

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
WORKSESSION/REGULAR PUBLIC MEETING
June 12, 2014**

APPROVED 7/10/14

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 **Worksession/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
Keith Doell (Alt. #1) (8:07 pm)
Yash Risbud (Alt. #2)

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney
Dave Novak, Burgis Assoc. appeared on behalf of
Ed Snieckus, Burgis Associates, Board Planner
Louis Raimondi, Board Engineer

ABSENT: Mayor Birkner (excused absence)
Ann Costello (excused absence)

A motion to go into Public Session was made by Dan Olivier, seconded by Richard Bonsignore and carried unanimously.

(WWPB 6/12/14 Minutes)

Dave Novak, of Burgis Associates, was sworn in as Substitute Planner for the Board.

4. MINUTES: The **Minutes of 5/22/14 Regular meeting** were approved on motion made by William Martin, seconded by Robert Biccocchi, and carried unanimously.

5. CORRESPONDENCE:

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

2. Memo of Burgis Associates, dated 6/11/14 RE: Diamond Financial;

6. RESOLUTIONS: None

7. PENDING NEW BUSINESS:

1. Maxim Self Storage, 25 Sullivan Street, Block 2110, Lot 1 - Major Site Plan - to be scheduled for hearing;

2. Millennium/Care One at Valley, 300 Old Hook Road - Amended Site Plan and Variance - Mr. Martin questioned why Millennium is before the Planning Board when they received their approval from the Zoning Board. Attorney Randall advised it was before the Board solely for size of the canopy. This will have to be addressed to determine proper jurisdiction, Mr. Randall will further advise.

8. VOUCHERS: None

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS - None
SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

The Board Professionals 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 in a continued hearing. Mr. Eichenlaub continued under oath. Additional plans were submitted, two sheets, last revised 6/2/14, one showing Alvin Street and one showing Jones Street, with modifications per the Board's request at the last meeting.

(WWPB 6/12/14 Minutes)

The Board Members were not in receipt of same; only the Board Professionals received them. Mr. Eichenlaub stated they hand delivered the two sheets on Friday, 6/3/14. Jaymee Hodges advised that he and Councilman Bicocchi would confer with the Building Department as to why they were not distributed to the Board.

Mr. Eichenlaub advised he met with Mr. Raimondi following the last meeting. They revised two sheets—the plan for Alvin Street and the plan for Jones Street. They extended the road an additional 25', beyond the southerly limits of the proposed dwellings, and took the T-turnaround and placed it at the end of the roadway itself. They looked at the trees again. On Sheet #3, Note #24 discusses the number of trees to be removed. On Lot 38 they now have 16 vs. 28 trees to be removed. The Lot 39 trees did not change. Two of the trees they were going to save have to be taken down due to the impact of the roadway. The trees to be removed on the Alvin Street plan remains as 12. On Jones Street, there is the same situation. On Lot 39.01, they are now removing 8 trees vs. 12. On Lot 46, the removal is reduced to 11. The number of trees on Jones Street to be removed remains at 22. Mr. Eichenlaub noted they have a net savings of 14 trees based on their review of the two lots and changes made.

In response to Mr. Martin's comments as to why they don't have cul-de-sacs, he prepared sketches, which he distributed to the Board, marked Exhibit A6. Mr. Eichenlaub described the sketches. An additional 5-7 trees would have to be removed for same. The final four sheets of the handout represent what was developed per his meeting with Mr. Raimondi. Retaining walls were proposed. The critical area is along Jones. That is where they have the most significant cut. He proposed a geo system and would vegetate the entire slope with juniper to stabilize the slope. It would be the responsibility of the homeowner of Lot 39.01 to maintain it.

Mr. Martin asked, and Mr. Eichenlaub responded it is an approximate 40% slope. Mr. Raimondi questioned the elevations. Would the maintenance be in the Deed of Lot 39.01 he questioned, and the response was yes. It would be enforced by the Borough or the adjoining property owner. If the juniper died, it would have to be replaced with juniper, as it is a stable plant. Mr. Doell questioned the retaining walls and why they did not propose terracing, which would be more aesthetically pleasing,

(WWPB 6/12/14 Minutes)

he felt. Mr. Raimondi explained since it is 8', it is better to have one slope with plantings. A discussion followed. This would stabilize the slope. It was concluded that the slope would be stabilized.

Mr. Eichenlaub continued. The last two sheets for Alvin showed they provided a 1' cut, at Station 0+38. As you go up, it flattens out at Station 0+88. The critical area is along Jones, on the westerly side.

Board questions and comments followed. Mr. Olivier commented what was proposed by Mr. Eichenlaub was satisfactory in this matter. This is the better way to go. Mr. Bicocchi agreed, commenting he would rather have the slope maintained by the homeowner rather than have the developer maintain it. Mr. Bonsignore inquired about snow plowing. Mr. Novak commented it was agreed there would be no parking on the roads and turnaround area. No parking signs would be installed. Mr. Leibman agreed. Mr. Leibman commented it would be impossible to turn around with cars parked there.

Mr. Martin inquired about the Fire Department's comments and stated the juniper plantings are the best ones to use. It serves as a deterrent to people walking on it. Mr. Cerruti commented he was disappointed there was no report from the Shade Tree Committee. Mr. Eichenlaub said many of the trees are in the right-of-way. All the growth and vegetation is in the tops of the trees. The trees around the perimeter are being reserved. He stated they are not clear-cutting these lots; they are going to maintain as many of these trees as they possibly can.

Mr. Bonsignore stated he agreed with the sight enhancement comments, but the Planning Board does not have a right to see any of the houses to be built. He inquired if the wall was set or if the builder would come in and make modifications to it. Mr. Eichenlaub explained there was a footprint already in place. Mr. Leibman said they could not give a guarantee, but the person acquiring the lots has already retained an architect, and they are very close to building what is now shown. What difference does it make, Mr. Martin stated, we are only approving the subdivision, not the shape. Mr. Bonsignore stated the wall is there because of the topography and the building. He wants to make sure the contours and wall are not changed. If they are, he would like to review them. Mr. Raimondi advised if we approve

(WWPB 6/12/14 Minutes)

just the subdivision, then the grading is subject to change. He asked Mr. Randall if the Board can request or require that the site plans come back to this Board because of the grading aspects. Mr. Randall suggested asking the applicant. Mr. Leibman stated he would ask his client, but this is a variance-free, conforming subdivision. There are no variances for steep slopes. They worked very hard to achieve this, and it is an awkward situation.

Mr. Bonsignore stated they gave a comforting degree of assurance, but he does not want the owner or buyer of the house with a 2' drop in the rear yard to put in a retaining wall. The Chairman commented in their 20+ years on the Board the Members have seen changes after approval, and they do their best to look out for the benefit of the Borough. Mr. Leibman knows how important this is, as he also represents towns and stated this is a good project.

Chairman Hodges asked if the three oak trees on Alvin are coming down. Mr. Eichenlaub responded yes. They are very old and are on the curb line. The Chairman asked about drainage and deferred to Mr. Raimondi. The drainage is adequately designed, Mr. Raimondi noted. Chairman Hodges addressed the fire hydrants. They are to be located per the Fire Department. There should be one on Westwood Boulevard between both streets. This was illustrated on the plan. They would also install blow off valves at the ends of the streets.

Mr. Raimondi discussed sanitary sewers. Mr. Eichenlaub stated they show laterals on the sewer map. Mr. Raimondi suggested televising it. There was nothing further from Mr. Raimondi.

Mr. Novak discussed Mr. Snieckus' Memo dated 6/11/14 asking if any shade trees were proposed. Mr. Eichenlaub responded three on each lot. Mr. Novak asked for this to be a condition of approval. It was agreed to. Mr. Doell asked about green area and why was the roadway backed up. It was for the benefit of the Fire Department, police cars and ambulance. That is critical, Chairman Hodges stated. No one has to back out, Mr. Eichenlaub noted. Mr. Raimondi also felt it was necessary. The reason is that it is a public street, not a private road, and we are bound by our Code and the RSIS. The RSIS states a cul-de-sac is required, which would take up more room. This is the solution,

(WWPB 6/12/14 Minutes)

and has other value such as it gives room for snow removal. Yes, it takes away some green area, but it is much better used. Mr. Martin said you will not want a garbage truck backing down the street at 5:00 am. It is important for vehicles to be able to turn around.

Mr. Novak continued with the report requesting a tree preservation plan. Mr. Leibman would consult with Mr. Snieckus as to what is required. Mr. Novak had no further questions.

Mr. Randall called for testimony on Lot 38. It is short by 3.8' in lot depth. It is a pre-existing, non-conformity, Mr. Leibman stated. A variance was not required, and the lot is vastly oversized, it was indicated.

There were no further questions of Mr. Eichenlaub from the Board and none from the public.

A motion to approve the application was made by Dan Olivier and seconded by William Martin. On discussion, Mr. Constantine questioned the trees as conditions. It was stated it would be in the Developers Agreement. He also questioned sidewalks and roads. They would waive the sidewalks as a deminimus exception. Mr. Raimondi noted before surface courses are put down on the streets, the building construction must be complete. It could be covered by the performance bond or monies in the Developers Agreement. Each of the houses would be built under the Building Department's regulations. Mr. Randall reviewed all the conditions to be included and noted that the 3.8' pre-existing condition was addressed. The conditions were accepted.

There were no further questions, comments or discussions. On roll all vote, Mr. Martin, Mr. Constantine, Mr. Olivier, Mr. Bonsignore, Mr. Doell, Mr. Risbud, Councilmember Bicocchi, and Chairman Hodges voted yes. Mr. Cerruti voted no.

10. DISCUSSION:

In a follow-up from the last meeting regarding, there were no noise complaints reported regarding Glow, the party venue.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 9:30 p.m.

(WWPB 6/12/14 Minutes)

Respectfully submitted,

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