

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
WORKSESSION/PUBLIC MEETING
February 14, 2013**

APPROVED 3/14/13

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/Public 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: William Martin
Thomas Constantine
Daniel Olivier
Councilmember Ray Arroyo
Philip Cerruti, Vice-Chairman
Jaymee Hodges, Chairman
Ann Costello (Alt. #1)
Keith Doell (Alt. #2)

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney
Ed Snieckus, Burgis Associates, Board Planner
By Donna Holmqvist
Louis Raimondi, Brooker Engineering,
Board Engineer, By Eve Mancuso

ABSENT: Mayor Birkner (excused absence)
Richard Bonsignore (excused absence)

4. MINUTES: The **Minutes of 1/24/13** were scheduled for approval at the public meeting.

5. CORRESPONDENCE:

(WWPB 2/14/13 Worksession Minutes)

1. Review Comments of Louis Raimondi, dated 1/21/13 RE: Ginger and Cream;

2. Review Comments of Ed Snieckus dated 2/7/13 RE: Ginger and Cream;

3. Letter from J. Lamb, Esq., dated 2/11/13 RE: James Gemmato regarding perfection of subdivision approved in 2006, under the Permit Extension Act;

4. Save the date Notice for the Bergen County Bar Association Annual Land Use Symposium on 4/20/13'

6. RESOLUTIONS:

1. Pascack Valley Health Systems, 250 Old Hook Road - Sign Discrepancy - Board Attorney Randall gave an overview of the resolution of approval. A motion for approval was of the Resolution was made by Ann Costello, and seconded by Thomas Constantine. There were no further questions, comments or discussions. On roll call vote, Thomas Constantine, Phillip Cerruti, Dan Olivier, Councilmember Ray Arroyo, Ann Costello, Keith Doell, and Jaymee Hodges voted yes. William Martin was not eligible to vote.

7. PENDING NEW BUSINESS: None

8. VOUCHERS: A motion to approve vouchers totaling **\$912.50** was made by Ann Costello, seconded by Keith Doell and carried unanimously on roll call vote.

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

The Board Professionals were sworn in

1. Ginger and Cream of Westwood, Inc., 350 Center Avenue, Block 807, Lot 17 - Site Plan with "C" Variance - This a new use besides the expansion of 350 Center Avenue, Chairman Hodges noted.

Ed Snieckus stated the company that is the landlord in this application is different from the landlord that owns the building that Burgis Associates leases space, so that he is

(WWPB 2/14/13 Worksession Minutes)

disclosing this, but will not be recused. This was concurred by the Board.

Applicant was represented by John J. Lamb, Esq., who remained in the audience for the Worksession review by the Board. A transmittal letter dated 2/12/13 explained the applicant was not applying for an expansion of the business, at 350 Center Avenue, which recently received approval. That business does not provide "plus size" clothing; and therefore, it is the applicant's intention to open a new business at 356 Center Avenue that caters to "plus size" clothing.

Mr. Snieckus gave a brief overview of the minor site plan and C variance application and reviewed his report dated 2/7/13. They will be using the driveway in the southeastern corner of the property to access the site. There is a carport that will be removed. The existing site has a pre-existing, non-conforming front yard setback due to a porch, which they propose to enclose, resulting in an 8.7' variance, where 20' is required and 12.5' is existing. The minimum side yard setback requires a variance of 5.0'/49.1%, where 10/20' is required and 14.7'/64% is existing, and there may be a rear yard setback variance. The maximum impervious coverage requires variance relief of 77.57%, where 60% is required and 69.11% is existing. Parking variance relief and parking for disabled persons variance relief is required. Mr. Martin commented the Board cannot grant variance relief or the latter, and Ms. Mancuso concurred that the Board does not have jurisdiction to do so. There was no signage proposed. The proposed loading space does not meet the threshold and applicant should provide testimony as to deliveries, loading and unloading.

Board commentary followed. Mr. Martin said removal of the non-conforming, two-family use and convert the building into a retail use is a great improvement and a positive aspect. Councilmember Arroyo raised a question on pervious coverage. Eve Mancuso commented many of the ordinances did not address the new impervious pavement yet. It addresses the stormwater management need, but does not address the aesthetics or green area. She would not endorse a lot of pervious pavement for the reason that you are removing the ability to buffer the site, add landscaping and green area, although she appreciates parking is a premium, and therefore it is a balancing act between the two.

(WWPB 2/14/13 Worksession Minutes)

Ms. Mancuso reviewed the report of Mr. Raimondi dated 1/21/13, in connection with the architectural plans and site plan and discussed the 17 comments to be addressed. A signed and sealed survey is required. The Zoning Chart should specify how lot depth was calculated and that variances are required for side and rear yard parking offsets. Parking stall sizes of the three on-site parking spaces should be required. The easement to Lot 17 should be addressed. The plan should identify the limits where existing pavement is to be removed and reconstructed. The plan should also indicate that any public sidewalk areas in disrepair will be removed and reconstructed in accordance with Borough specification. Elevations are required. Also, since the carport was removed, she would suggest additional landscaping. The seepage pit cover should be an open grate. All roof leaders are to be located on the plan. Applicant will be responsible for obtaining all permits from outside agencies.

Ms. Costello had questions about the pervious material. Mr. Martin commented he did not have good experiences with it, and he did not recommend using it. Also a fire sprinkler system will be required. Chairman Hodges commented the building at 350 Center Avenue has a full sprinkler system according to Code.

Mr. Lamb had brief comments. The matter was scheduled for public hearing at the next meeting, 2/28/13.

2. James Gemmato - Mr. Lamb addressed the Board per his letter of 2/11/13, regarding the request for execution of the subdivision map or subdivision deed pursuant to the Permit Extension Act. The Board approved a minor subdivision on 10/26/06; however, it was not perfected by filing the subdivision map or execution of a subdivision deed. Pursuant to the Permit Extension Act, and for reasons stated, Mr. Lamb contended, the subdivision is valid 124 days beyond 12/31/14. This matter was scheduled for public hearing at the next meeting, 2/28/13.

10. DISCUSSIONS:

1. Proposed amendment to cell tower ordinance, which Mr. Snieckus indicated was before the Mayor and Council.

2. The Board discussed proposed regulations for chickens kept within the Borough. Presently, there were no regulations in

(WWPB 2/14/13 Worksession Minutes)

place that covered the number of birds per square feet or setbacks for cages, Councilmember Arroyo noted. A brief discussion ensued.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 9:10 p.m.

Respectfully submitted,

MARY R. VERDUCCI, Paralegal
Planning Board Secretary