

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MINUTES  
June 10, 2019**

**APPROVED 7/1/19**

**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 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, Chairman  
Eric Oakes, Vice Chairman  
H. Wayne Harper (7:40pm)  
Michael Klein  
Matthew Ceplo  
Beverly Karch (Alt #1)  
Michael O'Rourke (Alt #2)

**ALSO PRESENT:** David Rutherford, Esq., Board Attorney  
Steve Lydon, Burgis Associates,  
Board Planner  
Louis A. Raimondi, Board Engineer

**ABSENT:** Anthony Zorovich (excused absence)  
George James (excused absence)

**4. MINUTES:** A motion to table the Minutes dated **5/6/19** was made by Eric Oakes, seconded by Michael O'Rourke and carried unanimously on roll call vote by those eligible to vote.

**5. CORRESPONDENCE:** None

**6. VOUCHERS:** None

**7. RESOLUTIONS:**

**1. The Chill Factor, LLC, 31 Westwood Avenue, Block 907, Lot 11 - Use Variance** - A motion to approve the Resolution as read by Board Attorney Rutherford was made by Beverly Karch and seconded by Michael O'Rourke. There were no further questions, comments or discussions. On roll call vote, Matthew Ceplo, Beverly Karch, Michael O'Rourke, and William Martin voted yes.

**8. PENDING NEW BUSINESS:**

**1. The Andrea & Gatana Bartolotta Irrevocable Family Trust, 252 Fourth Avenue** - Still incomplete; David Rutherford, Esq. to write applicants to determine their status and intentions; Carried to 7/1/19;

**9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETATIONS: NONE**

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

**1. Bhatia, 81 Westwood Boulevard, block 2208, Lot 3** - Still incomplete; No Notice; Carried to 7/1/19;

**2. Greco, 26 Euclid Avenue - Bulk Variance** - Mr. Klein, being a neighbor, recused himself and stepped down from the dais. Anthony and Christine Greco, the applicants and property owners, and Joseph Bruno, Licensed NJ Architect were sworn in. They retained Mr. Bruno to add a second story to a portion of the existing home, construct a one story addition to the rear, as well as a covered porch. Also they will install an in ground pool in their rear yard where there is an existing above ground pool. The variances are for impervious and lot coverage. They have a very large family and need the addition to accommodate them.

Mr. Bruno put is qualifications on the record and was accepted. The photos were marked A1 and his Architectural Plan dated 3/20/19 was marked A2. The Site Plan by Lantelme, Kurens & Associates dated 2/11/19 was marked A3. Mr. Bruno described the set of six photos. He testified as to the plan for the proposed additions in detail. There would be a porch added on the first floor, and on the second floor would be a master bath and a home office. The project will include a major facelift to the house. They will change the siding and are proposing embellishments to the roof line, in keeping with the Colonial style architecture of Westwood. There would be stone veneer on the lower level. A lot coverage variance

is required, as they are going from 47.5% existing to 42.5% proposed, where 40% is permitted. They are also seeking a building coverage variance, as they are going from 22.2% existing to 26.2% proposed, where 22% is permitted. There is no storm water management system on site. However one was designed by Mr. Lantelme. There is no hardship, as this is an oversized lot. The project if built would be a better fit to the neighborhood and be in accordance with the Master Plan to improve the existing housing stock and streetscape with the front elevation and aesthetics. It is a benefit to the neighbors to the North as the rear elevation will be greatly enhanced.

Questions by the Board followed. Mr. Oakes asked if the in ground pool met the standards of the ordinance, and Mr. Bruno responded yes. Mr. Lydon reviewed the ordinance. It was concurred. Ms. Karch asked how the addition will affect the neighbors as far as light. Mr. Bruno stated they comply with the heights. It should not be an issue. Ms. Karch felt it may be an issue. The neighbor's house is located to the East of the subject property and the sun is low in the westerly sky. It is a heavily wooded neighborhood. So it should not be an issue.

Mr. Raimondi questioned this as well and reviewed the revised plan submitted showing neighboring homes, which was not provided to him earlier. Mr. Raimondi asked if there were any retaining walls, and applicant responded he does not have a retaining wall. Mr. Bruno commented if there are any retaining walls on the neighboring property, Mr. Lantelme would consider it and design the pool accordingly. Mr. Raimondi advised they would also need a soil moving permit. He also had questions about the dumpster and driveway. The response was concrete and asphalt. Basement plans as requested were included in the revised set.

Mr. Martin inquired of Mr. Bruno what is around the perimeter of the pool. They would have stepping stones and grass up to the coping. Mr. Martin questioned the practicality. He did not expect a coverage variance and asked if there was a way to reduce this, as they are looking to greatly exceed the limit. This is a very large lot. Mr. Martin asked them to reduce the addition, as there is no hardship, and perhaps they could use the flexible C variance for their criteria. He is looking for a way to grant the variance. The porch is an enhancement, but if they take the porch out, it is still over. Mr. Martin asked if they can

change the plan and make it smaller/narrower, so there is a justification to grant the variance. Mr. Bruno responded the dining room would be smaller then. They cannot move the basement stairs. Mr. Martin stated they could take some time to review this and see where this could be more in conformance. Mr. Oakes suggested they reduce covered porch and office to bring it down 1-2%, which may help. Mr. Martin stated there is an advancement to zoning because of the enhanced improvements, but they must find a way to bring the coverage down.

The matter was opened to the public. Richard Thomas, neighbor directly across the street at 37 Euclid, came forward. His family also lives on the block. The home had previously been an eye sore, but since the Greco's moved in it has been an improvement. This plan will be a great enhancement to the neighborhood, and he is not opposed. Mr. Martin commented if everyone built their house to 26% of the lot coverage, it would be a problem. In this case, the numbers seem excessive on a lot that is already over built.

Mr. Ceplo asked how applicant's house compares with others on the block. Is it smaller he asked and would it fit in. Mr. Greco said it would fit in closer with the houses that are newer and larger on the block. Mrs. Greco said they are not trying to be greedy and were ecstatic when they first moved in, but now with three kids, equipment and papers, they use the dining room table for an office and would love a mud room off the kitchen. It is the little things that make lives better. Other houses are quite large on Cypress, brand new, and they wonder how that came about. Looking at their house from the street it is charming and nice, and it will not look like a huge house dominating the street. Mr. Greco said they would not consider moving out of town and are looking to better their property for the town. Everything they do in their free time is within the town, which includes all sports and recreation. He sent out certified notices, and no one appeared except the one neighbor in favor. He is trying to understand. Mr. Martin explained the Board Members are applying the criteria that we are charged with applying. It is possible to have a variance denied when neighbors are in favor, because the criteria does not apply.

Mr. Martin commented to Mr. Bruno, the front porch is 230 sf and proposed, if the Board were to say the porch cannot be used as living space and approve it based on the porch never being enclosed, and they take a foot off the back, going

from 14.3' to 13.4', how would that be. Mr. Bruno agreed this could be done and applicants concurred. The Board was also in agreement. Ms. Karch commented she would have suggested taking off 2' but is ok with 1'. Mr. O'Rourke commented it was a good suggestion, and there was no one present objecting. Mr. Harper commented when a reasonable case is presented the Board tries to analyze how the variance can be granted, and the proposal seems to be a reasonable compromise. Mr. Martin asked what percentage it would be if they left the back as is. Mr. Bruno stated 23.38%. They are willing to compromise and could take the 1' off the back with the stipulation not to enclose the porch, which brings them to 22.71%. Mr. Martin asked Mr. Harper if he felt it would be a reasonable compromise to leave the addition as is with a stipulation that the porch will not be enclosed. He then suggested taking a five minute recess to allow the applicants to discuss and confirm their proposal.

The Board took a recess from 8:401 to 8:46 pm.

Mr. Bruno appreciated the break and to set forth their understanding the applicant will submit to the existing porch not being enclosed and used as additional living space. Mr. Martin confirmed with Mr. Rutherford they have the Board has authorization to add that condition. That's 230 sf. Mr. Bruno stated they will bring the westerly side in 1' for 13 sf = 244 sf, which brings it to 23.2%.

Mr. Martin asked if the Board discussed this enough and was ready to move towards a motion. There were no further discussions. Mr. Martin made a motion to approve subject to the covered porch in the rear and the room above coming in 1' from the side from the driveway/northwest side and there be a condition that the existing front covered porch is not to be enclosed, heated or made living space within the structure at any point. Further, he commented as a result of these adjustments there may be additional impervious coverage around the pool that they do not have figures for. He would like to authorize Mr. Rutherford to prepare a Resolution, have Mr. Bruno make the adjustments and appear on 7/1/19 with the revisions. Then at that time, the Board can vote on the approval of the application and Resolution at the same meeting, so the applicant will not lose any time. Mr. Rutherford added that the Resolution shall be recorded so anyone purchasing the proper in the future can see the restriction. Mr. Martin asked for the specific rooms making up the addition be described so no additional bedrooms can be

(ZB 6/10/19 Meeting Minutes)

included. The Board will actually get to see the revised plans on 7/1/19. On roll Call vote Eric Oakes, Matthew Ceplo, Beverly Karch, Michael O'Rourke, and William Martin voted yes. Mr. Klein was recused.

**10. DISCUSSION:** None

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at 9:00 pm.

**Respectfully submitted,**

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