

**BOROUGH OF WESTWOOD  
PLANNING BOARD MINUTES  
REGULAR PUBLIC MEETING  
February 28, 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 Regular 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:** Mayor Birkner  
Thomas Constantine  
Daniel Olivier  
Richard Bonsignore  
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  
Louis Raimondi, Brooker Engineering,  
Board Engineer, By Eve Mancuso

**ABSENT:** William Martin (excused absence)

**4. MINUTES:** The **Minutes of 1/24/13** were approved on motions made, seconded and carried unanimously on roll call vote. The Minutes of 2/14/13 were carried to the next meeting.

**5. CORRESPONDENCE:**

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1. Exterior Lighting Plan dated 2/18/13, by Vincent Cioffi, Architect, RE: Ginger and Cream of Westwood, Inc.;

2. Revised Site Plan dated 2/19/13, by R.L. Engineering RE: Ginger and Cream of Westwood, Inc.;

**6. RESOLUTIONS: NONE**

**7. PENDING NEW BUSINESS:**

1. **James Gemmato, 49 Mill Street, Block 1006, Lot 10 - Execution of Subdivision Map, Approved by Planning Board on 10/26/06 (no formal application or fees have been submitted at this time) -** Thomas Randall, Esq. advised he did legal research and per the Map Filing Law, it is timely, and the Board is authorized to sign the Subdivision Map. No formal hearing or vote is required.

**8. VOUCHERS:** A motion to approve vouchers totaling **\$1,956.25** was made by Ann Costello, seconded by Richard Bonsignore 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., 356 Center Avenue, Block 807, Lot 16 - Site Plan with "C" Variance -** Ira Weiner, Esq. represented the applicant and gave a brief overview of the retail store conversion. They are taking a two-family, residential property and converting it to a conforming, retail/commercial use. This is an older home with a proposed addition, keeping with the architecture in a boutique-style nature, serving as the entryway for Westwood, which is the concept of the Governing Body. A two-story addition would be added to the rear of the building. A letter clarifying certain items, dated 2/27/13, was submitted by John J. Lamb, Esq.

The first witness was the applicant, Ginger and Cream of Westwood, Inc., by Susan Bahng, who was sworn in and gave the history of the business. Mr. Weiner questioned Ms. Bahng. Their store has been a destination store, because of the selections and service they provide in a boutique-style shopping

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environment. Currently she operates a women's boutique, Ginger and Cream, at 350 Center Avenue, and a children's boutique at 351 Center Avenue. This store would be similar, but would cater to plus size women for size 12 and up. There is never a boutique shopping experience for these women where they can enjoy the same personal attention. They do not want to restrict them for space, but rather have them be comfortable in a beautiful dressing room. People are drawn to their present store, like in the Hampton's, in a boutique style home, bright and airy.

Parking spaces would be increased from three to six spaces. The hours of operation would be 10am-7pm Mon through Saturday and 10am-8pm on Thursdays; closed Sunday. The building will be cleaned up very nicely. She actually resides next door to the site, and on the other side of the site is her existing boutique. Board questions followed. A parking variance is needed, but it will not have a material impact, Mr. Weiner noted. This would be addressed by their engineer, Mr. Eichenlaub. A photo of the carport being removed was distributed and marked Exhibit A1.

Vincent Cioffi, Licensed Architect, was sworn in and accepted as applicant's Architect. Mr. Cioffi testified as to his plan dated 1/9/13, marked Exhibit A2. He outlined the two-story, rear addition, anticipating a full basement. They are keeping with the residential character of the area. He described the handicapped ramp and parking. They are using a variety of colors so the store has its own identity. A carport on the premises would be removed. They are doubling the parking from three to six spaces. On the rear and sides there would be security lighting, shielded so as not to spill out on the neighboring properties. Brief questions by the Board followed.

Richard Eichenlaub, Licensed Engineer, of R. L. Eggeengineering, was sworn in and accepted as applicant's Engineer, and he testified as to his site Plan for 356 Center Avenue, dated 1/10/13, marked Exhibit A3. They are looking to add on to the existing structure at the rear of the building, removing the carport. The driveway is fully paved. The area between the back of their building and Lot 14 is also paved, extending under the carport. The existing open porch in front will be enclosed for additional retail space, and they will add steps to the new

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front entrance, a new door and a public right-of-way sidewalk leading to a ramp. The lot is shared with Lot 14.

Stormwater Runoff, Building Height and Soil Movement Calculations, dated 1/8/13 were also submitted by Mr. Eichenlaub and marked Exhibit A4. They are providing a new seepage pit in the front portion of their driveway. That portion will be completely reconstructed. This would allow six spaces where there are three now.

There would be an access easement for ingress and egress to 350 Center Avenue, for parking areas on Lots 14 and 17. Mr. Eichenlaub described the planting schedule, which included supplementing the existing landscaping. The sign would be externally illuminated. The pre-existing non-conformities included minimum lot area, minimum lot width, minimum front yard setback, minimum rear yard setback, maximum impervious coverage and minimum parking spaces. The existing non-conformity of the carport, resulting in a rear yard setback variance, would be eliminated. New variances included minimum side yard setback and minimum parking spaces. To allow the site to function, these variances are necessary. Sharing entrances off Center Avenue minimizes curb cuts, and all improvements proposed for this lot are a plus.

Board commentary followed. Ed Snieckus reviewed his comment letter dated 2/28/13. The hardships described, and he discussed the pre-existing, non-conforming variances, new variances and parking. Landscaping and lighting were discussed. They are taking a non-conforming use and converting it to a retail/commercial use. The minimum rear yard variance was eliminated, as the carport was being removed.

Eve Mancuso reviewed her comment letter dated. 2/27/13. Both of the items have been address, but she added a few comments, such as location of existing utilities. Mr. Eichenlaub indicated he has not yet been permitted to mark them. As for parking signs, customer and employee parking would be marked out. There is still a waiver requested for loading. Ms. Mancuso asked about trash and recycling. It would be removed at the end of each day. Boxes would be stored in the basement area. She requested a detail of the wall-mounted lighting and shielding. Mr. Cioffi would supply those.

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Board questions followed and were addressed by Mr. Eichenlaub. Mr. Constantine requested clarification on the number of variances. Mayor Birkner asked about the seepage pit. Mr. Arroyo commented developing a commercial property on a small lot can be difficult with impervious coverage. Mr. Bonsignore questioned impervious coverage and parking. Mayor Birkner expressed concern about the seepage pit and impervious coverage, and Ann Costello had questions about impervious coverage.

Mr. Weiner summed up with closing comments and stated the zoning was changed by the Governing Body to develop the CBD Zone, and they are eliminating a non-conforming use and a rear yard variance. The variances are minor in nature. The easement is a good thing, establishing access for all the properties. On balance, from a hardship point of view or C2 analysis, this is the best way to provide a conforming use, rather than building a parking lot, which they don't want, and he does not think Westwood wants. It is in line with what the zone plan expects. He would ask for the approval of the Board subject to any conditions that the Board desires.

Chairman Hodges called for a motion. Ann Costello made a motion for approval, with second by Thomas Constantine. Mr. Snieckus added a condition regarding installation of arborvitaes, which was accepted. Eve Mancuso commented there is a need for the handicapped ramp, and asked if in back the six spaces could become five spaces. This was also accepted. There were no further questions, comments or discussions. On roll call vote, all members voted yes with favorable comments. Mr. Weiner distributed the survey.

The Board took a recess from 9:45 to 9:55 pm.

## **10. DISCUSSIONS:**

**1. The Board continued its discussion proposed regulations for chickens kept within the Borough.** Presently, there were no regulations in place that covered the number of birds per square feet or setbacks for cages. A brief discussion continued from the last meeting. Mayor Birkner gave details of reports on chickens housed in the Borough, including any complaints, and there were none. The Health Department did not find any violations and did not issue any summonses. Therefore, the Mayor concluded, he did not consider this to be a raging

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problem. A discussion ensued. The Board agreed to leave it be unless it became an issue.

**2. Section 195-158 (H)** - Window signs shall be painted in gold leaf, black or white; Discussion on lifting the restriction to allow for a variety of colors. Chairman Hodges indicated the business owners suggested more colors be added. Ed Snieckus would come back at the next worksession with suggestions.

**3. Ordinance #13-4 - An Ordinance to Amend Article XIV, Chapter 195, Section 121 RW Retail Wholesale District** - Ed Snieckus reviewed the amendment and stated it is in conformance with the Board's comments to the Governing Body and the Master Plan. If recommended tonight, it could be forwarded to the Governing Body for adoption. A motion was made to recommend the Ordinance to the Mayor and Council by Thomas Constantine and seconded by Dan Olivier. There were no further questions, comments or discussions. On roll call vote, all members voted yes.

**4. HUMC** - Mayor Birkner gave an update on Hackensack University Medical Center, which is ready to open and set forth the various grand opening celebrations scheduled to take place. There is a Planning Review meeting on Monday with the Borough Officials for these events for parking requirements, tent structures, food services, etc.

**5. 46 Harding Avenue demolition** - Mayor Birkner reported today he was on Harding Avenue with the County Executive with respect to the demolition of #46 Harding Avenue, and he would like to commend the County for performing the demolition services, saving the Borough substantial amounts of money and time.

**6. District 8 Wrestling Sergeant Christopher Hrbek Award** Mayor Birkner reported on the District 8 Wrestling Award - Fred Guss, a senior at Pascack Hills High School, was chosen to receive the District 8 Wrestling Sergeant Christopher Hrbek Award. The organizers had set up an award as a tribute on behalf of the Sergeant Christopher Hrbek Foundation for his commitment to the team and his Country. It was a nice honor for the young man from Pascack Valley to receive this award

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**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approx. 10:20 p.m.

**Respectfully submitted,**

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