

**BOROUGH OF WESTWOOD  
PLANNING BOARD MINUTES  
PUBLIC MEETING AGENDA  
WORK SESSION/REGULAR PUBLIC MEETING  
December 1, 2011**

**APPROVED 12/15/11**

**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 Worksession/Regular 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. ROLL CALL:**

**PRESENT:** Mayor John Birkner  
Jaymee Hodges, Chairman  
William Martin  
Thomas Constantine  
Councilwoman Cynthia Waneck  
James Schluter, Vice-Chairman  
Ann Costello (Alt. #1)  
Keith Doell (Alt. #2)

**ALSO PRESENT:**

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

**ABSENT:** Philip Cerruti (excused absence)  
Richard Bonsignore (excused absence)  
Daniel Olivier (excused absence)

**4. MINUTES:** The Minutes of 10/27/11 and 11/17/11 were reviewed in Worksession and scheduled for adoption at the public meeting on 12/15/11, on motion of Chairman Hodges, seconded by Mr.

(WWPB 12/1/11)

Martin and carried. Mayor Birkner stated he listened to the C/D's of both meetings and signed a Certification.

**5. CORRESPONDENCE:**

1. Letter from Andrew Kohut, Esq., dated 11/28/11 RE: Lipkin Properties, 345 Old Hook Road;

2. Memo from Ed Snieckus, Burgis Associates, dated 10/13/11 RE: Lipkin Properties, 345 Old Hook Road;

**6. RESOLUTIONS:** None

**7. PENDING NEW BUSINESS:**

1. Pascack Valley Health Systems - 250, Old Hook Road - Site Plan Application - Scheduled for 12/15/11;

**8. VOUCHERS:** None

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

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

The Board Professionals were sworn in

1. Lipkin Properties, LLC - 345 Old Hook Rd, Block 2103, Lot 2 - James Schluter recused himself and stepped down from the dais. Andrew Kohut, Esq., of Wells Jaworski & Liebman, represented the applicant. Michael A. Austin, Esq. of Rubenstein, Meyerson, Fox, Mancinelli & Conte, P.A., entered his appearance as attorney for the objector, 333 Professional Plaza Condo Association, located adjacent to the subject property.

Mr. Kohut introduced the application. His client, Dr. Lipkin, is the applicant and contract purchaser. The building he is proposing to purchase needs to be upgraded. His client is planning to open a 4,400 sq. ft. medical office building on this site. They will use existing walls, knocking down additional walls to remain as the additional building footprint before any expansion. Will repave and create 27 parking spaces. They sent their plans to the County, who submitted comments on curb cut and had no issues. There will be an abundance of new landscaping. By reducing the size of the building, they will open up air and space.

(WWPB 12/1/11)

Continuing on, Mr. Kohut stated there are a few variances required. They need 30 parking spaces. Testimony will be given as to operation and scheduling of medical offices. 27 parking spaces will be plenty. Deliveries will be by Fed Express and UPS, so a loading station is not needed. Minor parking offsets. Finally there is a variance for an increase in impervious coverage, existing be approx. 56' and proposed 77'. However, they are adding landscaping and improving drainage. The Board granted an approval about five to six years ago for a total of 8,000 sq. ft., but it was conforming as to parking. There was also impervious coverage in that approval that was slightly above this one. He feels the Board will like this application better. He indicated he would call Richard Eichenlaub, Engineer, and Steven Brossok, Studio 5 Partnership Architects.

Objecting attorney Austin brought up an issue with a discrepancy in impervious coverage in the notice. Mr. Kohut advised they over-noticed on impervious coverage, so it should not be an issue.

Richard Eichenlaub, R.L. Engineering, 24 Wampum Road, Park Ridge, NJ, was sworn in and accepted. His plan was marked A1 and entitled, Site Plan for Lipkin Medical Professional Building, dated 5/27/11. The site is on the South side of Old Hook Road, just East of Carver Avenue, consisting of 20,000 sf, with dimensions of 100 x 200, with frontage along Old Hook and Bergenline Avenues. There is a structure on the northern portion of the lot fronting on Old Hook Road, where there is access to a loading dock and access to a fenced paved area off Bergenline. The site is overgrown. The neighbor to the East is an automotive car wash/oil change shop with a driveway adjacent to them. Because of the width and frontage, it limits what you can build on it, Mr. Kohut added.

Mr. Eichenlaub continued. The current building is located 27' off Old Hook, and they propose a larger setback, eliminating that non-conformity. They are opening up the driveway from Old Hook to Bergenline Avenue for a through entryway. There will be new curbing installed throughout. All parking areas and driveways will be paved according to Borough standards. Both setbacks will exceed the required 40', eliminating the existing non-conformities. Mr. Eichenlaub continued with drainage. The system is designed for a 100 year storm. They have percolation and did test pits. There is sandy material with a decent perc

(WWPB 12/1/11)

rate. Shade trees were discussed, and three are required on site. There is a tree on the property line that may have to be shifted or replaced if necessary. Plantings will be supplemented with lawn area. Also, they will work with the Shade Tree Commission.

Variances were discussed. (a) Loading Zone - Loading spaces would not be necessary since deliveries would be by small van or truck, i.e., UPS, Fed Express. (b) Parking Setback - side parking setback and front parking setback from front property line on Bergenline will require a 1.5' variance for bumping out the spaces and also side parking setback. (c) Parking spaces - 30 required; 27 provided. (d) Impervious coverage as stated.

Mr. Eichenlaub addressed Mr. Raimondi's report dated 10/26/11. There will be no increase in the basement size. He continued with drainage. Mr. Raimondi noted that memo dealt with drainage, and there was another report dated 10/6/11. Mr. Eichenlaub noted he was not opposed to the items listed. Mr. Raimondi commented there should not be parking in the front of the building for emergency purposes. Mr. Eichenlaub as to parking noted the prior doctor's office never filled up the parking lot. The 100' width brings them down to what is allowed here. There are no detriments to the public good. It is a betterment to the site. If you drive by, it is overgrown and in dire need of repair and attention. Under this proposal, this will be taken care of. There are no substantial detriments to the zone plan, and it will be a huge improvement.

A motion to go into public session was made by Ms. Costello, seconded by Mr. Martin, and carried. The Board Professionals were sworn in.

Louis Raimondi reviewed his reports, first that of 10/6/11. He questioned Mr. Eichenlaub on the site plan, particularly as to the footings and/or walls that will remain. The walls easterly and southerly, along with the existing wall line that was part of the original building prior to the addition on the westerly side, will remain. Those all have footings underneath them. There was an addition off the front of the building, and his understanding is that there are footings underneath that. 50' x 90' was the original structure, and there are footings underneath. Mr. Raimondi commented that establishes the setback on the southerly side yard. His concern was if the existing

(WWPB 12/1/11)

hookups could be utilized. Mr. Eichenlaub did not see a problem. Mr. Raimondi asked him to indicate this on the plan. He inquired about where delivery trucks would park, and Mr. Eichenlaub responded since it would take a couple of minutes, they would park in the aisle. Mr. Raimondi expressed concern about emergency vehicles and felt it should be explored and studied further. Also, one spot should be left open for emergencies. Mr. Eichenlaub responded it would reduce their parking further and increase the variance they are seeking. The County approved the driveway with a slight curve, Mr. Eichenlaub indicated, per Mr. Raimondi's inquiry. Mr. Raimondi asked if they would consider moving the handicapped spaces slightly. They discussed maneuverability and other parking options. Notes on the plan were questioned as to County road work. Mr. Raimondi asked about lighting. Mr. Snieckus commented decorative lights would be in the internal parking area. Mr. Raimondi's questions were concluded for now.

Ed Snieckus reviewed his report dated 10/13/11 next. He asked about the use of the basement. Mr. Eichenlaub responded the architect would address same. They are proposing a sidewalk on the frontage, with two ramps, just as a continuance from adjacent property, but there are no sidewalks to the East. Signs would also be addressed by the architect. Mr. Snieckus commented a speed bump should be considered. There was a concern about drainage in regard to same. Mr. Snieckus asked about C1 proofs and also, how impervious coverage could be reduced. Mr. Eichenlaub responded they would have to reduce parking stalls, noting they have more parking spaces than needed. Mr. Snieckus suggested the Board could consider this building be occupied by a more intensive use if these variances are granted. Mr. Kohut responded no matter what doctor goes in there, they will be short three spaces, or 10%, and that can be accommodated by the on-street parking on Bergenline Avenue. Mr. Snieckus discussed and recommended shade trees, which would be provided, per Mr. Eichenlaub. Mr. Snieckus had no further questions at that time.

Board questions followed. Mr. Martin suggested taking down a little more than 40% of the building to allow for a more functioning parking area. The interior wall of the building that is being preserved could be taken down. Mr. Eichenlaub stated these were the parameters that were given to him. Mr. Martin commented they are not set in stone. The architect would discuss this further. Air conditioning units would be screened,

(WWPB 12/1/11)

it was stated. Mr. Martin asked if there was going to be a planner to address the planning issues. Mr. Kohut would provide same, if necessary. Mr. Martin noted they have not shown any enhancements or improvements to the aesthetics, and would want to hear planning testimony in this regard in support of the variances they are seeking. For a temporary loading space, Mr. Martin asked if a parking space in the North could be pushed forward to make room for a delivery vehicle. Mr. Constantine commented he would also like to see the parking space in the front of the building left open. Councilwoman Waneck agreed, stating it would be an easy way for pedestrians to come into the building from the parking lot. Mayor Birkner commented his question about taking away an additional part of the existing building was answered. Chairman Hodges asked about drainage and site grades, which Mr. Eichenlaub stated was adequate.

Objecting attorney Austin questioned Mr. Eichenlaub as to parking spaces, noting they are deficient four spaces. Mr. Eichenlaub's responded it is three vehicular spaces and one loading space. He further asked about measurements from the curb, snow removal and number of doctors. The architect would provide further information as to breakdown of occupancy. The attorney suggested removing about 1,000' from the building to clear up the impervious coverage issue. Mr. Austin questioned on-street parking, and overflow of parking onto his client's property. Mr. Eichenlaub commented he has never seen bumper-to-bumper parking, and there is always ample parking on the subject site. One of the condominium association members came forward and wanted to address questions.

The Board took a five minute recess at approx. 10:10 pm.

Upon reconvening, Mr. Austin raised a concern that if the Board grants the variances, a more intense use could move into the building. Lastly, Mr. Austin also asked about access for emergency vehicles. There were no further questions, comments or discussions.

The matter was carried to 12/15/11 with no further notice. Mr. Kohut would look into providing planning testimony.

James Schluter returned to the dais.

## **10. DISCUSSIONS:**

(WWPB 12/1/11)

**1. Master Plan Periodic Re-Examination Report - Review of final report dated 11/18/11 as amended at last hearing on 11/17/11- Presentation by Ed Snieckus, Burgis Associates**

Ed Snieckus gave an overview of the changes and/or additions, stating that the Board reviewed the Master Plan Re-examination document dated 11/3/11 at the last meeting and requested the document be amended. Per that request, he amended the document, now dated 11/18/11. The hearing for tonight was properly noticed. As we are still in public session, the Master Plan hearing may continue.

Mr. Snieckus reviewed the change made on Page 36, Goal #12. There were no questions. Mr. Martin commented the change to the policy statement was done very well. The next change was on Page 39 as to number of sheds and/or garages limited to two. Mr. Martin suggested clarifying same to tighten the language. It should read sheds and garages as opposed to sheds and/or garages. Mr. Snieckus would make a change here. Page 45, Recommendations for LB1-3, was amended at Section 195-122D, as to conditional permitted uses to add pharmacy/drug store drive-throughs. There were no questions. Mr. Snieckus asked if mixed use as a conditional use should be also permitted in the LB2 zone. Councilwoman Waneck and Ms. Costello did not want to see it in LB2. Mr. Martin felt it should remain and be left to the Governing Body and Board to consider it. Correspondence had been submitted by Mr. Heck that language was so limiting, which led to discussing these other options. It should be left up to Governing Body. Is there any danger to leaving it in, he asked. Mr. Snieckus indicated it could be used against us, so the conditional requirements and appendix language should be left for a future time to avoid the issue. Mr. Schluter also agreed it should be left in.

Those were the nature of the changes, Mr. Snieckus concluded, and he outlined the changes to the Appendix on pages 55, 56, 62, and 65. The Board can now adopt this document. Mr. Martin asked about architectural guidelines. Mr. Snieckus said they could make it a special type of element as a recommendation. Councilwoman Waneck recommended adding it later, rather than incorporating it right now, when it has not been reviewed by the Board or Counsel. Chairman Hodges asked Mr.

(WWPB 12/1/11)

Snieckus if he could email the document to the Board. There were no further questions.

A motion to approve the Master Plan Reexamination Report dated 11/18/11 with the changes as discussed was made by Mr. Martin and seconded by Mr. Doell. On roll call vote, Mayor Birkner, Mr. Martin, Mr. Constantine, Mr. Schluter, Councilwoman Waneck, Ms. Costello, Mr. Doell, and Chairman Hodges voted yes.

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approx. 10:50 p.m.

**Respectfully submitted,**

---

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