

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
REGULAR PUBLIC MEETING
May 22, 2014**

APPROVED 6/12/14

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: Daniel Olivier
Richard Bonsignore
William Martin
Jaymee Hodges, Chairman
Philip Cerruti, Vice-Chairman
Councilmember Robert Bicocchi
Thomas Constantine
Ann Costello
Keith Doell (Alt. #1)
Yash Risbud (Alt. #2)

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney
Steve Lydon, appeared on behalf of
Ed Snieckus, Burgis Associates, Board Planner
Louis Raimondi, Board Engineer

ABSENT: Mayor Birkner (excused absence)

4. MINUTES: The **Minutes of 3/27/14 Regular meeting** were approved on motion made by Dan Olivier, seconded by Yash Risbud, and carried unanimously.

(WWPB 5/22/14 Minutes)

5. CORRESPONDENCE:

1. Procedural Rules & By-laws - Carried to the next meeting;

6. RESOLUTIONS:

1. Westwood Car Care Services (address correction) - 148 Bergenline Avenue - Board Attorney Randall read the Resolution of Approval into the record. A motion to approve the Resolution was made by Daniel Olivier and seconded by Thomas Constantine. There were no further questions, comments or discussions. On roll call vote, all members voted yes.

2. Appointment of Louis A. Raimondi as Professional Engineer for the Planning Board - Chairman Hodges advised that Brooker Engineering was no longer interested in serving as Board Engineers and will send a letter that it has no objection to the Board continuing with Mr. Raimondi, who was no longer with Brooker Engineering. The Board sought to retain Mr. Raimondi individually as Board Engineer. Upon motion of Richard Bonsignore, seconded by Phillip Cerruti, with no further nominations, **Louis Raimondi was nominated as Professional Engineer for the Planning Board.** On roll call vote, all members voted yes.

7. PENDING NEW BUSINESS: None

8. VOUCHERS: \$5,859.00 - A motion to approve Vouchers totaling \$5,859.050 was made by Ann Costello, seconded by Dan Olivier and carried unanimously on roll call vote.

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS - None

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

The Board Professionals, Louis A. Raimondi, Board Engineer, and Steve Lydon, Board Planner, were sworn in.

1. Diamond Financial, LLC - Block 2001, Lots 39, 44 & 45 - Application for a two-lot, Minor Subdivision - Marc Leibman, Esq. represented the applicant. Jaymee Hodges advised the plans were just received by Board Members and had not yet been reviewed. Mr. Leibman advised they were hand delivered to the Planning Board Office on 5/9/14. Chairman Hodges apologized and

(WWPB 5/22/14 Minutes)

requested any further information Mr. Leibman would like to provide that evening. The plans were also submitted to the Borough Professionals. Mr. Leibman stated they would review reports of the Board Engineer and Planner and would proceed with the presentation of the application.

Mr. Lydon commented there were three waivers requested by applicant: (a) Traffic study; (b) environmental impact statement; and (c) location and description of proposed street trees, reforestation and any landscaping, per the Burgis report of 3/27/14.

Mr. Leibman addressed the request for waivers. The Chairman asked if it was a four lot subdivision. Mr. Leibman responded this is a two-lot subdivision, with two lots on the sides. The lot lines would be adjusted to conform. Mr. Raimondi commented the two side lots were part of the subdivision because of the roads, and a turning easement is required. Mr. Leibman stated they are involved, but technically not part of the subdivision. Mr. Raimondi commented they will be part of the map that is filed. Mr. Eichenlaub explained they will offer testimony as to this.

Mr. Lydon said their office did not object to the waivers, because of the flood plain constraints, no steep slopes, and traffic to the roadways will be minimal.

Ms. Costello inquired if the Shade Tree Commission received copies of the application and plans, and Councilmember Bicocchi advised he would check into this.

Board Attorney Randall called for a motion to accept the waivers. A motion to accept the waivers was made by Ann Costello, seconded by Daniel Olivier and carried unanimously on roll call vote.

The plans were marked A1. The public notice was marked A2.

Richard Eichenlaub was sworn in and testified as to the plan for the property, which lies between Jones Street and Alvin Street. The lots will be merged to create a 10,000 sq. ft. lot, merging Lots 44, 45, a portion of Lot 39, thus creating two fully conforming lots, which is part of the proposed project. They are going from three undersized non-conforming lots to two

(WWPB 5/22/14 Minutes)

conforming lots. They are requesting the Board to allow them to do this and create two fully conforming lots. That is the first phase of the subdivision. There are no variances. They are in the R1 zone, requiring 7,500 sq. ft., 75' frontage and 100' depth. They have 100' x 100' each.

Mr. Eichenlaub continued. He stated Mr. Snieckus understood the subdivision of three lots into two. They would then address the two side lots. Mr. Raimondi asked if it was a subdivision because it needed road frontage. Mr. Eichenlaub agreed, but said phase two of the presentation will include the improvement of the two streets.

Mr. Eichenlaub referred to Sheet 3 of 7, regarding the improvements along Alvin Street. Assuming they are granted the subdivision, and they have their lots as discussed, they are looking to make improvements to gain access to the two lots to the South. The new lot, Lot 39, will be 100 x 100. They have 97' frontage, but are deficient in depth. Mr. Leibman commented this is a pre-existing, non-conformity, and they are not changing it. Therefore, they are in compliance. Alvin Street extends from Westwood Boulevard to the North, all the way back to HUMC Hospital. It was always the Borough's intention to develop these back lots, because sewer lines were installed in those rights of way, which they will utilize. Mr. Eichenlaub provided details of the "T" turn-arounds, and easements for same will be provided.

Mr. Eichenlaub gave details of the drainage and catch basins for Alvin Street. They also proposed a tie-in to the system on Westwood Boulevard. Drainage patterns will not change. They are not seeking any variances except for the existing non-conformity for Lot 39.

Mr. Eichenlaub reviewed Sheet 4 of 7. Gas and electric utilities will be underground. Next he reviewed Sheet 5 of 7, showing improvements of the lots. They are seeking on-site drainage on each of the lots. Mr. Eichenlaub addressed grading of the lots.

Mr. Raimondi inquired about impervious coverage and asked if they tried a cul-de-sac for their turn-around. It would make it easier and safer to create a turning area rather than a "T" turn around. Mr. Raimondi continued, stating we are talking

(WWPB 5/22/14 Minutes)

about emergency vehicles, and this plan should be sent to the Fire Department to assure their satisfaction in being able to turn around. Chairman Hodges also advised there is a very specific apparatus placement order. It is not about backing out. They have two separate truck operations at a fire.

Mr. Eichenlaub suggested they could extend the roads the full 100' width. They were trying to reduce the impervious area. Chairman Hodges commented the roadway extension could be reviewed and discussed. Mr. Leibman advised there are ways to address impervious coverage, green/open space and emergency access.

Mr. Raimondi commented it is very limited in space, and goes against the ordinance on driveway width. He would also like to see cross sections of the proposed grading of the road and how it would affect the properties down the road and sight distance. Mr. Eichenlaub would provide this. Mr. Raimondi agreed with paving up to the hospital.

Mr. Lydon inquired about planting details. A discussion ensued regarding grading and planting. Mr. Martin inquired why these streets did not end in proper cul-de-sacs. Mr. Eichenlaub stated he did not have enough room. Mr. Leibman advised if you put full size homes, the lots would be undevelopable. Mr. Martin stated there needs to be some compromise as to what you put here and the turn-around you provide. They may want to wait for comments from the Fire Department. He will have more questions then.

Mr. Martin asked Mr. Eichenlaub to describe how disruptive this will be to the residents of the homes on Alvin and Jones Streets, and how long the disruption will last. In terms of disturbance, to get a roadway in and gain access in the rear, with drainage, curbs, utilities, probably in three to four weeks to two months, Mr. Eichenlaub explained.

Mr. Martin asked if any retaining walls were necessary, and the response was no, but there were small ones on the lots for landscaping and buffering. Mr. Martin asked if there were slopes. On Alvin it was pretty flat, but on Jones, Mr. Eichenlaub stated, on the westerly side, there is a 45 degree angle, which is pretty steep. He expects the vegetation to hold that grade.

(WWPB 5/22/14 Minutes)

Mr. Martin asked Mr. Raimondi if he was concerned, and Mr. Raimondi said he was, and that is why he asked for the cross sections. Mr. Martin commented this is all about the engineering, impact on neighbors, maintenance of landscaping due to steep slopes, and safety of turn-around access.

In connection with disturbance to the neighbors, Mr. Raimondi asked if he was correct in reading they were not providing plot plans for the individual homes. Mr. Leibman advised they do not yet know the types of homes; the market will dictate. They have draft plans prepared by Mr. Zampolin. Until they apply for a permit, they will not know. They will have four lots that the developer can build upon or sell to individuals by the.

Mr. Eichenlaub explained the time frame for the improvements and soil movement. Mr. Constantine asked if there were any curbs on Alvin and Jones at present, and the response was no. They proposed all new curbing. Mr. Constantine noted there will be a significant disturbance there.

Chairman Hodges commented the Board Members can now carefully review the plans, noting this is an undeveloped area. Mr. Constantine commented we would like to see the road installed and completed. Mr. Eichenlaub stated a Developer's Agreement would have to be entered into. Mr. Eichenlaub stated he would meet with Mr. Raimondi.

The matter was opened to the public for questions of Mr. Eichenlaub. The Chairman noted comments would be heard at the end of the hearing.

Kevin Dineeen, 158 Westwood Boulevard, stated they have many little children playing on the block and inquired if they could slow traffic down to eliminate any risks. What could be considered. Could they be one-way streets. They would have to be two-ways, it was explained.

Libby Hill, 152 Westwood Boulevard, asked how many homes there would be. Mr. Eichenlaub responded four homes. She also asked about fire truck access. Chairman Hodges explained their concerns, which would be closely looked at.

There were no further questions from the public.

(WWPB 5/22/14 Minutes)

Mr. Leibman requested to have Mr. Eichenlaub address the retaining walls. Mr. Raimondi stated they had to sit down and address the cross-sections. They cannot discuss without having all the details. Mr. Martin commented we are just seeing this for the first time tonight. Mr. Eichenlaub asked if the Borough would accept retaining walls in the right-of-way. Usually not, was the response, and that is why they propose a vegetative growth. Mr. Martin requested they consult with Mr. Raimondi outside the Board so he can be satisfied. Chairman Hodges commented if they had the plans in a worksession, they could have the Board's comments in advance. They at least started with their engineer, and a meeting with Mr. Raimondi would be had, so at next meeting they could continue with the engineering.

Mr. Leibman requested to proceed with their planner. Richard E. Brown, Carroll Engineering, Hillsborough, NJ, licensed NJ Professional Engineer and Planner since 1984 was sworn in, qualified and accepted. Exhibit A3, entitled Surrounding Street Inventory, dated 5/20/14 was so marked and distributed. No variances were sought, but exceptions were sought from RSIS (Residential Site Improvement Standards). With respect to street classifications, this street would be classified as residential access, low intensity. It would require a right-of-way of 50', but they were constrained with 35' and 40'. They were constrained with the cartway width and travel way, in which they were also deficient. No sidewalks are proposed. Curbs are provided, although not required by the RSIS. Mr. Brown stated they were proposing two dead-end streets, noting there are dead-end streets in the area - Hudson Street, Pleasant Avenue, Hegeman and Pascack Road as shown on the exhibit. Cedar Lane is a paper street. Under the RSIS, exceptions were considered deviations; waivers dealt with safety.

What does the RSIS say about cul-de-sac low-intensity streets, Mr. Raimondi asked Mr. Brown. It is silent he responded. Some of the homes are still on septic, and at that time there were intentions to build Cedar Lane to have a through street. He would agree on the sidewalk waiver. The remaining items he would discuss with Mr. Eichenlaub.

Mr. Lydon questioned Mr. Brown about grading. Mr. Brown did not look into it, but would. Mr. Lydon commented there could be

(WWPB 5/22/14 Minutes)

another exception for the grading. Mr. Lydon noted there are a large number of trees and asked if there was a plan to save trees. Mr. Brown commented there were not many street trees. Also, Mr. Lydon commented there would be a bulk variance for the lot on Alvin Street. This might be an opportunity present testimony. Mr. Leibman advised he would see fit to have Mr. Brown offer such testimony. Ms. Costello commented because the lots can be sold individually, this could linger on longer than building all the homes at one time. Mr. Brown stated there would be a bond in place.

The matter was opened to the public for questions of Mr. Brown. There were none.

Mr. Lydon requested a tree planting plan and recommended they should preserve as many trees as possible. Some of the plantings may screen the residents from the development. It would be based on Mr. Eichenlaub's plan, but Mr. Raimondi commented the Board should be aware if the lots were sold, the plan could be changed.

Ms. Costello questioned Mr. Eichenlaub about tree removal. 100 trees were slated for removal Mr. Eichenlaub explained, illustrating on his plan the proposed tree plan and removal. The Chairman suggested the Board members view the property. The drawings were made four years ago, he noted. Mr. Martin asked at what size do they show trees. At 6" diameter and 3' off the ground Mr. Eichenlaub responded.

There were no further discussions to continue at that time. The matter was carried to the next meeting on 6/12/14. Mr. Eichenlaub would meet with Mr. Raimondi. They would provide cross-sections. That would not change the drawings. Mr. Doell asked if they would reevaluate the trees coming down. This is the plan they are proposing—cutting 100 trees. The ones coming down initially would be in the right-of-way, Mr. Eichenlaub explained.

Mr. Lydon suggested getting the tree plan prepared and submitted to the Shade Tree Committee as soon as possible to receive comments back.

Ms. Costello was concerned once the Board approves the trees to be cut down, they could cut down 100 trees. Mr.

(WWPB 5/22/14 Minutes)

Leibman commented this is the first step of many approvals; they are seeking subdivision approval. Councilmember Bicocchi commented the plans are dated two years ago, 10/22/2012, so he is sure the applicant will be refreshing the plans. The Chairman requested the Board walk the site and take note of the trees.

There was nothing further. The matter was carried to the 6/12/14 meeting with no further notice.

10. DISCUSSION:

Chairman Hodges advised they received copies of Ordinances and the Ambulance Corp is requesting use of the Kmart parking lot once again for their Annual Carnival. There were no objections. A motion for approval was made by William Martin, seconded by Thomas Constantine and carried unanimously.

Mr. Cerruti commented that the children's party venue, Glow, has been operating after permitted hours, and the same would be investigated.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 10:16 p.m.

Respectfully submitted,

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