

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
REGULAR PUBLIC MEETING
March 25, 2021**

APPROVED 5/3/21

1. OPENING OF THE MEETING

The meeting was called to order at approximately 8:00 p.m. via Zoom link:

<https://us02web.zoom.us/j/88558133030?pwd=Y2szT3Aya2JZRTBIYmUvc1A3YlcyUT09> - Meeting ID: 88558133030; Password: 093886

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
Robert Bicocchi, Councilmember
William Martin
Anthony Zorovich
Ann Costello
Keith Doell
Yash Risbud
Lauren Letizia, Alt. #1
Kristy Dougherty, Alt. #2

ALSO PRESENT:

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

ABSENT: Mayor Raymond Arroyo

(WWPB 3/25/2021 Regular Meeting Minutes)

OPEN TO PUBLIC ON NON-AGENDA ITEMS:

A motion to open to public was made by Yash Risbud, seconded by Dan Olivier, and carried. There were no questions or comments, and the matter was closed to the public on motion by Yash Risbud, seconded by Dan Olivier and carried.

4. MINUTES: The Minutes of the **2/25/21** meeting were approved on motion made by Ann Costello, seconded by Anthony Zorovich and carried unanimously on roll call vote.

5. CORRESPONDENCE:

1. Letter from Steven H. Schefers, Esq. - Request for extension of approvals RE: MMS Associates/Kevin Jones - 693-699 Broadway - Chairman Hodges addressed the letter. Mr. Snieckus commented typically if an applicant returns, you will look to see if there are any changes in the zoning. There were none. Attorney Randall advised the Board should look to see if there was any tolling of the approval, but there was none. Mr. Raimondi and Mr. Martin were asked if they were aware of any issues along Broadway, or any changes. There were none. William Martin moved to grant an approval for an additional one-year extension of the approval, with second by Ann Costello. There were no further questions, comments or discussions. On roll call vote, Dan Olivier, William Martin, Anthony Zorovich, Ann Costello, Keith Doell, Yash Risbud, Councilmember Bicocchi, Lauren Letizia, and Jaymee Hodges voted yes. Kristy Dougherty was not eligible to vote.

6. RESOLUTIONS: None

7. PENDING NEW BUSINESS: None

8. VOUCHERS: None

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS:

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS
The Board Professionals were sworn in.

1. Morefield's Handcrafted LLC, 499 & 513 Broadway, Block 807, Lots 8 & 9 - Amended Site Plan - CherylLynn Walters, Esq. represented the applicant in an application for Amended Preliminary and Final Site Plan Application. Ed Snieckus gave an overview as to why applicant is before the Board. The plan now exacerbates a side yard condition, wherein the building projects

(WWPB 3/25/2021 Regular Meeting Minutes)

into the side yard more than it did before. Applicant will be providing an overview.

Ms. Walters gave an overview and reviewed the approval granted for impervious coverage and signage with conditions. The Resolution was adopted on 11/5/2020. Applicant now proposes to add approx. 89 sf to the rear of the building to serve as a preparation area, thereby causing a change to the impervious coverage. The balance of the previously approved application remains the same. They need a little extra interior space for reasons to be testified to by their witnesses. The Exhibit and Witness Lists were provided, as was notice and publication.

Rich Swartz, representative of applicant, as owner, was sworn in and testified as to why the change was needed. The additional space would be used for mixing ice cream flavors. It was not done beforehand as they planned to do it off-site. There would be no manufacturing of the product on site. What they plan to do is to strictly take a finished mix and make a finished flavor from frozen products. The liquid mix will be delivered, and flavors would be added and put in the freezer. Everything else remains the same. There will be no additional trash. There were no questions of Mr. Swartz.

William A. Lane, P.E., applicant's Engineer, was sworn in and previously qualified, as to which there were no changes. Mr. Lane shared the Exhibits of Aerial View and a Colorized Plan, showing revisions to the Site Plan, adding the approx. 90 sf. The impervious coverage went up 2%. Parking remained the same. Mr. Raimondi asked for the latest revision date, which was 3/11/21. Mr. Snieckus asked Mr. Lane to confirm the side yard setback, which was still the same. Mr. Snieckus stated the Board did not approve that variance, and it should be included in this application, as it extends 7'4" into the setback. Mr. Olivier asked if it was just a one-story bump-out, and it was clarified as such. Ms. Walters advised the architect would have an Elevation Sheet to show. Chairman had a question on the plan and asked if the plan was revised this year, and Mr. Lane responded 3/11/21. There were no further questions of Mr. Lane.

Frank Truilo, AIA, applicant's Architect, was sworn in and previously qualified with no changes. Mr. Truilo showed an Elevation and Floor Plan and described both. The upper left hand area was squared off, as shown and was previously marked A-06.

(WWPB 3/25/2021 Regular Meeting Minutes)

There were no questions regarding the Floor Plan. The Front Elevation remains the same. The Side Elevation changed slightly. The Right Elevation and the walk-in freezer were shown. The Elevation Plan was previously marked A-05. Mr. Snieckus asked if the prefabricated walk-in box was going to be painted, and the response was yes, and it would match the color of the building. Mr. Snieckus asked if there would be anything on top, and the response was a small, prefabricated condenser. Chairman Hodges noted it was not shown and asked for a description. Mr. Martin asked and Mr. Truilo explained it is very small, in a metal case with perforations. It would not require additional screening. Mr. Olivier asked if it has its own foundation, and the response was yes. There were no further questions of Mr. Truilo.

Leah Furey Bruder, PP, applicant's Planner, was sworn in and previously qualified with no changes. Ms. Bruder heard all the testimony as to the only change to the plan. She testified as to the increase in impervious coverage. The proposed 93 sf would improve the functionality of the site. Overall the use has not changed, and the use would beautify the site and enhance the downtown area. It is permitted in the CBD. Ms. Bruder reviewed the variances. The side yard required is 3' and they have 2.1', and a variance is required. The side yard will not intrude any further than it currently exists. Reducing the impervious coverage any further would take away from the design. The variances are justified based on the site conditions. The requested additional deviations will enhance the purposes and intent of the MLUL and the benefits would outweigh any detriments. Ms. Bruder's testimony was complete. There were no questions of Ms. Bruder.

Ms. Walters gave closing comments and respectfully asked for an approval of the application as submitted.

The Chairman called for questions and any motion. Ms. Letizia asked if the product was just for the use of their retail location on Broadway, and the response was yes from Mr. Swartz. Mr. Risbud asked if there would be any gas from the mixing and the response was no. It's like using a blender Chairman Hodges asked for clarification of the square footage of the addition. Mr. Truilo clarified it was actually 98 sf. There were no further questions from the Board.

(WWPB 3/25/2021 Regular Meeting Minutes)

The matter was opened to the public on motion made, seconded and carried. There were no interested parties, and the matter was closed to the public on motion made, seconded and carried.

A motion for approval was made by Dan Olivier and seconded by Ann Costello. There were no further questions, comments or discussions. On roll call vote, Dan Olivier, William Martin, Anthony Zorovich, Ann Costello, Keith Doell, Yash Risbud, Councilmember Bicocchi, Lauren Letizia, and Jaymee Hodges voted yes. Kristy Dougherty was not eligible to vote. The Chairman and the Board gave positive comments and wished the applicant the best of luck. All were looking forward to trying the ice cream. They thanked the attorney and witnesses for an excellent presentation. Ms. Walters thanked the Board.

10. DISCUSSION:

1. Adoption of Procedural Rules & By-Laws - Carried to the next meeting.

2. Ordinance #21-1 #21-2 and #21-3 - Jaymee Hodges questioned why these were sent back to the Board's Agenda, as they were already adopted. They were listed in error.

Mr. Risbud asked when in-person meetings would resume. Chairman Hodges commented this was in discussion, and they would be meeting with Councilmember Bicocchi and Mr. Marini. Ms. Costello inquired if the vaccine could be extended to Board Members prior to in-person meetings, since Westwood is offering it to residents. The Chairman would ask the Councilperson from the Health Department and report back. Ms. Dougherty asked if the public would be present in person, and Chairman Hodges stated all would need to wear masks, and this will be discussed.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 9:06 p.m.

Respectfully submitted,

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