on age, but there would be a waiver, and it is not therapy. Mr. Randall asked if he requires any licenses or approvals to conduct this business. Mr. Maciosi said he is certified in sports medicine and has other secondary certifications. He would have whatever emergency equipment is required by the town. Mr. Hodges asked if there was anything from the Health Department, and Ms. Saccente responded there would be nothing, because it is not a health club.

Ms. Saccente acknowledged the requests of the Board, and they would provide new drawings of the interior and exterior of the premises showing all doors fences, etc., and she will have meetings with the professionals to confirm the documents are what they are looking for. She thanked the Board for the opportunity of being heard. They would return in two weeks. Mr. Martin clarified the Board is looking for a completely new drawing from Mr. Eichenlaub, with no revisions. Ms. Saccente confirmed same. The matter was carried to 1/22/09.

**10. DISCUSSIONS:**

Mayor Birkner announced there would be a Special Meeting on Wednesday, 1/21/09 of the Mayor of Council for the Pascack Valley Hospital at the Community Center. Board Members were invited to attend for support as members of the public.

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approx. 9:40 p.m.

**Respectfully submitted**

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**MARY R. VERDUCCI, Paralegal  
Planning Board Secretary**