

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
Municipal Building  
MINUTES  
March 6, 2023**

**APPROVED 4/3/23**

**1. OPENING OF THE MEETING:**

The meeting was called to order at **8:00 pm, at the Municipal Building**, 101 Washington Avenue, Westwood, NJ.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a **Regular Meeting** of the Westwood Zoning Board of Adjustment.

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  
Peter Grefrath  
Gary Conkling  
Matthew Ceplo  
Michael O'Rourke  
Robert Desmond  
Lauren Letizia, (Alt #1)  
Frank Mantz, (Alt #2)

**ALSO PRESENT:** Thomas Randall, Esq., Board Attorney  
Steve Lydon, Burgis Associates,  
Board Planner  
Brandon Goldfine, Boswell Engineering  
Board Engineer  
Nick DeNicola, Boswell Engineering

**ABSENT:** Eric Oakes, Vice Chairman (excused absence)

**4. MINUTES:** The Minutes of the **2/6/23 meeting were approved** on motion made by Gary Conkling, seconded by Peter Grefrath and carried unanimously.

**5. CORRESPONDENCE:**

**1. Change of venue for the April 3, 2023 meeting;** Will be held at the Community Center, 55 Jefferson Avenue;

**2. Fedorchak, 121 Cypress - Deck - Bulk Variances** (withdrawn);

**6. RESOLUTIONS:**

**1. Walsh, 196 Sand Road - Bulk variances for a deck which was constructed without permits; Dismissed without prejudice -**

The Board Attorney read the Resolution of Approval into the record. There were no questions, comments or discussions. A motion for approval was made by Gary Conkling and seconded by Robert Desmond. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Robert Desmond, and Lauren Letizia voted yes. Frank Mantz was not eligible to vote.

**2. Cooper, 34 Clairmont - Bulk variances for side yard and combined side yard setback -** The Board Attorney read the Resolution of Approval into the record. There were no questions, comments or discussions. A motion for approval was made by Peter Grefrath and seconded by Gary Conkling. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, and Lauren Letizia votes yes. Frank Mantz was not eligible to vote.

**3. Pellegrino, 26 Ash Street - Driveway expansion wider than garage - C variance - Pellegrino -** The Board Attorney read the Resolution of Approval into the record. There were no questions, comments or discussions. A motion for approval was made by Peter Grefrath and seconded by Gary Conkling. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Lauren Letizia, and Frank Mantz voted yes. Robert Desmond was recused.

**7. PENDING NEW BUSINESS:** ALL CARRIED TO 4/3/23 if complete:

**1. Jameson, 163 Prospect-Garage expansion - Bulk variances;**

**2. Abbott, 169 Carver - Vacant Land - D-1 Use, C- variances, and Site plan to construct a four (4) unit townhouse structure;**

**3. Lind, 111 Ash - Widening of driveway in the front yard without approvals;**

**4. Drew, 41 Hoyer-1<sup>st</sup> & 2nd floor additions-Bulk variances;**

5. **Fitzgerald, 124 Mill - Installed a 6' fence in the front yard (WWOP);**

6. **Carrier 27 Seventh - Height variance for an accessory structure;**

8. **VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS AND INTERPRETATIONS:** The Board Professionals were sworn in by the Board Attorney

1. **Bauer, 22 Cypress - Driveway wider than the garage without approvals** - Walter K. Schreyer, Esq. represented the applicants in a continued hearing. He distributed a Final As-Built Survey, dated 2/1/18, revised to 3/1/23, together with a Grading Plan, dated 8/2/22, revised to 3/1/23. Mr. Schreyer discussed the exhibits. Mr. Grefrath asked how high the plantings would be. Applicants would comply with the plans, but put in plantings that are not appealable to deer, such as boxwoods, around 4' in size. The Board was in agreement. There were no further questions. The matter was opened to the public, but there were no questions or comments from the public. Mr. Schreyer summed up and submitted to the Board for approval. **A motion for approval** was made by Gary Conkling and seconded by Robert Desmond, with the condition that the plantings be completed in four (4) months. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Robert Desmond, Lauren Letizia, and William Martin voted yes. Frank Mantz was not needed to vote.

2. **Dragona, 22 Bryant Place - Project was approved and completed, the final as-built survey shows that the pool is less than 15' to the side property line and the lot coverage is 42.9% when 40% is permitted** - (Lauren Letizia recused) Not heard; Carried to the next meeting on 4/3/23;

3. **Glazer, 137 Fourth Avenue - Driveway expansion, wider than garage** - L. Scott Berkoben, Esq. represented the applicant. The requirements for lot width in the past was 50', and now it is 75' width. As such, the house no longer conforms with the lot width required in the ordinance. The property owner wishes to enlarge her driveway as other neighbors have done. Owner/Applicant Joanne Glazer was sworn in. The Chairman noted applicant was going to submit photos showing other neighbors have expanded their driveways with the same condition as this property. Mr. Lydon stated each application stands on its own, and just because one neighbor has done this does not mean every property owner is entitled to do the same. Each application is different and is judged on its own merits. Chairman Martin stated they previous asked for landscaping, and they would ask the same here. Ms. Glazer

stated she is the only house on the entire block that does not have an extended driveway. If she puts up a fence, it would lose the aesthetic appeal. Chairman Martin said he asked for landscaping. He would suggest widening it to allow two cars side-by-side. Mr. Lydon stated first we need testimony as to the four variances associated with this application, which he recited. Applicant stated there is no possibility to park on the road, and they are not near any side streets. They need to park three cars, and family comes over often with nowhere to park. Additionally, they have to pull up on the lawn to unload packages. She is under the 40% impervious coverage. The Chairman asked if the applicant were to make it a total of 18' wide, provide another 2' of landscaping, would the Board Members consider it. Applicant said she would agree to that.

Stormwater management was discussed and requested to prevent flooding. The Board Engineer, Brandon Goldfine, requested a seepage tank under the driveway and curbing. The concrete should comply with Westwood's Code and existing conditions assessed. Ms. Glazer stated drivers of three cars live in the house, and frequent visitors come to the house.

The matter was open to the public. A neighbor from across the street, Allison Apitius, 148 Fourth Ave, came forward and stated she has no issues with Ms. Glazer extending her driveway. She understands the issue, and it is difficult pulling in and out of Fourth Avenue. She saw no problems. Another neighbor, James Wexler, 146 Fourth Avenue, a resident for 24+ years, commented as an engineer by trade, stating they live on a busy street, and people have done this over and over through the years, legally and illegally. He lives right across the street. Mr. Wexler said he has a 24' driveway. He understands the stormwater issue, but you're also adding \$5,000. to \$7000.in costs with this. There is not much stormwater coming from this property. It comes from down the block. The Chairman stated it is not just one driveway, and the Board has to consider this for any applicant looking to expand. We have an obligation to consider these things. We need mitigation in support of these facts. Mr. Lydon commented. Mr. Wexler appealed to the Board in support of this application. There were no further members of the public, and the matter was closed to the public.

Chairman Martin commented the Board would be amenable to an 18' maximum width of driveway, a curb and stormwater calculation and seepage/drainage tank. They should make amendments to the drawings. There is no room for landscaping. Mr. Ceplo asked if with a gravel extension the drainage tank would still be needed. Mr. Goldfine stated stormwater measures should still be provided.

There were no further comments. **The matter was carried to the 4/3/23 meeting with no further notice.**

**4. Nagengast, 75 Clairmont - Driveway Expansion** - Not heard; Carried to the next meeting on 4/3/23;

**10. DISCUSSION:**

**1. Procedural Rules & End of Year Variance Report** - Carried to the next meeting;

**2. RFQ's for Zoning Board Attorney** - The Board discussed the three RFQ's received for the Zoning Board Attorney position. Chairman Martin stated one was incomplete, one was from Eric & Bernstein, Esqs. from Warren, NJ and one was from Randall & Randall, LLC from the Borough of Westwood. The payment structures were a little different. Mr. Bernstein's would be more costly. They are 50 pages each. The Board has now complied with what the law requires. Mr. Randall has been servicing the Planning Board since 1997. He would suggest that level of familiarity and decades of experience matter in terms of the legal services the Zoning Board would receive. He opened it up for any comments or questions from the Board. Mr. Randall offers the same services as he does for the Planning Board. He was familiar with Mr. Rutherford and his procedures and is obviously familiar with Westwood. There were no further discussions. A motion for approval to nominate Thomas Randall, Esq. to be appointed as Zoning Board Attorney with a Resolution of Approval was made by Gary Conkling, seconded by Peter Grefrath and carried unanimously on roll call vote.

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned 9:20 pm.

**Respectfully submitted,**

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**Mary R. Verducci**  
**Zoning Board Secretary**