

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
REGULAR PUBLIC MEETING
July 11, 2019**

APPROVED 7/25/19

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 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 John Birkner
Erin Collins, Councilmember
William Martin
Thomas Constantine
Ann Costello
Yash Risbud
Dritan Xhillari (Alt. #1)
Kristy Dougherty (Alt. #2)

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney
Louis A. Raimondi, Board Engineer
Ed Snieckus, Burgis Associates, Board Planner

ABSENT: Keith Doell (excused absence)

4. MINUTES: The Minutes of the **6/13/19 & 6/27/19** meetings were **approved** on motions made, seconded and carried unanimously by those members eligible to vote.

5. CORRESPONDENCE: None

(WWPB 7/11/19 Minutes)

6. **RESOLUTIONS:** None

7. **PENDING NEW BUSINESS:**

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 as required

1. **Rolling Pin Cafe, LLC,** 347 Broadway, Block 901, Lots 5 and 6 - Application for Minor Site Plan Approval - Scheduled for 7/25/19;

2. **99 Westwood Ave, LLC,** Block 907, Lot 16 - Bulk Variances & Site Plan - William Martin recused himself and stepped down from the dais, since he was the architect for a previous project at this site. Mr. Hodges noted it was a different owner, and Attorney Randall advised it was prudent of him to do so.

David E. Mayland, Esq., Strasser & Associates, PC, represented the applicant for site plan approval and bulk variances for a covered staircase at rear of including rear yard setback. Architectural Plans prepared by Brian Murphy Architect revised to 6/12/19 was marked A1 and a Series of Historical Photos were marked A2. They are present for site plan approval and historical review by the Borough. Mr. Snieckus addressed procedural items with respect to the waivers requested, as outlined in his report. The photos were submitted so there is no waiver. Signage should be testified to as well.

Frederick W. & Leslie Mechanic-Lind, Ph.D., applicants, testified as to the minor site plan and rear staircase. The reason for the variance is for a separate commercial space and entrance. They would add beautiful windows and restore the historical significance of the building, including the facade. They will keep the original stone. There are no other internal stairs. Questions by Board Members followed. Mr. Constantine asked about the stone and windows. They were adding new windows, taking away stucco. Mr. Xhillari and Ms. Costello appreciated them keeping the historical significance. Mayor Birkner asked if they were creating two separate uses. Both would be commercial with an office. Mr. Olivier complimented them on their plan.

(WWPB 7/11/19 Minutes)

Mr. Olivier asked what would be done with the clock. They would do whatever they can to retain the clock. Is it a full gut, Mr. Olivier asked. They are gutting it and putting in all new utilities and central air. Chairman Hodges' questions were previously answered and commented it is a wonderful project and certainly a focal point of the downtown district.

The matter was opened to the public for questions of the applicant. Ms. Letizia commented what they are doing makes sense and asked them to be careful with materials. There were no further questions, and the matter was closed to the public.

Brian Murphy, Licensed NJ Architect, Westwood, was sworn in, qualified and accepted. Mr. Murphy reviewed his plan, consisting of three sheets, revised to 6/12/19, marked A1, A2 & A3. He started with A1 and gave details of the renovation. They looked at all other places to put staircase. Couldn't put on Westwood Avenue or into side reducing sidewalk and cutting too much into building. By going in the back, they are reducing the size. The stairs will be reduced with this design. They have a unique stucco that will blend in with the stone facade, with decorative trim, raised panels and transoms above windows with canopies, creating shadows and depth. There's also a drain for parking lot water. It is a pre-cast concrete trough. Less water will be going into the parking lot with the roof drains. The access will be a fire-rated enclosure, with a sprinkler system installed in the building. They will be making it as beautiful and as safe as possible.

Mr. Murphy continued with A2 showing the basement, mezzanine, first floor and second floor plans which he described in detail. They believe the mezzanine was used to look down on the tellers when it was a bank. A3 shows the window details. There will be a new handicapped accessible bathroom, and the new stair to the basement will be wider, meeting the code requirements. At the former mezzanine you will see the stairs and landing and stairs up to the second floor. They may have a second handicap bathroom, depending on the tenant. So many beautiful windows will afford a view up and down the avenue and beyond, and with the high ceilings, it makes for great space.

Mr. Snieckus submitted a Memo dated 7/1/19 and questioned the architect about the calculations of the total coverage, which was then clarified as 97.27 sf. Mr. Snieckus asked about

(WWPB 7/11/19 Minutes)

the proposed exterior color. Mr. Murphy was not exactly sure, as they were cleaning the stone, but it would be neutral with beautiful color of stucco to match the stone. Mr. Snieckus also addressed the windows, lighting and signage. It would be shown on the front facade with gooseneck lighting. Basement would be for the first floor tenant, for mechanical space and storage.

Mr. Raimondi questioned the architect about maneuvering the door in that space. In the interest of spatial accommodations they designed it this way. They explained to the Construction Code Official. They would add a gap if they can. Regarding the trough, it is about 2-2.5' to the rear property line. Mr. Raimondi asked for a drawing. As for drainage calculations for the trench drain, he referred to a Sketch Plat for Stormwater Runoff by Richard Eichenlaub. Mr. Raimondi asked if this property is included in the calculations in that report. He asked for more details on the trench drain since it is so close. Perhaps they could contact the DPW Superintendent. Mr. Raimondi asked if there was an easement on Westwood Avenue, and Mr. Murphy responded there were none on this subject property. Chairman Hodges recalled it stopped at the rear of those buildings. Mr. Raimondi asked Mr. Randall about the easement. We don't get involved with parties of the easement, but if they have an interest they would appear. Mr. Raimondi noted there were minor changes to be made and had no further questions.

Questions by the Board followed. Ms. Dougherty asked about rear columns from a safety point of view, since it gives crucial support. They would make them as strong as possible and could put in a bollard. She commented additional windows makes it very inviting and well executed. Mr. Xhillari asked one of the windows that is a door is an emergency exit. Mr. Murphy said it will be an ingress/egress door for tables outside. There were no further questions. Mr. Olivier asked about the panels above the transom, and they will not be stucco. Chairman Hodges asked if the header could be removed, but it could not. At the top of the stairwell would it also be an 8' high door, he asked. He also asked about the gutters and where the snow would go. Mr. Murphy said possible it would tie it into the existing roof drain. Mr. Raimondi said it should be decided now. They will and have it shown on the final plan. Mr. Raimondi suggested tapping into the trench drain, and they should plan ahead. The roof would be a metal roof, to match the existing cornices. The Chairman noted a handicapped bathroom on the second floor, but

(WWPB 7/11/19 Minutes)

there were no elevator. The purposes of the ADA is to serve all people, Mr. Murphy responded.

The matter was opened to the public for questions of the architect. There were no questions, and the matter was closed to the public.

Thomas V. Ashbahian, Architect and Planner, 39 Spring Street, Ramsey, was sworn in, qualified and accepted as a NJ Licensed Planner. He testified he reviewed the application, ordinances and Master Plan. The position of the site is being improved and the building restored for a public benefit. Mr. Ashbahian gave special reasons per C1 and C2. There are no negatives or detriment to the Zoning plan or public good. These are very positive changes in a pedestrian downtown. The proposal is consistent with the Master Plan. In weighing the positive criteria vs. the negative criteria the granting of the variances is warranted. Mr. Snieckus commented it appears there is a significant aesthetic benefit, and they are adding new period style and detail to the building and restoring it. Ms. Costello was concerned about parking since it will be a 15 seat restaurant and asked if they could call the bank to see if they could share the lot. Mr. Ashbahian stated there is no parking on the lot today and there is no parking they can offer. The proposed use is not likely to attract cars. There were no further questions.

The matter was opened to the public for questions of the planner. There were no questions, and the matter was closed to the public.

The applicants had nothing further. Mr. Maryland thanked the Board. Chairman Hodges asked if Mr. Mayland had anything to add advised there may be conditions to discuss. Mr. Mayland summed up and respectfully requesting the Board approve the application and grant the variances. Board Attorney Randall commented and asked for the stipulations on the record as to stone and stucco. Mr. Raimondi would meet with Mr. Murphy over the technical details.

A motion for approval was made by Mayor Birkner and seconded by Yash Risbud. There were no further questions, comments or discussions. On roll call vote, all members voted yes. William Martin was recused. Complimentary comments were

(WWPB 7/11/19 Minutes)

made by all, thanking the applicant and welcoming them to Westwood with Playa Bowls. This would be the best looking building on Westwood Avenue, a jewel, and the heart and soul of the downtown. The Chairman thanked them for their investment into Westwood and for their time and care with this project.

The Board took a recess from 9:40 - 9:50 pm. William Martin returned to the dais.

10. DISCUSSION:

1. Presentation by New Jersey Future - Creating Great Places to Age - A Land Use Perspective, by Tanya Rohrback and Lisa Bontemps. They are a non-profit organization that promotes sensible growth, redevelopment and infrastructure investments to foster vibrant cities and towns, protect natural lands and waterways, enhance transportation choices, provide access to safe, affordable and aging-friendly neighborhoods and to fuel a strong economy. She presented a power-point presentation and discussed implementing a plan for the population that is 55 years of age and older and their needs in the community. They want to continue to live and age in their community and particularly in their own homes or smaller accommodations. They are doing an aging-friendly assessment in the town, followed by implementation planning. Land Use Checklist for Optimal Places to Age include housing, mixed-use centers, public spaces and amenities, and transportation. Details under each category were provided. Recommendations were made. They would like to have two-to-three meetings over the next month and a half to review the recommendations, identify strategies and then move to the implementation steps to meet each objective. The grant ends in the Fall of 2020, so they would like to begin as soon as possible, in late Summer or early Fall.

Board comments followed. Mr. Snieckus commented Westwood has particularly sought out housing for seniors. The courts, in absence of legislation, have capped towns at 25% for senior housing. He would ask NJ Future to appeal to the courts on this. Looking at the projections, we are actually handicapped on this. Engagement is very important. Ms. Collins asked for the next step after implementation in 2020. Ms. Rohrback said the implementation plan would be made and they would seek funding. Mr. Snieckus asked how many plans they have done. This is the first. Mr. Snieckus warned they have to be careful about uses

(WWPB 7/11/19 Minutes)

and variances in relation to the Master Plan. Mr. Constantine asked why they selected Westwood. They are working with agent coordinators and are able to work with one town. The Taub Foundation with NJ Future is interested in funding the plan and moving the towns forward. Mr. Risbud asked about the funding details. They are interested in provided one-two more years of funding, and that will be decided depending on what the Borough feels its needs are. Mr. Xhillari asked her to describe the strategies for the funding and for the municipalities to collaborate with each other. Ms. Rohrback described the networking and how they are looking to build upon it. Ms. Costello commented it was a good project. Mr. Martin commented in reading articles from their website, they are advocating for much higher densities, and we are already the highest density State in the Country. She responded there is not enough housing to meet the needs, and it's not to bring more people in, but to help the existing people and to have development in an appropriate space and scale.

Mr. Martin commented he read from their site indicating they are advocating higher densities. He is trying to get to the underlying directive for these services to come to the Borough. What he read gives him great pause. Their recommendation for Westwood and her opinion as a planner is to allow an additional use in each zone for seniors. He asked if she ever advocates for less density. In areas that are appropriate she responded. He expressed concern over them coming to Westwood to recommend we increase density. To have that written in a report about Westwood creates a situation where we could be on the defense for our Master Plan itself. We just adopted a policy statement against two family homes. The report also states Westwood also has these age-friendly features, and the planning Board is already addressing these items that you are covering. So why would we need another planner to come in and tell us to do this. Mr. Snieckus has been speaking to this for over 20 years. Ms. Rohrback responded different methodology is given different towns. It is not specific to Westwood. Mr. Martin continued. We are already doing this and he is not sure we need their input at this stage. You can see that and even your own report shows it. We are known as a senior-friendly community and all our stakeholders know it. You have to have a little history with Westwood to know it has been a concern for some time. Why do we need this additional layer when we have been doing this so successfully, he commented, and he is against

(WWPB 7/11/19 Minutes)

increasing density. Have you done economic studies he asked, and the response was no. He asked Mr. Snieckus if this would create a problem with use variances, and Mr. Snieckus said you are to be very careful with wording this information and people will use it to overturn the goals and objectives. We must be very cautious and he is concerned. He cautioned how would you interact that document with the Master Plan. The Governing Body does not have to approve this does it, he asked and what are they proposing. She responded they would want the consent of the Borough.

Mayor Birkner commented Mr. Martin was getting a little strong and these are only recommendations. We are doing very well with the strides taken for an age-friendly component. There are no obligations to implement this. There are things that could be recommended that we haven't thought of. The recommendations are not directives and we need to be careful about the land use components. The Governing Body would not be consenting to this but to hearing the data and statistics. If there are ideas that would benefit the senior population, it is worth hearing about it. Mr. Martin said his concern was that some of the recommendations would wind up hurting seniors and warns the Governing Body against exploring recommendations that would be a detriment to the community, and the economic effects have not be studied. He is also concerned as Mr. Snieckus stated about wording that allows use variances that will hurt seniors. Mayor Birkner stated he felt many of the statements could benefit the Borough. We are already doing things to prevent higher density. This is nothing to be afraid of but to see how it can help Westwood. Mr. Olivier asked about funding and the Taub Foundation. Mayor Birkner said the Foundation has identified Westwood as a place where the money would be well spent. We have received \$75,000. per year for three years. Lisa Bontemps explained how the Foundation is providing grants to communities that work towards becoming age-friendly communities. It's through Meals on Wheels. Taub gives funding to NJ Futures.

Chairman Hodges asked how this works. Ms. Martin from the audience invited them to come to the Borough. She wanted to be part of this and have the grants come to Westwood. She felt it was best-suited. It is for Westwood For All Ages. Mr. Hodges asked why wasn't the Planning or Zoning Board apprised and commented he disagrees with the Mayor. We address many of these topics, and the report is commendable to Westwood. You are

(WWPB 7/11/19 Minutes)

recommending a transit-orient community and the public came out and were greatly against it. We have a passion for Westwood and a Planner with the same visions. He doesn't understand why either of the oars was not invited or consulted. Where is the grant money to be used he asked. Could they be utilized for projects we choose the Chairman questioned. Ms. Rohrback responded the grant is to do the engagement process. Ms. Martin stated they did invite the Mayor and Council and Police Chief. Chairman Hodges stated this came as a surprise when a resolution was introduced when the Planning and Zoning Board has not been notified. Here we are being told there is another group that will take our place. Ms. Bontemps said they did put the cart before the horse with the resolution before coming here. They are interested in sidewalk repair. Chairman Hodges thanked Councilwoman Collins for coordinating this post-resolution. There are more people fleeing the state because of taxes. Ms. Rohrback stated Ridgewood has moved forward and signed an agreement.

The matter was opened to the public. Beth Dell came forward and commented. The matter was closed to the public.

The presentation was complete. It was 11:25 pm. Chairman Hodges asked if the Board should table the matter so the Board could review and discuss further. He thanked the public for attending.

2. Master Plan Re-examination Review - Carried to 7/25/19

a. Review of H, HSO, LM, and RW Zone Districts:

- H - Hospital
- HSO- Health Service Office - Old Hook, Kinderkamack Road to Emerson border
- LM - Light Manufacturing
- RW - Retail/Wholesale - Carver, Booker, Douglas (Swim Club)

b. Review of SC, LB-1, LB-2 & LB-3 Zone Districts

- SC - Shopping Center - K-Mart
- LB1 - Broadway, Lake, North to Hillsdale Line
- LB2 - Broadway, Lake, South to Irvington
- LB3 - Kinderkamack from Old Hook Road to Emerson Line

(WWPB 7/11/19 Minutes)

- c. **Review of R-1, R-2 and R-3 Zone Districts issues and objectives**
- d. **Short-term Rentals**

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 11:40 p.m.

Respectfully submitted,

MARY R. VERDUCCI, PARALEGAL
Planning Board Secretary