

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
REGULAR PUBLIC MEETING
August 22, 2019**

APPROVED 9/12/19

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
Erin Collins, Councilmember
Mayor John Birkner
Keith Doell
William Martin
Thomas Constantine
Ann Costello
Yash Risbud
Kristy Dougherty (Alt. #2)

ALSO PRESENT:

Ed Snieckus, Burgis Associates, Board Planner
Thomas Randall, Esq., Board Attorney

ABSENT: Dritan Xhillari (Alt. #1) (Excused absence)
Louis A. Raimondi, Board Engineer (Not required)

4. MINUTES: The Minutes of the **8/8/19** meeting were approved on motion made by Dan Olivier, seconded by Thomas Constantine, and carried unanimously by those members eligible to vote.

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5. CORRESPONDENCE:

1. Memo of Ed Snieckus, Burgis Associates, dated 8/21/19
RE: Master Plan - Signs

6. RESOLUTIONS: None

7. PENDING NEW BUSINESS: None

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

Open to the Public: Upon motion made, seconded, all ayes, the meeting was open to the public.

1. Bruce Meisel came forward and requested to address the Board regarding the downtown area, stating when the Master Plan review first started we had seven store vacancies, and now all are rented. All have rented to service uses except one. So we did the right thing going in that direction. Regarding second floor residential tenancies, the number of bedrooms is more important than the size. He suggested keeping with studios, one bedroom and two bedrooms, to keep occupancy at a minimum. Those were his comments on the CBD. Another area is South of Jefferson, the "O" Zone, which today is a dinosaur. Those buildings are tough to rent. He owns NY Sports Club. This Zone does not permit residential, just banks and health clubs. Just south of that is apartments. He suggested adding in residential, with the requirement of one parking space for each apartment. Banks are closing branches because of the lack of attendance, and health clubs do not need 18,000 sf buildings. Mr. Martin asked for the parameters of the "O" Zone and suggested breaking a section off. Mr. Snieckus would come back to the board with a draft. There were no further interested parties.

Closed to the Public: Upon motion made, seconded, all ayes, the meeting was open to the public.

10. DISCUSSION:

1. Master Plan Re-examination Review

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

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

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

- 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 - Ms. Dougherty expressed concern about catering facilities, which was addressed.

c. Review of R-1, R-2 and R-3 Zone Districts issues and objectives

d. Short-term Rentals - Tabled

e. NJ Futures Presentation - See below under Open to Public for comments by Ms. Bontemps

f. Sign Color Limitation - Memo of Ed Snieckus dated 8/21/19 RE: Master Plan Re-examination Review - Sign Color Limitation Review - Mr. Snieckus reviewed his Memo. One of the things brought up at the last meeting was sign colors. The existing regulations restrict colors to four, and black and white are included in those colors. The purpose was to avoid excessive use of color, distractions and aesthetic quality of a corridor or area. While this standard has been in place for some time, it is burdensome to some for signage, logos and trademarks.

The recommendations for options were as follows:

1. Exempt said black and white from being counted toward maximum number of colors;
2. Exempt trademarks and official logos from this limitation;
3. Exclude the background color from the maximum number of colors only when it is a solid color;

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4. Permit up to five colors on a sign, including black or white as a color.

Board questions and/or comments followed. Councilwoman Collins agreed with five colors. Mr. Constantine noted the signs are more tastefully done these days, and with businesses having difficulty in this climate, and not being aware of any complaints, we should consider this. He asked about non-compliant signs. Mr. Snieckus responded anyone that is non-compliant would be brought into compliance. Mr. Constantine would be in favor of this, as the Board has been very positive and aggressive in addressing the needs of the businesses. He would be in agreement in having additional colors. Mr. Risbud was also in favor of more colors. Mr. Doell commented the Sneaker Lounge had come in regarding his logo, which was denied, and he complied. He felt it should be more flexible and was in agreement. Ms. Dougherty commented black and white should not be considered a color. Ms. Costello asked about the shades of black and white colors. She was in favor of excluding them, but not in the trademarks. Mr. Martin stated the clearer we make it, the better it is for Mr. Marini to explain explicitly. He suggested black and white be a color and decide on how many additional colors the Board wants. Simple language should be used and be clear. Light green and dark green would be one color. No red except as defined. He suggested six colors. Also, it should be opaque. Many stores want a small, illuminated "open" sign, and he asked if that could be permitted. Also "moving" barber shop pole signs were discussed.

Chairman Hodges suggested holding these comments and having Mr. Snieckus work additionally with the colors for the signs and come back. Mayor Birkner recommended five colors with the exclusion of black and white. Six colors may be too much. He agreed with #4. Mr. Olivier also agreed with option #4 and was curious about the color red. Trader Joe's is red. They were approved by the Zoning Board, Mr. Martin noted. He agreed with #4 with a caveat for the percentage of square footage for the sign. Chairman Hodges asked about the maximum square footage of the signs. Mr. Snieckus commented. It would be simple to say a percentage of the sign's size.

There were no further comments. Mr. Snieckus had enough information to come back to the Board.

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The Chairman noted the discussion would continue on signage, with Mr. Martin's comments about barber poles and open illumination signs. Councilwoman Collins noted there is a flat screen television playing a continuous loop at Mt. Everest. This would be mentioned to Mr. Marini. Brief discussion followed. Barber poles would be excluded but limited in number. Board Members commented on illuminated signs. Mr. Doell was opposed. It sounds like a neon sign. Ms. Collins asked Mr. Martin if it was a single color, and he explained it was a black background and white letters like Dominoes. She was in agreement with both. Mr. Risbud agreed as long as it was simple in color and size. Ms. Dougherty felt it should be limited to two or three colors and size, and Dominoes should be allowed. Having light up signs in the winter time is extremely helpful. Ms. Costello liked the idea for businesses set back and with parking lots in front of them, and not illuminated unless you have a 25' setback.

Mayor Birkner expressed he does not like the idea of illuminated signs. The downtown is lit up very well. He would limit the size of the sign, but not any animation or movement. This would take it to the next level. He suggested drafting very specific and limited language. He has a concern about the nature of the illuminated signs. Mr. Olivier commented no illuminated, moving or red open signs should be permitted. They are distasteful.

Chairman Hodges stated this is a discussion for Mr. Snieckus to come back to the Board with, including an amended Memo and recommendations for the Board to act upon. Mr. Snieckus would be in contact with Mr. Marini. The discussion was complete.

a. HSO Zone - Mr. Snieckus said the Board tabled the doggie day care discussion, so it was taken out. The rest of the hospital zone was discussed and in line. We are just making recommendations, not formulating an ordinance. He summarized the Board's prior discussion. Mr. Constantine asked about medical dispensaries. Mr. Snieckus said presently there was a prohibition in town. Mr. Constantine expressed concern if federal regulations changed. The Mayor and Council has already acted. Mayor Birkner commented if there were a referendum it would be a mechanism for legislatures to say it is wanted. Each municipality that enacted a prohibition ordinance would have to redraft their ordinance. A discussion by the Mayor ensued. The

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subject is now moot. It should be permitted in the "H" Zone only, so the hospital would have its sole and direct influence over it. It is irrelevant and too premature to consider this until it is declassified as off the narcotics list and legislation is passed. It is a moot point. Mr. Constantine asked it were open for discussion. Mr. Martin to address Mr. Constantine's concern about staying ahead of it, can we make a note in the Master Plan. Mr. Snieckus said that was not a good idea, but the Board could amend the Master Plan, and there would be enough time, such as a year after anything was passed. Mr. Constantine was satisfied his concern was addressed. The Mayor felt it need not be discussed further.

Ms. Costello asked about the "C" zone. The cemetery zone had no further discussions.

Mr. Snieckus said trees were to be addressed in long term goals and policy statements. A brief discussion ensued. He would be back with language pertaining to same.

Open to Public: Upon motion made, seconded, all ayes, the meeting was open to the public.

Beth Dell, 64 O'Toole Street, reminded everyone that the Eagle Scout candidate is working on the bird sanctuary in town.

Lisa Bontemps, 136 Lafayette Terrace, came forward to follow up on the NJ Futures presentation and the decision of whether to vote. She asked if anyone had any questions of her with regard to adopting the Memorandum she had passed around at a prior meeting. The Village of Ridgewood has signed on and an invitation was extended to attend their first workshop meeting on 9/19/19 from 9am to noon in Ridgewood. Attendance by a few people from the Borough of Westwood and the Planning Board is encouraged to see what they are implementing to help make their community become more aging-friendly. She feels it is a win-win for Westwood.

Mr. Olivier asked where we were with short-term rentals - Chairman responded, reading for the Minutes and stated we are waiting for data from police department, and the matter was tabled to another future meeting. The Board is waiting for information and a baseline.

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Mr. Constantine asked if we should make a recommendation that the Borough go forward with implementing NJ Futures program to the Mayor and Council for consideration as discussed previously. The Chairman opened it for discussion. Ms. Dougherty felt the recommendations should be reviewed carefully by a group of Board Members as it may have a negative effect on the Borough. Ms. Costello would go against it at this time, but would review it in Ridgewood. Mr. Martin agreed and has a lot of reservations. We should observe what it does in Ridgewood and revisit it in two-to-three years, and he would make a motion to ask that the Council not act on it. We are and have been already addressing and implementing aging in place, and some of this could be damaging and detrimental to our seniors, and why engage in an organization that did not even do an economic study of this Borough. We should stand down and see what happens with Ridgewood.

The Mayor was in favor of this funding source and felt it would be beneficial, and we would not have to implement any of their recommendations, he noted. It is an option for the Borough to learn, and it could be valuable. Mr. Doell commented he did not have enough knowledge of the details, but was in favor of helping out the elderly. He was not opposed. Mr. Martin said it was not clear that we are not obligated. The Resolution states the Mayor and Council consents and agrees to the approach by NJ Futures. Chairman Hodges stated once you are in the agreement, it cannot be terminated. Ms. Collins was in favor of it and felt we were not locked into the suggestions. Mr. Constantine made the motion he suggested earlier and did not comment. Mr. Risbud commented it was a thorough report but there is a financial responsibility on the part of the Borough. He cannot recommend it. Mr. Olivier commented he wanted to remain neutral, but must make a decision. With regard to the financial aspect, while he feels the foundation does a lot of good, with the seniors facing high taxes, etc., he tried to analyze ways to fix the problems.

A discussion by Mr. Snieckus ensued regarding Fair Share Housing and seniors living with restrictions. It was stated there would be money spent on committees and professionals. The Mayor suggested tabling the motion and moving forward with discussion at a future meeting with NJ Futures professionals to answer any questions. The motion was not yet seconded, Mr. Constantine noted. The Chairman asked if the Borough decides

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where the money goes, and the representative stated NJ Futures does. As the Mayor says, "we don't know what we don't know", and he is not fond of being locked in to anything. The Borough is always on the curve to make things happen. We have watched and followed Ridgewood for many years, and they made mistakes. They had so many banks, and now they have too many restaurants and not enough retail. Our community has benefitted thus far and this Board should keep things moving as they are. NJ Futures is wrong about parking in Westwood. He is not in favor of this, and he is not in agreement with NJ Futures.

There was no second to Mr. Constantine's motion. The Mayor made a motion to table the subject matter for further discussion, review and clarification by NJ Futures as to any questions and comments by Board Members. The motion was seconded by Mr. Doell. On roll call vote, Thomas Constantine, Ann Costello, Keith Doell, Yash Risbud, Erin Collins, and Mayor Birkner voted yes to table. Dan Olivier and Jaymee Hodges voted no. William Martin abstained. Kristy Dougherty was not needed to vote. There were no further questions, comments or discussions.

Closed to the Public: Upon motion made, seconded, all ayes, the meeting was open to the public.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 10:15 p.m.

Respectfully submitted,

MARY R. VERDUCCI, PARALEGAL
Planning Board Secretary