

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MINUTES  
February 1, 2016**

**APPROVED 3/7/16**

**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 and Regular Meeting** of the Westwood Zoning Board of Adjustment.

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

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL:**

**PRESENT:** William Martin, Chairman  
Eric Oakes, Vice Chairman  
Matthew Ceplo  
H. Wayne Harper  
Marc Truscio  
George James  
Cynthia Waneck  
Michael Klein (Alt #1)  
Anthony Zorovich (Alt #2)

**ALSO PRESENT:** David Rutherford, Esq., Board Attorney  
Louis A. Raimondi, Board Engineer  
Steve Lydon, Burgis Associates,  
Board Planner

**ABSENT:** None

**ENGINEER RFQ SUMMARY REPORT and  
NOMINATIONS FOR APPOINTMENT OF PROFESSIONAL ENGINEER FOR  
ZONING BOARD:** Chairman Martin advised the Committee would now report its findings and the Board would proceed to a vote:

**Results of the Committee for Selection of Engineer and Review of RFQ's:**

Mr. Oakes reported they reviewed the two engineering firms, Louis Raimondi and Boswell Engineering, starting with their technical capabilities and certifications, and what Boards they were members of. For example, Mr. Raimondi has been on multiple boards since 1975, whereas Boswell Engineering has been on local boards since 2001. Mr. Raimondi has served in various municipalities and in the State of New York, and Boswell has served in several communities, but not in New York.

The companies as they are made up were analyzed. Louis Raimondi is a sole proprietorship; Boswell has 200 employees. The things that started to catch their eye as they got further into the grid of the RFQ's, was the actual costs and fees of the engineering firms. Lou Raimondi's fee was \$125. per meeting, based on 12 meetings of three hours each, and that comes out to just \$1,500. per year, whereas Boswell listed \$164. per hour (project manager rate), based on 12 meetings of three hours each and over the year the fees were over \$5,904 per year.

As for escrow monies that applicants have to put up - Lou Raimondi has a flat fee \$175. per hour, whereas with the larger firm, Boswell, they have a multiple list of menu titles where the application can fall under, with amounts ranging from \$79. to \$216 per hour. The applicant could have a couple of items that are needed and under this allocated list, they could be charged in excess of that amount.

The other piece that was very important was participation, attending the meetings and knowledge of the Zoning Board meetings themselves, which is extremely important. With Mr. Raimondi, it has always been Lou attending, and if was absent, he would have a full-fledged engineer attend the meeting. Boswell states they will always have someone here, but they do not identify one consistent person, so we are unsure who will attend.

Other items such as understanding the Westwood Master Plan were looked at. From a Zoning Board perspective, Lou Raimondi has had more time on the Board and is more informed. Boswell has been on the Planning Board for a bit and knows that side. However, they did not see how Boswell would fit in on the Zoning Board side. Boswell has a broader range of

skills because of the larger firm, but with that brings a greater cost.

Last points of clarification were that Lou Raimondi's escrow fees were very straightforward, where Boswell's escrow fees varied in costs. Also, with Boswell, the Zoning Board cannot be sure if it would get a dedicated engineer and what the experience would be. With Boswell there was a variation in services and unspecified costs to the applicant for escrow fees. Those points needed clarification from Boswell.

Mr. Oakes' presentation was complete, and he thanked Mr. James and Mr. Klein for their thorough input and power point presentation that Mr. Klein prepared. Mr. James stated Mr. Klein took a lot of time putting the presentation together for the Board and thanked him as well.

Chairman Martin commented the report and presentation were very well done and asked if there were any questions. There being none, the Chairman then called for a nomination for Zoning Board Engineer.

**Nominations for Professional Engineer for the Zoning Board:**

Upon nomination by Eric Oakes, seconded by Cynthia Waneck, with no further nominations, **Louis A. Raimondi was nominated to continue as Professional Engineer for the Zoning Board.** (It was confirmed that committee members are qualified to make the nominations and motions)

Upon motion of George James, seconded by Wayne Harper, the Board closed the nominations for Professional Engineer for the Zoning Board. On roll call vote, Eric Oakes, Matthew Ceplo, Wayne Harper, Marc Truscio, George James, Cynthia Waneck, Michael Klein, Anthony Zorovich, and William Martin voted yes.

Mr. Raimondi thanked the Board for its vote of confidence and for continuing as engineer for another year.

**ADOPTION OF PROCEDURAL RULES & BY-LAWS:** A motion for approval was made by Eric Oakes, seconded by Marc Truscio, and carried unanimously on roll call vote.

**ADOPTION OF THE ANNUAL REPORT OF THE ZONING BOARD FOR 2015:** A motion for approval was made by Eric Oakes, seconded by George James, and carried unanimously on roll call vote.

**4. MINUTES:** A motion to approve the Minutes dated **1/11/16** was made by Eric Oakes, seconded by Michael Klein, and carried unanimously on roll call vote.

**5. CORRESPONDENCE:**

**1. Letter from Neil Volant RE: CVS Parking Issues -** Neil Volant, 8 Ryan Place, Westwood, submitted a letter with respect to concerns as to certain wording in the CVS Resolution as to parking. Mr. Volant read from the 7/12/10 Resolution, stating long-term, commuter parking was excluded. The parking lot is always full. If you go into CVS when there are just five people in there, there is no place to park in the lot. Mr. Volant recommends and requests the wording "or" be inserted between the words "long-term" and "commuter parking". Chairman Martin called for any questions or comments. On discussion, the Chairman noted this would not be changing, but rather clarifying the language in the Resolution. Chairman Martin deferred to Board Attorney Rutherford for the clarification. Mr. Rutherford advised he would write a letter to Mr. Marini and copy CVS, setting forth what the Board's intentions were in the Resolution. Mr. Rutherford would review the language with Mr. Martin and Mr. Oakes, Vice-Chairman. Ms. Waneck expressed concern as to who would be responsible for enforcement. Mr. Martin noted they did not want to open up the application, and Mr. Rutherford advised the Board would have the right to impose how long the parking can be in place. He will also express that the applicant does have the right to control use of the parking lot, that it not be used exclusively by CVS, and that CVS has the right to regulate no long term and commuter parking. No one was opposed to this. At the March meeting, the Board would vote on changing any wording.

**6. VOUCHERS:** Upon motion of Eric Oakes, seconded by Wayne Harper, all ayes on roll call vote, **the Board approved Vouchers totaling \$1,350.00.**

**7. RESOLUTIONS:**

**1. Center Square Plaza, 142 Westwood Avenue & 301 Center Avenue - Block 808, Lots 3, 10, 16 & 17 -** Board Attorney Rutherford read the Resolution of Approval into the record. A motion for approval was made by Eric Oakes and seconded by Wayne Harper. There were no further questions, comments or discussion. On roll call vote, Eric Oakes, Matthew Ceplo,

Wayne Harper, Marc Truscio, George James, Cynthia Waneck, and William Martin voted yes.

**2. Thank you Resolution for Guy Hartman** - Board Attorney Rutherford read the Resolution of Approval, acknowledging and thanking Guy Hartman for his years of dedicated service to the Board, into the record. A motion for approval was made by George James and seconded by Wayne Harper. On roll call vote, all members voted yes.

**8. PENDING NEW BUSINESS: None**

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

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

**1. Care One, 300 Old Hook Road, Block 2001, Lot 64.01- Not heard;** Carried to the 3/7/16 meeting at request of applicant with time extension granted;

**2. Oberg, 400 (410) Lafayette Ave, Block 301, Lot 7 - Not heard;** Carried to the 3/7/16 meeting;

**3. Vassallo, 71 Sixth Avenue, Block 902, Lot 5 - "C" Variance** - Mark D. Madaio, Esq. represented the applicant and gave an overview of the application. The property is 4,600 sf and 7,500 sf is permitted. After purchasing the home a contractor performed basic upgrades such as siding and cleanup. The driveway is such that if you park two cars side-by-side, and you opened the driver's side door, you were in a flower bed. A contractor put up concrete pavers to avoid this and a walkway to gain access to the kitchen door. Those two things resulted in 161 sf too much coverage. The property is just over half the required size and meets the FAR requirements. It is a small, undersized lot, but he has a small home. The coverage is allowed to be 40%, but is 43% after replacing the mud with some paving. So it is 161 sf over. The parking space exceeds the width of the garage, and coverage exceeds the limit, Mr. Martin clarified as the reasons for the variance.

Michael J. Hubschman, Licensed NJ Engineer, was sworn in and testified they are 161 sf over, or 3.47% over, in coverage. It is an undersized lot. This and one other lot across the street are the smallest lots on the block. To

have a two-car driveway is beneficial, since it is tough to park in the road. There is not a lot of safe parking in the roadway, Mr. Hubschman explained. It is very minor; no structures are created, and no additional drainage is required. This helps the neighborhood, and there are no safety issues.

Questions of the Board followed. Mr. Oakes and Mr. Raimondi had a coverage question. Mr. Lydon asked if there were three parking spaces. Mr. Hubschman responded Mr. Vasallo parks one vintage car in the garage and two in the driveway. There are two bedrooms. Mr. Harper and Ms. Waneck had questions. Leaders and gutters spill out to the lawn area and are not changed. The wheels are not on the pavers. There is a three foot strip so you can step out onto something when you exit the vehicle that is not mud and grass. Chairman Martin commented if this coverage existed on a conforming lot it would be in conformance. Thus the variance is warranted. Mr. Hubschman agreed. The lot is narrow and irregular, and that is also a factor. There were no further questions, and no interested parties. The Chairman commented Mr. Hubschman covered the application well.

The matter was opened to the public, but there were no questions or comments. Board comments followed and were favorable. There were no other concerns. The Chairman commented he passes the house every day. It is a very nice home, and he agrees the shape of the lot and size have impacts here. A motion for approval was made by Eric Oakes and seconded by George James. There were no further questions, comments or discussions. On roll call vote, Eric Oakes, Matthew Ceplo, Wayne Harper, Marc Truscio, George James, Cynthia Waneck, and William Martin voted yes.

**4. Hall, 60 West End Avenue, Block 410, Lot 26 - "C" Variance** - Still incomplete/carried to next meeting; no additional notice required;

**10. DISCUSSION: None**

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approx. 9:03 p.m.

**Respectfully submitted,**

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(ZB 2/1/16 Regular Meeting Minutes)

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