

**BOROUGH OF WESTWOOD  
PLANNING BOARD MINUTES  
REGULAR PUBLIC MEETING  
February 24, 2022**

**APPROVED 4/28/22**

**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:** Jaymee Hodges, Chairman  
Dan Olivier, Vice-Chairman  
Mayor Raymond Arroyo  
William Martin  
Anthony Zorovich (8:15 pm)  
Ann Costello  
Keith Doell  
Yash Risbud  
Lauren Letizia, Alt. #1  
Kristy Dougherty, Alt. #2

**ALSO PRESENT:**

Thomas Randall, Esq., Board Attorney  
Ed Snieckus, Burgis Associates, Board Planner  
Excused/Not Required:  
Louis Raimondi, Board Engineer

**ABSENT:** Christopher Montana, Councilmember  
(excused absence)

**4. OPEN TO PUBLIC ON NON-AGENDA ITEMS:**

A motion to open to public was made by Dan Olivier, seconded by Yash Risbud, and carried.

Justin Meleo, 494 Kinderkamack Road, Westwood came forward, residents and architectural graduate of NJIT, distributed a handout, "Westwood Bicycle Infrastructure Plan", about a mass transportation, recreation and cycling plan which he spoke about. He prepared a Master Plan for cycling within Westwood. He highly recommends the Board produce a cohesive plan. Chairman Hodges asked Mr. Snieckus for comments. Mr. Snieckus indicated they had already spoken, and he suggested Mr. Meleo send this plan, commending him on the details and components. As a summary, Mr. Snieckus offered scheduling a future date to discuss this after the Board's review of this proposal, which outlines details of improving connections and adding bike lanes. The Chairman concurred on scheduling a future meeting after initial review. Mr. Martin commented there is language in the Master Plan about this already. The Board would review this and be in touch with Mr. Meleo.

There were no further questions or comments, and the matter was closed to the public on motion by Yash Risbud, seconded by William Martin and carried.

**5. MINUTES:** The Minutes of the **1/13/22** meeting were approved on motion made by Ann Costello, seconded by William Martin, and carried unanimously on roll call vote.

**6. CORRESPONDENCE:** See Memo of Ed Snieckus, Burgis Associates, dated 1/10/22 RE: Outdoor dining below;

**7. RESOLUTIONS:**

**1. Formal Resolutions appointing Board Professionals** (following Reorganization Meeting):

Board Engineer - Louis A. Raimondi;  
Board Planner - Burgis Associates; and  
Board Attorney - Randall & Randall, LLC

A motion for approval was made by William Martin, seconded by Ann Costello. On roll call vote, all members voted yes.

**2. 96 Sand Road, LLC** - A motion to dismiss the application without prejudice was made by William Martin, seconded by Ann Costello. On roll call vote, all members voted yes.

8. **PENDING NEW BUSINESS:** None

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

10. **DISCUSSION:**

1. **Review of Chapter 195-167 - 195-171 - Outdoor Dining:**

**Memo from Edward Snieckus, Jr. PP, LLA, ASLA, Burgis Associates, RE: Post Pandemic Outdoor Café Regulation Review, Revised 2/24/22** - Mr. Snieckus reviewed his Memo, stating the following is an updated summary of the Planning Board's discussions and recommendations regarding outdoor dining regulations contained in Article XXI, and other considerations based upon review of the post pandemic online survey and the Board's comments at the last meeting. The following amendments were offered:

**Movable Barriers to define dining space - language added:**

*"All movable barriers shall be at minimally 3 feet high and no greater than 3 feet 6 inches high from the sidewalk surface. Such barriers and their supports shall maintain a minimum of 4 feet walking surface horizontally from any obstructions to maintain accessibility at all times in conformance with the NJ Barrier Free Subcode. Sectional fencing or railings may be made of metal (aluminum, steel, iron, or similar) or of wood construction. Planters may be used in conjunction with any sectional fencing or railings. Such barrier shall be constructed to not pose a tripping hazard as determined by the Borough Building Official."*

**Retractable Awnings:**

A retractable awning is permitted to extend up to a maximum of 6 feet from a building face "**and shall not be less than six feet eight inches in the clear above any surface**", was added. Words added: "**No vertical**" support posts shall be added to support a retractable awning.

**Board discussion followed:**

**Signage:** Ann Costello asked about existing signage on outdoor dining barriers/umbrellas. Signage was discussed. One sign would not be intrusive. It is not in the Code. Attorney Randall commented It is discretionary. Mayor The outdoor dining existed prior to Covid. The thing that is post Covid is if the expansion could be placed with barriers and lettering on the barriers. Mr.

Randall advised we are still in control if it is in the right of way. Pre-existing is not in the land use ordinance now. Mr. Martin commented this will not mean anything unless the Governing Body adopts it. There is no grandfathering. Ms. Letizia commented what was done in the last two years was done in an emergency situation. Mr. Risbud stated we are coming out of the emergency, and we need to establish regulations. Mr. Martin suggested permitting one sign. Chairman Hodges suggested completing this tonight, so it can be put into effect. Mayor Arroyo commented the Governing Body can take the recommendations regarding the signage and amend the ordinance. Mr. Martin commented the signage would be helpful so people can identify the storefront or restaurant and the correct seating for the establishment. Mayor Arroyo expressed concern that restaurants can now double their seating which will may affect parking. Attorney Randall said for every table outside they are to remove one inside. Mr. Snieckus read the ordinance section governing outdoor dining.

William Martin made a motion that Ed Snieckus amend his recommendation to a **single sign**, 18 x 36, at the desire of the establishment to be included in whatever action the Governing Body takes. The motion was seconded by Ann Costello. On roll call vote, William Martin, Anthony Zorovich, Ann Costello, Yash Risbud, Mayor Arroyo, Kristy Dougherty, and Jaymee Hodges voted yes. Dan Olivier, Keith Doell and Lauren Letizia voted no.

**Barriers:** Ms. Dougherty stated including the barrier-free sub-code compliance would be a positive. The barriers should be defined. Ms. Letizia commented she did not see how barriers are needed or should be required. Mr. Martin agreed. We never had them before Covid. Mr. Snieckus said it is in the Master Plan currently. It is not optional. The Board is concerned about protecting the Borough. Mayor Arroyo asked if the Board should recommend to the Mayor and Council to go through a season where barriers are not required. Mr. Martin commented there was a reason why Mr. Marini wanted it - to define the space. Mr. Doell commented we have all these rules and only one person to enforce them. Mr. Olivier commented it is to protect the Borough, and a written rule enables Mr. Marini to enforce it. Mr. Martin commented you cannot use NJ Barrier-free because it is only for inside; rather, ADA should be referred to.

Mr. Snieckus asked if we want to make any recommendations now, or table it since we have barriers in, but no guidelines. Mr. Martin stated we should not table it and should finish and send it off to the Governing Body. Mr. Snieckus would add the ADA compliance language.

**Awnings:** The Board found the language satisfactory.

**Vote on Barriers:** Lauren Letizia requested to vote on barriers separately.

**Memo without Par 2.0:** A motion to approve Mr. Snieckus' Memo dated 2/24/22 as amended, with the exception of Par. 2.0, was made by Ms. Letizia, seconded by Mr. Doell. On roll call, Mr. Olivier abstained, Mayor Arroyo and Ms. Letizia voted yes, Mr. Olivier, Mr. Martin, Mr. Zorovich, Ms. Costello, Mr. Doell, Mr. Risbud, Ms. Dougherty, and Chairman Hodges voted no. The motion did not carry.

**Entire Memo vote:** Mr. Martin made a motion that the Planning Board approve the Memo prepared by Ed Snieckus as amended tonight, including a graphic of the sign and other recommendations as discussed, and that the Board vote on it and pass the recommendations on to Governing Body to enact upon them. This includes the barrier. The motion was seconded by Ms. Costello. On roll call vote, Mr. Olivier, Mr. Martin, Mr. Zorovich, Ms. Costello, Mr. Risbud, Mayor Arroyo, Ms. Dougherty, and Chairman Hodges voted yes. Ms. Letizia and Mr. Doell voted no. The motion carried.

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**2. Adoption of Procedural Rules & By-Laws** - Noted for approval - Carried to the next meeting;

There were no further questions comments or discussions and none from the public.

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approximately 9:05 p.m.

**Respectfully submitted,**

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