

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
PUBLIC MEETING AGENDA
WORKSESSION/REGULAR MEETING
September 10, 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 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 Birkner
Otokar von Bradsky
Richard Bonsignore
Councilwoman Cynthia Waneck
William Martin
Ann Costello
Jaymee Hodges, Chairman
Daniel Olivier (Alt. #2)

ALSO PRESENT:

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

ABSENT: Thomas Constantine (excused absence)
James Schluter, Vice-Chairman(excused absence)
Philip Cerruti (Alt. #1) (excused absence)

4. MINUTES: The Minutes of 7/23/09 were reviewed and approved on motion made made by Mr. von Bradsky, seconded by Ms. Costello and carried unanimously on roll call vote.

Richard Bonsignore stated he listed to the tape of the 7/23/09 meeting and signed a Certification.

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The Meetings of 7/9/09, 8/13/09 and 8/27/09 were canceled due to lack of applications to process.

5. CORRESPONDENCE:

1. Letters from Louis A. Raimondi, P.E.L.S., dated 7/27/09 RE: Diamond Financial and Pompilio's Pizza; and 8/10/09 RE: Oak Realty Associates, with attachment;

2. Memo from Louis A. Raimondi, P.E.L.S., dated 9/9/09 RE: Hoff/Werner;

3. Memo from Robert S. Hoffman, Borough Administrator, dated 9/4/09 RE: Hoff/Werner;

4. Memoranda from Burgis Associates dated 8/7/09 RE: Pompilio's Pizza and 8/18/09 RE: St. Mark Zion Church;

5. Interoffice Memo from Robert Hoffman, Administrator, dated 9/3/09 RE: Change in hours for Zoning Officer, James Strabone;

6. Letter from Donald Nemcik, Esq. dated 8/17/09 RE: Pompilio's Pizza;

7. Letter from Paul Kaufman, Esq. dated 8/27/09 RE: Diamond Financial;

8. Letter from Boswell Engineering dated 8/27/09 RE: Hoff/Werner Major Subdivision;

9. Letter from Scott Berkoben, Esq. dated 8/31/09 RE: Hoff/Werner Major Subdivision;

A Motion to go to public session was made by Mr. Martin seconded by Mr. von Bradsky and carried.

6. RESOLUTIONS:

1. **Oak Realty Associates, 354 Old Hook Road, Block 2210, Lot 4 - Application for Site Plan and Variance Approval** - The Board Attorney read the Resolution of Approval into the record. A motion for approval was made by Ann Costello and seconded by Mayor Birkner. There were no further questions, comments or discussions. On roll call vote, Mayor Birkner, Ms. Costello,

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Councilwoman Waneck, Mr. Olivier, and Chairman Hodges voted yes. The remaining members present were not eligible to vote.

7. **VOUCHERS:** None

8. **PENDING NEW BUSINESS:** None

9. **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 & 46, Jones Street, Alvin Street -Subdivision-**(Scheduled for 9/24/09);

A motion to return to Worksession was made by Mr. Martin seconded by Ms. Costello and carried

10. **DISCUSSION:**

1. **Delinquent Escrow Accounts** - Mr. Raimondi discussed the escrow accounts and suggested Stefanie Stokes should investigate the amount of delinquent escrow accounts and report to the Board at the next meeting.

2. **Hoff/Werner** - Scott Berkoben, Esq. appeared and reviewed the history of the matter, heard in 2008, and the extension granted. Certain conditions were to be met prior to release of the signed Mylar, including the execution of a Developer's Agreement. It took considerable time to meet the conditions. They are now requesting an extension to and confirmation from the Board that the Mylar may now be recorded.

Mr. Randall advised that certain changes were made. Mr. Martin noted an executive order has been signed by the Governor extending approvals indefinitely. Mr. Randall said regardless of everything discussed, they still need a date on the mylar. Mr. Berkoben requested the Board authorize them to fill in a date. Mr. Martin suggested an extension of six (6) months to complete the task. Mr. Berkoben would agree. It was noted that nothing expired.

Mr. Martin made a motion that the Board grant the applicant an extension of time of six (6) months to 3/10/10 to fill in the date and file and record the map. Mr. Raimondi advised a Developer's Agreement must be signed before work is commenced.

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Mr. Snieckus commented usually a Board would look to see if there are any significant changes, and here the applicant is in compliance, and there are no significant changes. The motion was seconded by Ms. Costello and carried unanimously on roll call vote.

Councilwoman Waneck asked to address the Memoranda submitted to the Board. The Contract Purchaser, Scott Jezequel, 70 Oak Ridge Road, Ramsey, NJ, came forward in a worksession format. Mr. Raimondi commented per his Memo dated 9/9/09 and recalled that the cul-de-sac is to be removed and replaced with curbs straight through. All work to be done is to be done by the developer. Mr. Jezequel stated he signed a Developer's Agreement with the Borough. Mr. Raimondi stated the map and construction drawings call for removal of the cul-de-sac. Mr. Jezequel stated it would look better eliminating the cul-de-sac and making the street go straight through. A discussion continued regarding storm drain and sanitary sewer. Mr. Jezequel agrees with what is on the plan and wants to build what was agreed to. Councilwoman Waneck would bring the comments back to the Council.

Ms. Sauer from the Shade Tree Committee was present, came forward and discussed the trees required and requested to be removed. One was damaged and had to come down. Mr. Jezequel stated he would attend a meeting of the Shade Tree Committee to discuss same further. The Board thanked him for coming in, and they departed.

Ms. Sauer came forward with questions about plans in general and requested a set of plans for the Committee.

Ed Snieckus asked if any correspondence was received from COAH, and there was none.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 9:25 p.m.

Respectfully submitted

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