

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MINUTES  
April 4, 2016**

**APPROVED 5/2/16**

**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  
Cynthia Waneck  
Anthony Zorovich (Alt #2)

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

**ABSENT:** George James (excused absence)  
Michael Klein (Alt #1) (excused absence)

**4. MINUTES:** A motion to table the Minutes of **3/7/16** was made by Eric Oakes, seconded by Wayne Harper, and carried unanimously on roll call vote.

**5. CORRESPONDENCE:** None

6. **VOUCHERS:** Upon motion of Eric Oakes, seconded by Wayne Harper, all ayes on roll call vote, **the Board approved Vouchers totaling \$16,168.13.**

7. **RESOLUTIONS:**

1. **Estate of Lisa Barbour, 164 Mill Street, Block 306, Lot 20 - Section 68** - 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, and William Martin voted yes.

8. **PENDING NEW BUSINESS:**

1. **Joachim, 40 Clinton Place - Bulk Variances** - Not complete; carried to 5/2/16 under pending new business;

2. **WestMack - 355 Kinderkamack Road - D6 Variance & Site Plan** - Coming from Planning Board; Completeness unknown; Carried to 5/2/16 under pending new business;

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 5/2/16 meeting at request of applicant; Cynthia Waneck must listen to C/D 3/7/16, and Anthony Zorovich 12/7/15.

2. **Oberg, 400 (410) Lafayette Ave, Block 301, Lot 7** - Ira Weiner, Esq. represented the applicant, appearing on behalf of John J. Lamb, Esq. Gary Vander Vere, PE, of Azzolina & Feury Engineering, continued under oath and testified as to plan revised to 3/21/16, marked Exhibit A5. Sheet 3 had the bulk of the changes, including drainage and underground detention system to accommodate the increased runoff. A drainage report was also submitted to document same. The driveway will be the construction point access. Mr. Raimondi asked if the water company agreed to put in a new meter. Mr. Vander Vere said they had not yet communicated with them, but felt they would provide this. As for overhead lines, would they go to the overhead right corner, Mr. Raimondi asked, and

he responded yes, but if the utility company did not agree, they would have to go underground. The changes were outlined in a letter from Mr. Vander Vere to the Board dated 3/22/16.

Mr. Montalbano came forward and was sworn in. He was the contractor and explained the reason for the window well, although he would prefer a railing. There would be flexibility. Mr. Vander Vere continued. For the reasons stated the applicant's attorney requested that the application be approved and variances granted.

Board discussion followed. Mr. Lydon was asked to give an overview of the variances for maximum front yard and steep slopes. Favorable comments were made. They are working with the current conditions and topography of the lot. There were no further questions, comments or discussions.

A motion for approval was made by Eric Oakes and seconded by Wayne Harper, with conditions as stated. On roll call vote, Eric Oakes, Matthew Ceplo, Wayne Harper, Marc Truscio, Anthony Zorovich, and William Martin voted yes.

**3. Hall, 60 West End Avenue, Block 410, Lot 26 - "C" Variance** - L. Scott Berkoben, Esq.. represented the applicant and submitted plans and application to the Board in ample time to proceed. He submitted the notice and publication documents, which Mr. Rutherford found to be in order. Andrew Fethes, Architect, was sworn in and testified to plan dated 3/24/16 and indicates the scope of the project - a deck, patio and shed, all connected. They propose to expand the deck with a 15 x 15' patio, and a 9 x 12 shed in the back corner. They are seeking four variances, side yard, combined side yard, impervious coverage, and building coverage. The deck is private, the patio is at grade and the shed is in the back - there are no impacts to the neighbors or to the zoning. The benefits outweigh the detriments. The advantages are that it will allow the owners to entertain and gain more use of the sunnier side of the property and use garage space for parking in keeping with the zoning laws. The neighborhood has similar size yards and general consistency with most neighborhoods. It enhances the neighborhood in keeping with the zoning plan of the Borough.

Mr. Raimondi noted the width of the existing driveway is wider than the garage and asked whether a variance was needed. Mr. Lydon did not mention it in the memo since they are not doing anything with it. This was existing before the driveway

ordinances came into effect. It would be a non-conforming situation and not affected in any way.

Mr. Martin asked, and Mr. Raimondi responded there were no issues with respect to drainage. Ms. Waneck expressed concern about the size of the patio and impervious coverage, and could additional concrete be removed. Mr. Hall confirmed the need for the size of the patio. Mr. Fethes explained they left enough room to walk around and a family member is in a wheelchair, so they need a solid paved surface for the family member to gain access to the back. Chairman Martin commented this makes sense to him, and this would not detract from the zoning in any way and it was confirmed there are no drainage issues. There were no interested parties in the public.

Board discussion followed. Mr. Lydon commented it is a "C1" hardship variance. There were no further questions, comments or discussions.

A motion for approval was made by Eric Oakes and seconded by Wayne Harper, with conditions as stated. On roll call vote, Eric Oakes, Matthew Ceplo, Wayne Harper, Marc Truscio, Anthony Zorovich, and William Martin voted yes.

**4. Morrison, 5 Lewis Place, Block 1802, Lot 8 - Bulk Variances** - Plans and Notice are needed; Scheduled for 4/4/16;

**10. DISCUSSION: None**

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at 11:00 p.m.

**Respectfully submitted,**

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