

# WILENTZ

—ATTORNEYS AT LAW—

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January 17, 2020

**VIA HAND DELIVERY**

Cynthiha Dahdah, Secretary/Board Clerk  
Zoning Board of Adjustment  
Borough of Westwood  
101 Washington Avenue  
Westwood, NJ 07675

**Re: Westwood Investments, LLC  
220 Kinderkamack Road and 49 Fairview Avenue  
Block 1501, Lots 2 & 3  
Borough of Westwood**

Dear Ms. Dahdah:

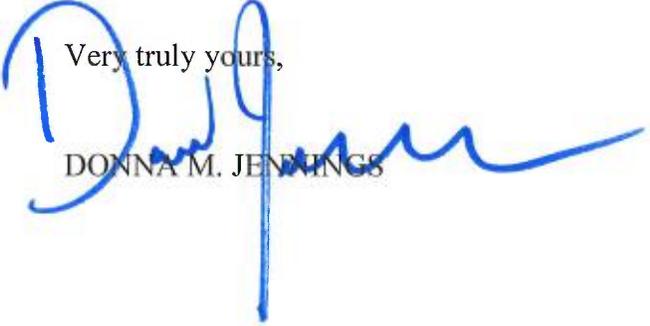
This office represents Westwood Investments, LLC in this matter. Enclosed, for initial filing, please find the following:

1. Three (3) checks made payable to “Borough of Westwood” in the amounts of \$1,000.00 to cover the Application Fee, \$1,000.00 to cover the Municipal Escrow Fee, and \$7,500 to cover the Professional Escrow Fee.
2. Four (4) complete application packets, which include the following:
  - a. Development Application Form with Rider attached;
  - b. Application Checklist;
  - c. Form 5 Preliminary Major Site Plan Details and Requirements;
  - d. Form 7 Final Major Site Plan Details and Requirements;
  - e. Form 9 “D” Variance Applications Plat Details and Requirements;
  - f. Form 10 “C” Variance Applications Plat Details and Requirements;
  - g. Deed of Easement, in compliance with application checklist item 12;
  - h. Prior Resolution, dated July 27, 1978;

- i. Corporate Disclosure;
  - j. Certification of Taxes Paid, dated November 16, 2019;
  - k. Certified 200' Property Owners List, dated December 2, 2019;
  - l. Zoning Denial Letters, dated December 5, 2019; and
  - m. Color Photographs.
3. Executed W-9.
  4. Proof of Submission to the Bergen County Planning Board.
  5. Four (4) copies of the Survey prepared by Schan Associates, dated May 20, 2019.
  6. Four (4) copies of Statement As To Wetlands, prepared by Canger Engineering Associates, dated December 31, 2019.
  7. Four (4) copies of Drainage Statement prepared by Canger Engineering Associates, dated December 31, 2019.
  8. Four (4) copies of "Stormwater Management Report" prepared by Canger Engineering Associates, dated December 31, 2019.
  9. Four (4) copies of "Site Plan For Westwood Investments, LLC, Block 1501, Lots 2 and 3, Situated in the Borough of Westwood, Bergen County, New Jersey" prepared by Canger Engineering Associates, dated December 2019, consisting of eight (8) sheets.
  10. Four (4) copies of the Architectural Plans & Elevations prepared by Appel Design Group, dated October 14, 2019, consisting of three (3) sheets.

The checklists indicates that a Traffic and/or Environmental Impact Study is only required if requested by the Board. If you need any further documentation, please advise.

Very truly yours,

  
DONNA M. JENNINGS

Enc.

cc: Mr. Jonathan Cohen  
Matthew Fox, PE  
Paul Fox  
Laurance D. Appel, RA

# BOROUGH OF WESTWOOD

Office of Construction and Zoning



TELEPHONE (201) 664-5900 • FAX (201) 664-7570 • 101 WASHINGTON AVENUE • WESTWOOD, NJ 07675

## 1. APPLICANT INFORMATION

Name: Westwood Investments, LLC

Mailing Address: 17-01 Pollitt Drive, Fair Lawn, NJ 07410

Daytime Telephone: 201-213-1956 E-mail: JCohen@kyodousa.com

Applicant is a: (check applicable status)  
 Corporation  Partnership  Individual (s)  Other Limited Liability Company  
(please specify)

Relationship of applicant to property (check applicable status):  
 Owner  Contract purchaser  Lessee  Other \_\_\_\_\_  
(please specify)

If applicant is represented by an attorney:

Attorney's Name: Donna M. Jennings, Esq.  
Wilentz, Goldman & Spitzer, PA

Mailing Address: 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, New Jersey 07095

Telephone: 732-855-6039 E-mail: djennings@wilentz.com

## 2. SUBJECT PROPERTY INFORMATION

Subject Property Owner's Name: Westwood Investments, LLC

Westwood Street address of the subject property: 220 Kinderkamack Road & 49 Fairview Avenue

Tax Map Block(s): 1501 Lot (s): 2 & 3 Zone District: CO- Central Office

3. NATURE OF APPLICATION: Applicant seeks a use variance and other variance relief to develop four (4) townhouses fronting

on Fairview Avenue and to construct other site improvements with respect to the existing office building on Kinderkamack Road. See attached Rider for additional information.

## 4. Project Description:

See attached Rider.

i. Relief Requested:

| Ordinance           | Section Item | Required | Proposed |
|---------------------|--------------|----------|----------|
| See attached Rider. |              |          |          |
|                     |              |          |          |
|                     |              |          |          |
|                     |              |          |          |
|                     |              |          |          |

5. VERIFICATION AND AUTHORIZATION

Owner's Statement: I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I hereby authorize members of the Land Use Boards and its staff to conduct a site visit of the premises that are the subject of this application.

Wilentz, Goldman & Spitzer on behalf of Property Owner  
Property Owner's Name (PRINTED) \_\_\_\_\_  
Property Owner's Signature \_\_\_\_\_  
Donna M. Jennings, Esq. \_\_\_\_\_  
Date 1/17/20

Applicant's Statement: I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are, to the best of my knowledge, true and accurate.

Wilentz, Goldman & Spitzer on behalf of Applicant  
Applicant's Name (PRINTED) \_\_\_\_\_  
Applicant's Signature \_\_\_\_\_  
Donna M. Jennings, Esq. \_\_\_\_\_  
Date 1/17/20

Sworn and Subscribed before me

17<sup>th</sup> day of January 2020  
Month Year

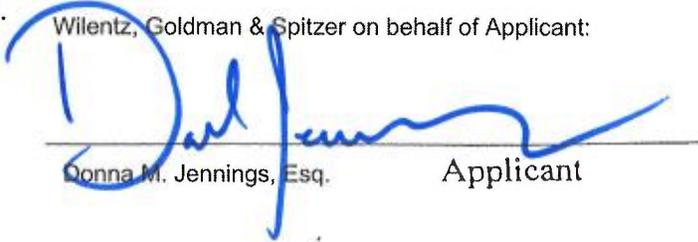
Maureen Blair  
(Notary)

MAUREEN BLAIR  
A Notary Public of New Jersey  
My Commission Expires August 5, 2020

AFFIDAVIT AND NOTARIZATION

I hereby depose and say that all of the above statements and statements made in any documents submitted herewith are true.

Wilentz, Goldman & Spitzer on behalf of Applicant:

  
\_\_\_\_\_  
Donna M. Jennings, Esq. Applicant

Sworn and Subscribed to  
Before me this 17<sup>TH</sup> day  
of January, 2020

**MAUREEN BLAIR**  
A Notary Public of New Jersey  
My Commission Expires August 5, 2020

Maureen Blair  
\_\_\_\_\_

AFFIDAVIT OF OWNERSHIP N/A- Applicant is owner.

\_\_\_\_\_, of full age, being duly sworn according to law,  
upon my oath, depose and say:

I reside at \_\_\_\_\_, and I am the owner in fee  
of all that certain lot, piece or parcel of land situated, lying and being in the Borough of  
Westwood, commonly known as \_\_\_\_\_, and  
that I hereby authorize the applicant, \_\_\_\_\_, to  
make application in his or her behalf, and that the statements contained in this application  
are true.

\_\_\_\_\_  
Owner

Sworn and Subscribed to  
Before me this \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

**APPLICATION RIDER/ REASONS FOR RELIEF/ LIST OF REQUIRED APPROVALS**  
**220 Kinderkamack Road and 49 Fairview Avenue, Borough of Westwood**  
**Westwood Investments, LLC**

**A. Preliminary and Final Major Site Plan**

Applicant seeks preliminary and final major site plan, use variance, several bulk variances and waivers to develop one (1) structure containing four (4) townhomes on property comprised of two lots identified as Lot 2 (commonly known as 220 Kinderkamack Road) and Lot 3 (commonly known as 49 Fairview Avenue) in Block 1501. The property is located in the CO- Central Office District.

Existing Lot 2 is 14,407 square feet and is improved with an office building fronting onto Kinderkamack Road with an accessory parking lot located to the rear of the lot on Fairview Avenue. Existing Lot 3 is 7,962 square feet and is improved with a residential dwelling and separate garage with frontage on Fairview Avenue and additional access to Kinderkamack Road. The single family home and garage will be demolished in connection with this application. The Applicant is proposing to merge the lots and develop four (4) townhomes on the portion which fronts on Fairview Avenue. The existing office building on Lot 2 is to remain largely unchanged. However, the Applicant is proposing to relocate the office parking lot to adjacent Lot 3 with access along Kinderkamack Road.

Each townhome will have three bedrooms and a single car garage. Ten (10) parking spaces are required and proposed in connection with the townhome use. Additional site improvements are proposed including improvements to access to the existing office and stormwater management.

## **B. Use Variance**

A use variance pursuant to N.J.S.A. 40:55D-70d(1) of the Municipal Land Use Law and §195-117(A) of the Zoning Ordinance of the Borough of Westwood is also required. In that regard, townhomes are not permitted in the CO District. The property is particularly suited for the proposed townhome use as it is located in a transitional area between Westwood's residential neighborhoods and thriving downtown. In that regard, the property is approximately three (3) blocks from the Westwood downtown area, or the CBD/SPE District, where amendments allowing multifamily uses are currently pending. Additionally, the CO District does permit residential uses as per the R-2 District (§195-117(A)(2))- so residential uses are contemplated in this zone. The property fronts on two roadways, Kinderkamack Road and Fairview Avenue. Kinderkamack Road is a County Road and, therefore, developed with more commercial uses and is busier in nature. Fairview Avenue is a quieter, more residential roadway. As a result of these existing site conditions, the property is particularly suitable for the proposed townhome use.

In terms of positive criteria, the proposed townhome use will further the purposes of the Municipal Land Use Law by: (1) encouraging municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare; (2) providing sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses; (3) promoting a desirable visual environment through creative development techniques and good civic design and arrangement; and (4) encouraging the coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

In terms of negative criteria pursuant to Medici v. BPR, 107 N.J. 1 (1987), the enhanced burden of proof is met as there is no substantial detriment to the public good, zone plan or surrounding area. The subject property is adjacent to a gas station. The increase in units will, therefore, have little to no impact on the operation of the gas station. The proposed townhome use will help to create a balanced transitional area from Fairview Avenue to Westwood's downtown. Additionally, as residential uses are contemplated in the CO District, the grant of the use variance is not inconsistent with the intent and purpose of the Borough's Master Plan and Zoning Ordinance. The benefits associated with granting the use variance substantially outweigh any detriments.

### **C. Bulk Variances**

Three (3) bulk variances are also required from the Borough's general provisions (§195-111), Schedule A, Area and Bulk Regulations (§195-109), off-street parking provisions (§195-162), as follows:

1. §195-111 Number of Principal Structures Permitted: One (1) principal structure is permitted and two (2) structures are proposed (office and townhomes).
2. Schedule A Minimum Front Yard Setback: 20 feet is required and 15 feet is proposed on Fairview Avenue.
3. §195-162 Minimum Number of Parking Spaces: the office use requires 22 spaces, 17 are existing, and 19 are proposed. The deficit in the required parking is a nonconforming condition.

The above variances are *de minimis* in nature. By permitting relief, nonconforming conditions related to minimum lot depth, minimum side yard and minimum rear yard on Lot 3

will be eliminated. Additionally, the existing nonconformity as to the office parking will be improved.

#### **D. Townhome Provisions**

The townhome use is carved out in the Borough's supplementary provisions found at §195-129(C), however, these provisions clearly are directed at larger townhome developments with many units, not towards application such as this with such a minimal number of units. If such standards apply, the following relief is required:

1. §195-129(C)(1) Minimum Lot Area: 3 acres is required, .51 acres is proposed.
2. §195-129(C)(2) Minimum Lot Frontage: 300 feet is required, 147.40 feet is proposed along Fairview Avenue.
3. §195-129(C)(3) Minimum Lot Depth: 200 feet is required, 151.76 feet is proposed (151.76 is the average of the two depths of 163.08 feet and 140.45 feet)
4. §195-29(C)(6):Maximum Building Height (Stories): 2.5 stories/ 35 feet is permitted, 3 stories/ 34.97 feet is proposed. The requested variance is, therefore, only to stories, not maximum height in feet.
5. §195-29(C)(10) Minimum Building Setback From Public Right of Way: 25 feet is required, 15 feet is proposed along Fairview Avenue.

The above variances are subsumed under the use variance as per Price v. Himeji, LLC, 214 N.J. 263.

#### **E. Design Waivers**

The following waivers are requested:

1. §195-87 Off-Street Loading: One (1) loading space required for non-residential use with floor area greater than 5,000 square feet. No loading spaces are proposed.

2. § 195-102 Stormwater Runoff: The site plan application requires submission of a surface water management plan. The Board may waive this requirement for properties less than 3 acres. The subject property is .51 acres.
3. §195-162 Maximum Width of Driveway in Front Yard: Driveways located in front yard are not permitted to be wider than provided garage. Two (2) of the four (4) proposed townhomes on Fairview Avenue have double width driveways to fit two vehicles with single car garages.
4. §195-163 Location of Off-Street Parking Spaces: Off-street parking shall not be located closer than 10 feet to any front yard lot line, nor closer than 5 feet to any side or rear lot line. The proposed parking for the office building is 6 feet from the front lot line on Kinderkamack and 2 feet from the side lot line shared with Lot 4 to the north.

The Applicant will supplement the reasons for relief by way of professional planning testimony at the hearing.

#### **F. List of Additional Approvals**

It is anticipated that the following additional approvals are necessary: (1) Bergen County Planning Board; and (2) Bergen County Soil Conservation District. Road opening permits, treatment works applications may be required based upon comments from the regulated approving agency.

LAND USE AND DEVELOPMENT

195 Attachment 1

Borough of Westwood

Appendix A  
Application Checklist  
General Requirements for All Development Applications

Applicant's Name Westwood Investments, LLC

Application # \_\_\_\_\_

| Items Required   | Yes        | No  |
|--|------------|-----|
| 1. Application Forms: 16 copies. 4 provided initial review   | ( )        | ( ) |
| 2. Fees and Escrow.  | (x)        | ( ) |
| 3. Certification of Taxes Paid.  | (x)        | ( ) |
| 4. Site Plan or Subdivision Plan: 16 copies. 4 provided initial review   | ( )        | ( ) |
| 5. Affidavit of Ownership. If applicant is not the owner, applicant's interest in land must be indicated, e.g., tenant, contract/purchaser, lienholder, etc., and permission of property owner to file the application must be submitted.  | ( )<br>N/A | ( ) |
| 6. If applicant is a corporation or partnership applying to the Board or the Council for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class as required by N.J.S.A. 40:55D-48.1 and 48.2. | (x)        | ( ) |
| 7. A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.   | (x)        | ( ) |
| 8. Statements as to any requirements for which waiver or variance is sought, together with a statement of reasons why same should be granted.  | (x)        | ( ) |
| 9. For minor site plans, minor subdivisions, preliminary major site plans and preliminary major subdivisions, a statement of any and all approvals which are required from other governmental or quasi-governmental entities.  | (x)        | ( ) |
| 10. If approval from the Bergen County Planning Board is required pursuant to P.L. 1968, c. 285, a copy of the application submitted to the Bergen County Planning Board must be submitted.  | (x)        | ( ) |

WESTWOOD CODE

| Items Required  | Yes | No           |
|---|-----|--------------|
| 11. For minor subdivisions, preliminary major site plans and preliminary major subdivisions, one of the following:  |     |              |
| a. A letter of interpretation from the NJDEP;   | ( ) | ( )          |
| b. A letter of exemption from the NJDEP;  | ( ) | ( )          |
| c. A copy of any application made to the NJDEP for any permit concerning a proposed regulated activity in or around freshwater wetlands; or   | ( ) | ( )          |
| d. Documentation from a qualified professional demonstrating that no wetlands exist on the subject property, and demonstrating that no wetlands exist on adjacent property that would affect or limit development on the property which is the subject of the development application.  | (x) | ( )          |
| 12. For minor site plans, minor subdivisions, preliminary major site plans, preliminary major subdivisions and variance applications, a copy of any protective covenants or deed restrictions, if any, affecting the property in question, provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist shall be submitted. | (x) | ( )          |
| 13. Complete checklist provided for one of the following development proposals (Applicant check one or more as required):   |     |              |
| Form 1 – Informal (Concept) Subdivision   |     | _____        |
| Form 2 – Informal (Concept) Site Plan   |     | _____        |
| Form 3 – Minor Site Plan  |     | _____        |
| Form 4 – Minor Subdivision  |     | _____        |
| Form 5 – Preliminary Major Site Plan  |     | <u>  x  </u> |
| Form 6 – Preliminary Major Subdivision  |     | _____        |
| Form 7 – Final Major Site Plan or Final Major Subdivision   |     | <u>  x  </u> |
| Form 8 – Appeals and/or Interpretation of Ordinance   |     | _____        |
| Form 9 – “D” Variance Application   |     | <u>  x  </u> |
| Form 10 – “C” Variance Application  |     | <u>  x  </u> |
| 14. Submission of site photographs of existing conditions, including but not limited to existing structures, site frontage and relationship to adjacent properties.   |     |              |

LAND USE AND DEVELOPMENT

195 Attachment 6

**Borough of Westwood**

**Appendix A  
Form 5  
Preliminary Major Site Plan  
Details and Requirements**

Applicant's Name Westwood Investments, LLC

Application # \_\_\_\_\_ Date Received \_\_\_\_\_

All applications for site plan approval shall be prepared, signed and sealed by a professional engineer. They shall bear the signature and the seal of a licensed land surveyor as to topographic and boundary survey data. A signed and sealed copy of the survey on which the site plan is based shall be submitted to the reviewing board with the site plan submission.

**PLAN ACCURACY AND LEGIBILITY**

SUFFICIENT FOR REVIEW: Yes (x) No ( )

PREPARED BY P.E. OR L.S.: Yes (x) No ( )

| Yes | No  |  |
|-----|-----|--|
| (x) | ( ) | 1. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.   |
| (x) | ( ) | 2. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of last amendment.  |
| (x) | ( ) | 3. Space for signatures of Chairman and Secretary of the Board and the Borough Engineer.   |
| (x) | ( ) | 4. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.   |
| (x) | ( ) | 5. North arrow.  |
| (x) | ( ) | 6. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot areas, lot widths, lot coverage, floor area ratios, density, number of parking spaces, and slope disturbance, both as to required and proposed, for the subject property. |
| (x) | ( ) | 7. The boundaries of the tract in question, with dimensions of same. Where it is physically impossible to show the entire property on the required sheet, a key map is permitted.  |
| (x) | ( ) | 8. Location of existing easements or rights-of-way, including power lines.   |

WESTWOOD CODE

| Yes        | No  |  |
|------------|-----|--|
| ( )<br>N/A | ( ) | 9. Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops. If such features are located on adjacent property, but have the potential to affect the site development, they shall be shown.   |
| (x)        | ( ) | 10. Existing and proposed topographic contours of the site and adjacent areas affecting the site. Contour intervals shall be no greater than: 10% slope or less – 2 feet; over 10% slope – 5 feet.   |
| (x)        | ( ) | 11. Proposed spot elevations at the corners of all buildings and in appropriate pavement locations if new buildings or paved areas are proposed, or if regrading near existing buildings is proposed.  |
| (x)        | ( ) | 12. Location of existing buildings and their setbacks from property lines, plus the location of existing buildings and paved areas on adjacent properties.   |
| (x)        | ( ) | 13. Floor plans for existing and proposed buildings, showing the use and layout of internal space, and front, rear and side building facade elevations, both at a scale not exceeding eight feet per inch. Building elevation and floor plans shall be prepared by a New Jersey licensed architect.                      |
| (x)        | ( ) | 14. Location and design of existing and proposed parking, loading, access and circulation improvements, showing dimensions of same.  |
| ( )<br>N/A | ( ) | 15. Existing and proposed signs, including the size, materials, nature of construction, location and illumination of same.   |
| (x)        | ( ) | 16. The location and design of fences, walls, sidewalks and similar improvements to be constructed.  |
| (x)        | ( ) | 17. Existing and proposed utility service, including septic systems with test hole locations and soil log information, connections to sanitary sewers, wells, connections to water mains, fire hydrants, etc.  |
| (x)        | ( ) | 18. Existing and proposed storm drainage design and improvements, including a map showing the entire drainage area, the drainage area contributing to each pertinent drainage structure and drainage tabulation sheets showing calculations for each drainage area. Provisions for rooftop drainage shall also be shown. |
| (x)        | ( ) | 19. Existing and proposed site illumination, including height and location of fixture, type of fixture and bulb, pole material, and manufacturer's isocandela diagram superimposed upon the site plan.   |
| (x)        | ( ) | 20. Location and description of existing and proposed landscaping. Information for proposed landscaping shall include common and botanical names, number of plants, planted size and root specifications. All portions of the property not utilized by buildings or paved surfaces shall be landscaped.                  |
| (x)        | ( ) | 21. Soil erosion and sedimentation control plan, if required pursuant to P.L. 1975, c. 251.  |

PROPOSED SHOWN.

LAND USE AND DEVELOPMENT

| Yes        | No  |   |
|------------|-----|---|
| (x)        | ( ) | 22. Location of any required dedication or reservation for streets or any area shown on the Official Map.   |
| (x)        | ( ) | 23. The location and design of solid waste disposal containers, recycling containers and monitoring wells, if such wells are required by this chapter or the Board.   |
| (x)        | ( ) | 24. Construction details and specifications sufficient to illustrate the nature of site improvements, including but not necessarily limited to the following, when appropriate: paving, curbing, walls, fences, utility and storm drainage structures, soil erosion control structures, tree protection devices, light fixtures and standards, signs, planting and staking details, and barrier-free access design.   |
| ( )<br>N/A | ( ) | 25. A written description of the proposed use(s) of nonresidential buildings, including the number of employees or members, the proposed number of shifts to be worked and the maximum number of employees on each shift, expected truck and tractor-trailer traffic, emission of noise, glare, vibration, heat, odor, air and water pollution, safety hazards and anticipated expansion plans incorporated in the building design. In apartment and townhouse projects, the number of dwelling units, by type, shall be provided. All architectural drawings shall be prepared by a licensed New Jersey architect.   |
| ( )<br>N/A | ( ) | 26. Temporary contractor's construction structures and storage areas. The location of all proposed trailers, warehousing, storage facilities and temporary contractor's offices shall be shown giving consideration to the proximity of residential development and located so that they are not an eyesore to adjoining landowners and the passing public. The landscaping plan shall show how these facilities will be screened or buffered and how they will be maintained during construction by the developer. The Construction Official or Borough Engineer shall be authorized to grant temporary permits and exceptions to this subsection when the trailers or storage facilities are of a small size and are not to be in a location for more than 60 days. |
| ( )        | ( ) | 27. Traffic study (where required by Board). To be determined.  |
| ( )        | ( ) | 28. Environmental impact study (where required by Board). To be determined.   |
| (x)        | ( ) | 29. Submission of site photographs of existing conditions, including, but not limited to, existing structures, site frontage and relationship to adjacent properties.   |

DUMPSTER PAD  
SHOWN

Existing conditions shown on site plan per survey by Schan Associates.  
Proposed townhomes building shown on site plan per Appel Design Group.  
Proposed lighting shown per ILA Lighting.

LAND USE AND DEVELOPMENT

195 Attachment 8

Borough of Westwood

Appendix A  
Form 7

Final Major Site Plan or Final Major Subdivision  
Plat Details and Requirements

|  |                           |                     |
|--|---------------------------|---------------------|
| Applicant's Name                                       | Westwood Investments, LLC |                     |
| Application #  | _____                     | Date Received _____ |
| PLAN ACCURACY AND LEGIBILITY<br>SUFFICIENT FOR REVIEW: |                           |                     |
|  | Yes ( )                   | No ( )              |
| PREPARED BY P.E. OR L.S.:                              |                           |                     |
| (for office use only)                                  | Yes ( )                   | No ( )              |

**FINAL MAJOR SITE PLAN**

( ) APPLICABLE ( ) NOT APPLICABLE

to be completed upon Engineering review and satisfying of conditions in resolution of approval.

| Yes | No  |  |
|-----|-----|--|
| ( ) | ( ) | 1. Those items required for preliminary major site plans pursuant to Form 5, Subsections _____ through _____, shown in final form. |
| ( ) | ( ) | 2. Information sufficient to demonstrate that all of the conditions of preliminary approval have been satisfied.                   |

**FINAL MAJOR SUBDIVISION**

( ) APPLICABLE ( ) NOT APPLICABLE

| Yes | No  |   |
|-----|-----|---|
| ( ) | ( ) | 1. Those items required for preliminary major subdivisions pursuant to Form 6, Subsections _____, through _____, shown in final form. |
| ( ) | ( ) | 2. The required front, side and rear setback lines, pursuant to the zoning regulations of this chapter, on all lots.                  |
| ( ) | ( ) | 3. The location and description of all monuments.   |
| ( ) | ( ) | 4. All lot lines, showing bearings and distances to the nearest hundredth of a foot.  |
| ( ) | ( ) | 5. All lot areas, to the nearest tenth of a square foot.  |
| ( ) | ( ) | 6. The radius and central angle of all arcs and curves along all street lines.  |
| ( ) | ( ) | 7. Block and lot numbers assigned by the Tax Assessor, and street addresses   |

WESTWOOD CODE

| Yes | No  |   |
|-----|-----|---|
|     |     | assigned by the Post Office, for each of the lots.  |
| ( ) | ( ) | 8. The location of all telephone, electric, gas and cable television lines and easements.   |
| ( ) | ( ) | 9. Information sufficient to demonstrate that all of the conditions of preliminary approval have been satisfied.  |
| ( ) | ( ) | 10. Certification from a licensed surveyor as to the accuracy of the details on the plat and as to compliance with provisions of the Map Filing Law.  |
| ( ) | ( ) | 11. Certification from the Borough Engineer as to the plat's compliance with the provisions of the Map Filing Law and all applicable Borough ordinances and requirements.   |
| ( ) | ( ) | 12. A statement from the Borough Engineer that he has received a map showing all utilities in exact location and elevation, identifying those portions already installed and those to be installed, and that the developer has installed all improvements in accordance with all Borough regulations, and/or a statement by the Borough Clerk that proper performance guarantees have been posted with the Borough Council for the installation of required improvements. |
| ( ) | ( ) | 13. When approval of a plat is required by an officer or agency of the Borough, county or state, approval shall be referenced and certified on the plat.  |

LAND USE AND DEVELOPMENT

195 Attachment 10

Borough of Westwood

Appendix A  
Form 9  
"D" Variance Applications  
Plat Details and Requirements

Applicant's Name Westwood Investments, LLC

Application # \_\_\_\_\_ Date Received \_\_\_\_\_

In addition to the requirements indicated in § 195-23, the following information shall be submitted for all applications for a "D" variance to the Zoning Board of Adjustment, including those cases when the variance application has been bifurcated from any other applications which may be required.

PLAN ACCURACY AND LEGIBILITY  
SUFFICIENT FOR REVIEW:

Yes ( ) No ( )

| Yes | No  |   |
|-----|-----|---|
| (x) | ( ) | 1. A general description of the proposed development and a brief assessment of its effect on the site, adjacent properties, the neighborhood and the Borough as a whole, including but not necessarily limited to effects upon the natural environment, land use patterns, traffic and circulation, visual factors, utilities and drainage. |
| (x) | ( ) | 2. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.  |
| (x) | ( ) | 3. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of last amendment.   |
| (x) | ( ) | 4. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.  |
| (x) | ( ) | 5. North arrow.   |
| (x) | ( ) | 6. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot areas, lot widths, lot coverage, floor area ratios, and density, both as to required and proposed, for the subject property.   |
| (x) | ( ) | 7. The location and width of any abutting streets, both right-of-way and pavement.  |
| (x) | ( ) | 8. The boundaries of the tract in question, with dimensions of same.  |
| (x) | ( ) | 9. Location of existing easements or rights-of-way, including power lines.  |
| (x) | ( ) | 10. Contours to determine the natural drainage of the land. Intervals shall be: up to 10% slope – 2 feet; over 10% slope – 5 feet.  |

WESTWOOD CODE

| Yes | No  |  |
|-----|-----|--|
| (x) | ( ) | 11. Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity.          |
| (x) | ( ) | 12. Location of existing buildings and their setbacks from property lines.   |
| (x) | ( ) | 13. Preliminary floor plans and building facade elevations for existing and proposed buildings. Building elevation and floor plans shall be prepared by a New Jersey licensed architect. |
| (x) | ( ) | 14. Location of existing and proposed parking, loading, access and circulation improvements.   |
| (x) | ( ) | 15. Location and description of existing and proposed landscaping.   |
| (x) | ( ) | 16. A copy of the certified list of property owners within 200 feet of the subject property, prepared by the Tax Assessor. Said certified list shall be no more than 90 days old.        |
| (x) | ( ) | 17. Submission of site photographs of existing conditions, including, but not limited to, existing structures, site frontage and relationship to adjacent properties.                    |

owner's list shown on site plan is dated 6-27-2019 as provided by applicant on 10-25-2019.

Existing conditions shown on site plan per survey by Schan Associates.  
 Proposed townhomes building shown on site plan per Appel Design Group.  
 Proposed lighting shown per ILA Lighting.

LAND USE AND DEVELOPMENT

195 Attachment 11

Borough of Westwood

Appendix A  
Form 10  
"C" Variance Applications  
Details and Requirements

Applicant's Name Westwood Investments, LLC

Application # \_\_\_\_\_ Date Received \_\_\_\_\_

In addition to the requirements indicated in § 195-23, the following information shall be submitted for all applications for a "C" variance to the Zoning Board of Adjustment, and for all such applications before either the Planning Board or the Zoning Board of Adjustment when the variance application has been bifurcated from any other applications which may be required.

PLAN ACCURACY AND LEGIBILITY

SUFFICIENT FOR REVIEW: Yes ( ) No ( )

| Yes | No  |  |
|-----|-----|--|
| (x) | ( ) | 1. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of last amendment.  |
| (x) | ( ) | 2. Space for signatures of Chairman and Secretary of the Board and the Borough Engineer.   |
| (x) | ( ) | 3. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.   |
| (x) | ( ) | 4. North arrow.  |
| (x) | ( ) | 5. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot areas, lot widths, lot coverage, floor area ratios, density, number of parking spaces, and slope disturbance, both as to required and proposed, for the subject property. |
| (x) | ( ) | 6. A copy of the certified list of property owners within 200 feet of the subject property, prepared by the Tax Assessor, must also be submitted. Said certified list shall be no more than 90 days old.   |
| (x) | ( ) | 7. A key map showing location of the tract to be considered in relation to the surrounding area, within at least 200 feet of the subject property.   |
| (x) | ( ) | 8. The boundaries of the site in question, with dimensions of same. Where it is physically impossible to show the entire property on the required sheet, a key map is permitted.   |
| (x) | ( ) | 9. Location of existing easements or rights-of-way, including power lines.   |

owner's list shown on site plan is dated 6-27-2019 as provided by applicant on 10-25-2019.

WESTWOOD CODE

| Yes | No  |  |
|-----|-----|--|
| (x) | ( ) | 10. Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops, as well as locations of mining activity. If such features are located on adjacent property, but have the potential to affect the site development, they shall be shown.   |
| (x) | ( ) | 11. Existing and proposed topographic contours of the site and adjacent areas affecting the site. Contour intervals shall be no greater than five feet.  |
| (x) | ( ) | 12. Location of existing and proposed buildings, including accessory buildings, and their setbacks from property lines. Lines indicating the minimum required front, side and rear setbacks for principal buildings shall also be shown. The approximate location of existing buildings and paved areas on adjacent properties shall also be shown.  |
| (x) | ( ) | 13. If new buildings, expansion of existing buildings or interior renovations are proposed, floor plans for existing and proposed buildings shall be submitted, showing the use and layout of internal space, and front, rear and side building facade elevations, both at a scale not exceeding eight feet per inch. Building elevation and floor plans shall be prepared by a New Jersey licensed architect. |
| (x) | ( ) | 14. Location and design of existing and proposed parking, loading, access and circulation improvements, showing dimensions of same.  |
| (x) | ( ) | 15. Existing and proposed signs, including the size, materials, nature of construction, location and illumination of same. If no signs are proposed, a statement indicating same shall be submitted.   |
| (x) | ( ) | 16. The location and design of fences, walls, sidewalks and similar improvements to be constructed.  |
| (x) | ( ) | 17. Existing and proposed utility service, including septic systems with test hole locations and soil log information (if new system is proposed), connections to sanitary sewers, wells and connections to water mains.   |

Existing conditions shown on site plan per survey by Schan Associates.  
Proposed townhomes building shown on site plan per Appel Design Group.  
Proposed lighting shown per ILA Lighting.

**General Checklist Item No. 12**



\*\*And the Grantor does covenant that it has not done or executed, or knowingly suffered to be done or executed, any act, deed or thing, whatsoever whereby or by means whereof the premises conveyed herein, or any part thereof, now are or at any time hereafter, will or may be charged or encumbered in any manner or way whatsoever.

Together with all and singular the buildings, improvements, ways, woods, waters, watercourses, rights, liberties, privileges, hereditaments and appurtenances to the same belonging or in anywise appertaining; and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and of every part and parcel thereof; And also all the estate, right, title, interest, use, possession, property, claim and demand whatsoever, of the Grantor both in law and in equity, of, in and to the premises herein described, and every part and parcel thereof, with the appurtenances. To Have and to Hold all and singular, the premises herein described, together with the appurtenances, unto the Grantees and to Grantees' proper use and benefit forever.

\*\* In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

Wherever in this instrument any party shall be designated or referred to by name or general reference, such designation is intended to and shall have the same effect as if the words "heirs, executors, administrators, personal or legal representatives, successors and assigns" had been inserted after each and every such designation.

In Witness Whereof, the Grantor has caused these presents to be signed and attested by its proper corporate officers and its corporate seal to be hereto affixed the day and year first above written.

ATTEST:

TOWN AND COUNTRY DEVELOPERS, INC

*Linda Bovino*  
Linda Bovino Secretary

By: *James J. Bovino*  
JAMES J. BOVINO President

State of New Jersey, County of BERGEN | ss.: Be it Remembered,  
that on November 9th 1978, before me, the subscriber, RICHARD B.  
GREENHALGH, Attorney at Law of New Jersey  
personally appeared LINDA BOVINO

who, being by me duly sworn on her oath, deposes and makes proof to my satisfaction, that she is the Secretary of TOWN AND COUNTRY DEVELOPERS, INC, the Corporation named in the within instrument;

that JAMES J. BOVINO is the President of said Corporation; that the execution, as well as the making of this instrument, has been duly authorized by a proper resolution of the Board of Directors of the said Corporation; that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said instrument is the proper corporate seal and was thereto affixed and said instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation.

in presence of deponent, who thereupon subscribed her name thereto as attesting witness, and that the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within deed, as such consideration is defined in P.L. 1968, c. 49, Sec. 2(c), was not less than \$100.00.

Sworn to and subscribed before me, this date aforesaid.

*Richard B. Greenhalgh*  
RICHARD B. GREENHALGH,  
Attorney at Law of New Jersey

*Linda Bovino*  
LINDA BOVINO

Prepared by:  
RICHARD B. GREENHALGH, ESQ.

NO SENT (7-5-81)

Complimentary  
Ready Transfer Fee  
Searching Fee  
By R. C. Total

*7/24/80*  
**Deed**

JOHN AND COUNTRY DEVELOPERS,  
INC.

A corporation of  
New Jersey

TO

COUNTY OF BERGEN, a body  
politic and corporate of  
the State of New Jersey

Dated November 8th 19 78

PREPARED BY:

RICHARD B. GREENHALGH, ESQ.

RECORD AND RETURN TO:

BERGEN COUNTY COUNSEL  
Administrative Bldg.  
Hackensack, N.J. 07601

DEC 8 78 DEED- 75.097 .00 .00 .00

666 of 50  
m. [unclear]

RESOLUTION

WHEREAS, application has been made to the Planning Board of the Borough of Westwood by Town & Country Developers, Inc. (hereinafter "applicant") for approval of a site plan for premises known as Lot 3 in Block 726 for the construction of an office building; and

WHEREAS, the applicant has also made application to the Planning Board of the Borough of Westwood for variances from some of the requirements of the zoning code of the Borough of Westwood pertaining to the construction of the proposed office building; and

WHEREAS, the Planning Board of the Borough of Westwood has the power to grant variances under certain terms and conditions pursuant to N.J.S.A. 40:55D-60(a) and 40:55D-70(c) in conjunction with site plan review; and

WHEREAS, public hearings on this application were held on April 6, 1978, April 27, 1978, May 25, 1978 and June 29, 1978; and

WHEREAS, the Planning Board has reviewed and considered:

(a) the evidence presented on behalf of and in opposition to the application;

(b) the site plan of the applicant prepared by Howard L. Boswell, P.E. of Boswell Engineering Co. dated February 9, 1978 and the revisions, additions and amendments thereto dated February 14, 1978, April 13, 1978, May 2, 1978, May 11, 1978, May 25, 1978, May 30, 1978, June 1, 1978, July 5, 1978 and July 26, 1978;

(c) the plan of the proposed office building prepared by Francis A. Gerritsen, architect, dated January 20, 1978 and the additions thereto dated April 13, 1978;

(d) the reports of the Board Engineer; and

(e) the reports of the Bergen County Planning Board Site Plan Review Team;

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the Borough of Westwood makes the following findings:

- (1) The applicant proposes to construct an office building on Lot 3 in Block 726 in the Borough of Westwood, the front of said premises being on Kinderkamack Road and the rear being on Fairview Avenue;
- (2) Lot 3 in Block 726 is located within the "O" Office District;
- (3) The zoning code of the Borough of Westwood requires that the minimum lot width in the "O" Office Zone be 100 feet;
- (4) Lot 3 in Block 726 has a lot width of 97.4 feet;
- (5) The zoning code of the Borough of Westwood requires that a lot in the "O" Office Zone have a minimum depth of 150 feet;
- (6) Lot 3 in Block 726 has a mean depth of 148 feet;
- (7) The zoning code of the Borough of Westwood requires that a lot in the "O" Office Zone have a minimum total land area of 15,000 square feet;
- (8) Lot 3 in Block 726 has a total land area of 14,408 square feet;
- (9) The zoning code of the Borough of Westwood provides for a maximum floor area ratio within the "O" Office Zone of 40%;
- (10) The proposed office building reflects a floor area ratio of 47.6%;

(11) The zoning code of the Borough of Westwood provides for a minimum front yard setback of 30 feet;

(12) The proposed site plan shows a setback of 25 feet;

(13) The zoning code of the Borough of Westwood provides that the required parking be located not less than 5 feet from the proposed building and setback not less than 5 feet from the rear property line;

(14) The proposed site plan reflects parking located 3 feet from the rear property line and less than 5 feet from the rear of the proposed building;

(15) Lot 3 in Block 726 is exceptionally narrow, having less than the minimum width provided for by the zoning code of the Borough of Westwood;

(16) Lot 3 in Block 726 is exceptionally shallow, in that it has a depth less than that required by the zoning code of the Borough of Westwood;

(17) Lot 3 in Block 726 has exceptional topographic conditions in that there is a substantial difference in the grades of the portions of the property fronting on Kinderkamack Road and the rear of the property abutting Fairview Avenue;

(18) By reason of the exceptional narrowness, shallowness and exceptional topographic conditions of Lot 3 in Block 726, the strict application of the zoning code of the Borough of Westwood would result in exceptional and undue hardship upon the applicant;

(19) The granting of the required variances pertaining to lot area, lot width, lot depth, floor area ratio, building set-

back and parking setback would not result in any substantial detriment to the public good and would not substantially impair the intent and purposes of the zoning code of the Borough of Westwood; and

(20) The Planning Board finds that approval of the site plan as revised and amended and the granting of the requested variances would tend to promote the health and welfare of the Borough of Westwood;

THEREFORE, BE IT FURTHER RESOLVED, by the Planning Board of the Borough of Westwood, that the application of Town & Country Developers, Inc. for approval of a site plan for the proposed development on Lot 3 in Block 726 and the variances required with respect thereto be and the same are hereby granted and approved subject to the following:

(1) the approval of the final site plan by the Bergen County Planning Board, Northeast Jersey Soil Conservation Service and any and all other governmental agencies having jurisdiction with respect thereto;

(2) the applicant providing proof that all municipal taxes on the involved property have been paid as of the date that the applicant takes title thereto;

(3) the applicant posting the sum of \$960.00 to the Borough of Westwood to cover the cost of professional services attendant to the within application, and the cost of advertising;

(4) the applicant entering into a builder's agreement in a form to be established by the Board Attorney and posting a Performance Bond with the Borough of Westwood in an amount to be fixed by the Borough Engineer to guarantee the proper completion of all required municipal improvements; and

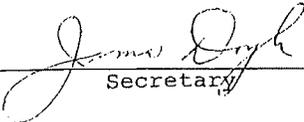
(5) the applicant depositing with the Borough of Westwood funds sufficient to cover the Borough's costs for inspection of the proposed improvements, the amount thereof to be fixed by the Borough Engineer at the time of execution of the aforesaid builder's agreement; and

BE IT FURTHER RESOLVED that the Clerk be and is directed to mail a copy of this resolution to the applicant and to the applicant's attorney within ten (10) days hereof and that a copy of this resolution is to be filed in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED that the Clerk of the Board be and is directed to cause a notice of this decision to be sent to the official newspaper of the Borough within ten (10) days hereof and thereafter published according to law.

Dated: July 27, 1978

Certified to be a true copy of a Resolution duly adopted by the Planning Board of the Borough of Westwood at its regular meeting on July 27, 1978.

  
Secretary

**CORPORATE DISCLOSURE**  
**Westwood Investments, LLC**

Please be advised that the following persons or entities own 10% or more of the Applicant:

A. 50% owned by Gabbay Invest, LLC, 128 Summit Ave, Hackensack, NJ 07601:

Gabbay Invest, LLC is owned 50% by Ofer Gabbay and 50% by Aviva Gabbay, 128 Summit Ave, Hackensack, NJ 07601

B. 50% owned by Kyodo Investments, LLC, 17-01 Pollitt Drive, Fair Lawn, NJ 07410:

Kyodo Investment, LLC is owned 100% by Uri Cohen, 17-01 Pollitt Drive, Fair Lawn, NJ 07410

# BOROUGH OF WESTWOOD



TELEPHONE (201) 664-7100 • FAX (201) 664-5340 • 101 WASHINGTON AVENUE • WESTWOOD, NJ 07675

THE INFORMATION CONTAINED ON THE TOP PORTION ONLY OF THIS FORM MUST BE COMPLETED BY APPLICANT AND RETURNED WITH THE APPLICATION PACKAGE. THE COMPLETED FORM SHOULD BE RETURNED TO THE PLANNING/ZONING BOARD SECRETARY BY THE TAX COLLECTOR/ASSESSOR. THANK YOU.

Date: November 4, 2019

Westwood Investments, LLC  
(Name of Property Owner)

Westwood Investments, LLC  
(Name of Applicant)

220 Kinderkamach Road  
49 Fairview Avenue, Westwood, NJ  
(Property Address)

Block 1501 Lot 2 and 3

-----  
**THIS PORTION TO BE COMPLETED BY TAX COLLECTOR:**

This is to certify that:  
Real Estate Taxes on the above referenced parcel ARE current to date

This is to certify that:  
Real Estate Taxes on the above referenced parcel are NOT current to date

Dated: 11/6/19

A Stokes  
Office of the Tax Collector

# BOROUGH OF WESTWOOD

## TAX ASSESSOR



TELEPHONE (201)664-7100 • FAX (201) 664-5340 • 101 WASHINGTON AVENUE • WESTWOOD, NJ 07675

December 2, 2019

Wilentz, Attny at Law  
90 Woodbridge Center Dr., Ste 900 Box 10  
Woodbridge, NJ 07095-0958

RE: Block-1501 Lot-2 & 3, 220 Kinderkamack Rd & 49 Fairview Ave, Westwood, NJ

Dear Taxpayer;

Per your request, attached is a list of Westwood Property owners within 200' of the above captioned property in the Borough of Westwood.

- \* Bergen County Dept. of Planning & Economic Dev., Division of Dev. Review,  
One Bergen Plaza, Rm. 415, Hackensack, NJ 07601-7076
- \* Suez Water, 461 From Road, Paramus, NJ 07652
- \* Public Service Gas & Electric, Manager-Corporate Properties, 80 Park Plaza T6B,  
Newark, NJ 07102
- \* Verizon, 900 Clinton 2<sup>nd</sup> Floor, Irvington, NJ 07111
- \* Cablevision, 40 Potash Road, Oakland, NJ 07436

The official newspaper is The Record, Public Notice Department, 1 Garrett Mountain Plaza, P.O. Box 471, West Paterson, NJ 07424-0471.

All applicants are urged to review N.J.S.A. 40:55D-12 which sets forth the statutory requirements for the giving of notice.

THE ATTACHED LIST OF PROPERTY OWNERS IS CERTIFIED TO BE TRUE AND ACCURATE ACCORDING TO THE TAX ASSESSMENT BOOK IN THE BOROUGH OF WESTWOOD.

Sincerely,

Barbara A. Potash, CTA  
Tax Assessor  
Borough of Westwood  
Encl.



OWNER & ADDRESS REPORT

WESTWOOD

12/02/19 Page 1 of 2

THIS IS A CERTIFIED LISTING OF ALL PROPERTY WITHIN 200' OF:  
BL-1501 LTS-2 & 3, 220 KINDERKAMACK & 49 FAIRVIEW AVE, WESTWOOD, NJ

| BLOCK | LOT   | QUAL | CLA | PROPERTY OWNER   | PROPERTY LOCATION        | Add'l Lots |
|-------|-------|------|-----|--|--------------------------|------------|
| 909   | 7     |      | 4C  | THIRD DAY REALTY CO.<br>BOX 864<br>WESTWOOD, NJ 07675                            | 106 FAIRVIEW AVE         |            |
| 909   | 10    |      | 4C  | THIRD DAY REALTY CO.<br>BOX 864<br>WESTWOOD, NJ 07675                            | 82 FAIRVIEW AVE          |            |
| 909   | 11    |      | 4A  | DITROLIO, DINO<br>31 KNICKERBOCKER LANE<br>OLD TAPPAN, NJ 07675                  | 64 FAIRVIEW AVE          |            |
| 909   | 12    |      | 2   | HOUSMAN, RUSSELL M(V)<br>44 FAIRVIEW AVE<br>WESTWOOD, NJ 07675                   | 44 FAIRVIEW AVE          |            |
| 909   | 13    |      | 4A  | A & C REAL PROPERTY LLC<br>10 FAIRVIEW AVENUE<br>WESTWOOD, NJ 07675              | 10 FAIRVIEW AVE          |            |
| 909   | 15.01 |      | 4A  | PALISADES LAND & MGMNT,LLC<br>700 OAK TREE RD/PO BOX622<br>PALISADES, NY 10964   | 54 - 58 JEFFERSON AVENUE |            |
| 1501  | 1     |      | 4A  | WESTWD CAR CARE CTR INC<br>210 KINDERKAMACK RD<br>WESTWOOD, NJ 07675             | 210 KINDERKAMACK R       |            |
| 1501  | 5     |      | 4A  | MONASTERIO(TRUSTEE), MARY LOU<br>260 KINDERKAMACK RD APT B<br>WESTWOOD, NJ 07675 | 79 FAIRVIEW AVE          |            |
| 1501  | 6     |      | 4C  | 93 WESTWOOD LLC<br>93 FAIRVIEW AVE<br>WESTWOOD, NJ 07675                         | 93 FAIRVIEW AVE          |            |
| 1502  | 1     |      | 4A  | 245 WESTWOOD LLC NJ<br>11 MERRITT DR<br>ORADELL, NJ 07649                        | 245 KINDERKAMACK R       |            |
| 1502  | 2     |      | 4A  | KINDERKAMACK L.L.C.<br>930 KINDERKAMACK RD<br>RIVER EDGE, NJ 07661               | 249 KINDERKAMACK R       |            |
| 1502  | 3     |      | 2   | MATHIS, W. REALTY,LLC<br>25 FIRST AVE.<br>WESTWOOD, NJ 07675                     | 253 KINDERKAMACK R       |            |
| 1502  | 4     |      | 4A  | MATHIS, W. REALTY LLC<br>25 FIRST AVE.<br>WESTWOOD, NJ 07675                     | 259 KINDERKAMACK R       |            |
| 1502  | 6     |      | 4A  | BETSY, WALTER L & PATRICIA A<br>265 KINDERKAMACK RD<br>WESTWOOD, NJ 07675        | 265 KINDERKAMACK R       |            |
| 1503  | 15    |      | 4A  | JEFFERSON REALTY ASSOCIATES, INC.<br>63 JEFFERSON AVE.<br>WESTWOOD, NJ 07675     | 63 JEFFERSON AVE         |            |
| 1503  | 16    |      | 4A  | COMAS, GEORGE & BARBARA<br>79 HORIZON TER<br>HILLSDALE NJ 07642                  | 73 JEFFERSON AVE         |            |
| 1503  | 17    |      | 4A  | DE LUCA, MARIO & CYNTHIA A.<br>77 JEFFERSON AVE<br>WESTWOOD NJ 07675             | 77 JEFFERSON AVE         |            |
| 1503  | 18    |      | 4A  | BERDAIS, R. C/O ATL STEWARDSHIP BANK<br>PO BOX 360<br>MIDLAND PARK, NJ 07432     | 200 KINDERKAMACK R       |            |
| 1504  | 5.01  |      | 4A  | SCI NJ #4025 PROPERTY TAX<br>P.O.BOX 130548<br>HOUSTON, TX 77219                 | 219 KINDERKAMACK R       |            |

OWNER & ADDRESS REPORT

WESTWOOD

12/02/19 Page 2 of 2

THIS IS A CERTIFIED LISTING OF ALL PROPERTY WITHIN 200' OF:  
 BL-1501 LTS-2 & 3, 220 KINDERKAMACK & 49 FAIRVIEW AVE, WESTWOOD, NJ

| BLOCK | LOT | QUAL | CLA | PROPERTY OWNER   | PROPERTY LOCATION  | Add'l Lots |
|-------|-----|------|-----|--|--------------------|------------|
| 1504  | 6   |      | 2   | LIBERTY ASSOCIATES<br>190 GRANEY DR<br>RIVER VALE, NJ 07675    | 225 KINDERKAMACK R |            |
| 1504  | 7   |      | 4A  | J.F.M. NICH LLC<br>231 KINDERKAMACK ROAD<br>WESTWOOD, NJ 07675 | 231 KINDERKAMACK R |            |

**ZONING DENIAL**  
**OFFICE OF THE ZONING ENFORCEMENT OFFICER**  
**OF**  
**BOROUGH OF WESTWOOD**

Date: 12/05/2019  
Re: Application#: 6131

To:  
Westwood Investments, LLC  
17-01 Pollitt Drive  
Fairlawn NJ 07410

*\* you have \$50.00 for this application*

|                          |
|--------------------------|
| Voucher/Receipt#         |
| Check #:                 |
| Amount collected \$ 0.00 |

Your application for a permit to:  
Construction of 4 attached townhouses

on the property at 49 Fairview Avenue Westwood Block : 1501 Lot : 3  
has been denied for noncompliance with provisions of Article (s) : 195-117 , 195-129 , 195-162 , 195-163 , 318-20 , 195-186 thru 207  
Sections : A , C of the Municipal Zoning Ordinance for the following reasons:

**This application includes the merger of lots 2&3 and the construction of 4 attached townhouse units in one building fronting on Fairview Avenue. It also includes construction of a 19 space parking lot with site improvements. Townhouses are not a permitted use in the Central Office Zone and will require a D1-Use variance. This project also requires bulk variances and site plan approval. Residential recycling and debris removal needs to be addressed. COAH requirements also need to be addressed. Approval from Bergen County Planning will be required. Architects building plans showing floor and elevations need to be submitted.**

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from the Secretary of the Board of Adjustment. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than (20) days from the date of this notice. You can also file for a variance to the board of Adjustment and can obtain from the Secretary of the Board of Adjustment the required forms .

The permit which you submitted has been placed in the inactive files in the Community Development Office / Construction Code Department / Zoning Department. Please contact this office to reactivate the permit.

Denied by:

  
Armand Marini

Zoning Official

CC: Secretary, Board of Adjustment  
Permit  
Letter  
Armand Marini, Zoning Official

**ZONING DENIAL**  
**OFFICE OF THE ZONING ENFORCEMENT OFFICER**  
**OF**  
**BOROUGH OF WESTWOOD**

Date: 12/05/2019  
Re:Application#: 6130  
To:  
Westwood Investments, LLC c/o Ori & John Cohen  
17-01 Pollitt Drive  
Fairlawn NJ 07410

|                  |          |
|------------------|----------|
| Voucher/Receipt# |          |
| Check #:         | 1070     |
| Amount collected | \$ 50.00 |

Your application for a permit to:  
Construction of 4 attached townhouses

on the property at 220 Kinderkamack Road Westwood Block : 1501 Lot : 2  
has been denied for noncompliance with provisions of Article (s) : 195-117 , 195-129 , 195-162 , 195-163 , 318-20 , 195-186thru207  
Sections :A , C of the Municipal Zoning Ordinance for the following reasons:

**This application includes the merger of lots 2&3 and the construction of 4 attached townhouse units in one building fronting on Fairview Avenue. It also includes construction of a 19 space parking lot with site improvements. Townhouses are not a permitted use in the Central Office Zone and will require a D1-Use variance. This project also requires bulk variances and site plan approval. Residential recycling and debris removal needs to be addressed. COAH requirements also need to be addressed. Approval from Bergen County Planning will be required. Architects building plans showing floor and elevations need to be submitted.**

Information on procedures for an appeal of this decision to the Board of Adjustment can be obtained from the Secretary of the Board of Adjustment. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than (20) days from the date of this notice. You can also file for a variance to the board of Adjustment and can obtain from the Secretary of the Board of Adjustment the required forms .

The permit which you submitted has been placed in the inactive files in the Community Development Office / Construction Code Department / Zoning Department. Please contact this office to reactivate the permit.

Denied by:

  
Armand Marini

Zoning Official

CC: Secretary, Board of Adjustment  
Permit  
Letter  
Armand Marini, Zoning Official





# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

|  |   |
|--|---|
| 1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.<br><b>Westwood Investments LLC</b>   |   |
| 2 Business name/disregarded entity name, if different from above   |   |
| 3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.<br><br><input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate<br><br><input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ <b>P</b><br><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.<br><br><input type="checkbox"/> Other (see instructions) ▶ | 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):<br><br>Exempt payee code (if any) _____<br><br>Exemption from FATCA reporting code (if any) _____<br><br><i>(Applies to accounts maintained outside the U.S.)</i> |
| 5 Address (number, street, and apt. or suite no.) See instructions.<br><b>17-01 Pollitt Dr.</b>  | Requester's name and address (optional)   |
| 6 City, state, and ZIP code<br><b>Fair Lawn, NJ 07410</b>  |   |
| 7 List account number(s) here (optional)   |   |

|  |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
|--|---|-------------------------------|---|---|---|---|---|---|---|--|--|--|--|--|--|--|--|--|--|--|--|----|--|--|--|--|--|--|--|--|--|---------------------------------------|--|--|--|--|--|--|--|--|--|---|---|---|---|---|---|---|---|---|---|
| <b>Part I Taxpayer Identification Number (TIN)</b>   |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
| Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later. |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
| <b>Note:</b> If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="10" style="text-align: center;"><b>Social security number</b></td> </tr> <tr> <td style="width: 20px; height: 20px;"></td> </tr> <tr> <td colspan="10" style="text-align: center;">or</td> </tr> <tr> <td colspan="10" style="text-align: center;"><b>Employer identification number</b></td> </tr> <tr> <td style="width: 20px; height: 20px; text-align: center;">3</td> <td style="width: 20px; height: 20px; text-align: center;">8</td> <td style="width: 20px; height: 20px; text-align: center;">-</td> <td style="width: 20px; height: 20px; text-align: center;">4</td> <td style="width: 20px; height: 20px; text-align: center;">0</td> <td style="width: 20px; height: 20px; text-align: center;">9</td> <td style="width: 20px; height: 20px; text-align: center;">4</td> <td style="width: 20px; height: 20px; text-align: center;">0</td> <td style="width: 20px; height: 20px; text-align: center;">7</td> <td style="width: 20px; height: 20px; text-align: center;">0</td> </tr> </table> | <b>Social security number</b> |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  | or |  |  |  |  |  |  |  |  |  | <b>Employer identification number</b> |  |  |  |  |  |  |  |  |  | 3 | 8 | - | 4 | 0 | 9 | 4 | 0 | 7 | 0 |
| <b>Social security number</b>  |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
|  |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
| or   |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
| <b>Employer identification number</b>  |   |                               |   |   |   |   |   |   |   |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |
| 3  | 8   | -                             | 4 | 0 | 9 | 4 | 0 | 7 | 0 |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |   |   |   |   |   |   |   |   |   |   |

|  |  |
|--|--|
| <b>Part II Certification</b>   |  |
| Under penalties of perjury, I certify that:  |  |
| 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and<br>2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and<br>3. I am a U.S. citizen or other U.S. person (defined below); and<br>4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. |  |
| <b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.                                 |  |

|                  |                            |                   |
|------------------|----------------------------|-------------------|
| <b>Sign Here</b> | Signature of U.S. person ▶ | Date ▶ 10/21/2019 |
|------------------|----------------------------|-------------------|

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

# WILENTZ

— ATTORNEYS AT LAW —

**DONNA M. JENNINGS, ESQ.**

T: 732.855.6039  
F: 732.726.6560  
djennings@wilentz.com

90 Woodbridge Center Drive  
Suite 900 Box 10  
Woodbridge, NJ 07095-0958  
732.636.8000

January 17, 2020

**VIA HAND DELIVERY**

County of Bergen  
Department of Planning & Engineering  
One Bergen County Plaza  
Hackensack, NJ 07601-7000

**Re: Westwood Investments, LLC  
220 Kinderkamack Road and 49 Fairview Avenue  
Block 1501, Lots 2 & 3  
Borough of Westwood**

Dear Sir or Madam:

This office represents Westwood Investments, LLC in this matter. Enclosed, for initial filing, please find the following:

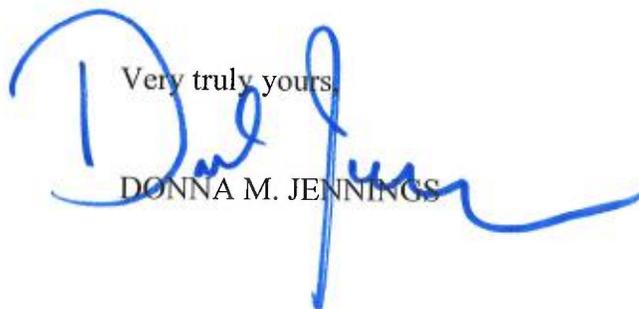
1. A check made payable to "County of Bergen" in the amount of \$1,500.00 in payment of the Initial Investigation Fee.
2. Four (4) copies of Application for Site Plan Approval with Rider.
3. Four (4) copies of the Survey prepared by Schan Associates, dated May 20, 2019..
4. Four (4) copies of Statement As To Wetlands, prepared by Canger Engineering Associates, dated December 31, 2019.
5. Four (4) copies of Drainage Statement prepared by Canger Engineering Associates, dated December 31, 2019.
6. Two (2) copies of "Stormwater Management Report" prepared by Canger Engineering Associates, dated December 31, 2019.

7. Four (4) copies of "Site Plan For Westwood Investments, LLC, Block 1501, Lots 2 and 3, Situated in the Borough of Westwood, Bergen County, New Jersey" prepared by Canger Engineering Associates, dated December 2019, consisting of eight (8) sheets.

If you need any further documentation, please advise.

Very truly yours,

DONNA M. JENNINGS



enc.

cc: Mr. Jonathan Cohen  
Matthew Fox, PE  
Paul Fox  
Laurance D. Appel, RA

# SITE PLAN

Application # SP .....

James Tedesco III  
County Executive



COUNTY OF BERGEN  
Department of Planning & Engineering  
One Bergen County Plaza, Hackensack N.J. 07601-7000 (201) 336-6446

## APPLICATION FOR SITE PLAN APPROVAL

The undersigned hereby applies for approval of the accompanying site development plan. Four (4) copies of this Application accompanied by the Initial Investigation Fee and four (4) copies of the plan conforming to the minimum requirements as outlined in Section III, Site Plan Details, of the County of Bergen Site Plan Review Resolution. Permission is given to walk the property for review purposes. We acknowledge that the reporting period set forth in N.J.S.A. 40:27-6.7 shall not begin to run until this application and accompanying plans are COMPLETE IN ALL RESPECTS. We acknowledge and agree that if this application is not completed within one year of the date of filing, it will be subject to administrative dismissal without prejudice. The copies of the plan submitted for review should be FOLDED, not rolled.

Wilentz, Goldman & Spitzer on behalf of Applicant:

(1) Municipality **Westwood**

(2)\*\*Signature of Applicant/Agent

Donna M. Jennings, Esq.

(3) Project Name: **Townhomes at Plaza One** (4) Full Project Description: See attached Rider.

(5) Location (Street address & nearest intersecting street) **220 Kinderkamack & 49 Fairview Avenue**

(6) County Facilities Affected **Located on County Road.**

(7) Block(s) **1501**

(8) Lot(s) **2 & 3**

(9) Plot Area (ACRES) **.51 (COMBINED)**

(10) Proposed Use **Multi-Family Residential/ Townhomes**

(11) if residential indicate number of Dwelling Units **4**

(12) Number of Parking Spaces Existing **17**

New **12**

Total **29**

(13) Tot. Area of Bldg. (All Floors) Existing **9,304**

Sq. Ft.

New **7,404**

Sq. Ft.

Total **14,619\***

Sq.Ft.

(14) Impervious Area Existing **11,913.8**

Sq. Ft.

New **1,742.47**

Sq. Ft.

Total **13,656.27\***

Sq.Ft.

\*Single family home approximately 2,089 GFA and 2,676 SF

(15) This plan has also been filed with the following municipal agencies: of impervious coverage to be demolished.

Planning Bd. (Date)

Bd. Of Adjustment (Date) **1-17-2020**

Const. Official (Date)

Status **Pending.**

Name, Address and Telephone Number of

(16) Applicant **Westwood Investments, LLC/ 17-01 Pollitt Drive, Fair Lawn, NJ 07410/ 201-213-1956**

(17) Attorney **Donna M. Jennings, Esq./ Wilentz, Goldman & Spitzer, PA, 90 Woodbridge Cnt. Dr., Box 10, Woodbridge NJ 07095/ 732-855-6071**

(18) Property Owner **Westwood Investments, LLC/ 17-01 Pollitt Drive, Fair Lawn, NJ 07410/ 201-213-1956**

(19) Plan Preparer **Canger Engineering Associates/ PO Box 93, Tranquility, NJ 07879/ 908-850-1671**

(20) Contract Purchaser **N/A**

**\*\*ALL FIELDS MUST BE FILLED OUT - INCOMPLETE FORMS WILL BE RETURNED  
PLEASE SEE FEE SCHEDULE FOR FEES**

| FOR OFFICIAL USE ONLY            |                         | RECEIVED             |             |
|----------------------------------|-------------------------|----------------------|-------------|
| Application/Fee .....            | Reproducible Plan ..... | Processing Fee ..... | Deed .....  |
| Performance Guarantee .....      | Soil .....              | Other .....          | Date: ..... |
| Approved Plan Received by: ..... |                         | (Signature)          |             |
| (Please print)                   |                         |                      |             |

**APPLICATION RIDER/ COUNTY OF BERGEN  
220 Kinderkamack Road and 49 Fairview Avenue, Borough of Westwood  
Westwood Investments, LLC**

Applicant seeks approval to develop one (1) structure containing four (4) townhomes on property comprised of two lots identified as Lot 2 (commonly known as 220 Kinderkamack Road) and Lot 3 (commonly known as 49 Fairview Avenue) in Block 1501. The property is located in the CO- Central Office District.

Existing Lot 2 is 14,407 square feet and is improved with an office building fronting onto Kinderkamack Road with an accessory parking lot located to the rear of the lot on Fairview Avenue. Existing Lot 3 is 7,962 square feet and is improved with a residential dwelling and separate garage with frontage on Fairview Avenue and additional access to Kinderkamack Road. The single family home and garage will be demolished in connection with this application. The Applicant is proposing to merge the lots and develop four (4) townhomes on the portion which fronts on Fairview Avenue. The existing office building on Lot 2 is to remain largely unchanged. However, the Applicant is proposing to relocate the office parking lot to adjacent Lot 3 with access along Kinderkamack Road.

Each townhome will have three bedrooms and a single car garage. Ten (10) parking spaces are required and proposed in connection with the townhome use. Additional site improvements are proposed including improvements to access to the existing office and stormwater management.

Additionally, Applicant is proposing to dedicate a 5-foot strip along Kinderkamack Road by easement. No changes are proposed to the nature of the existing office use along Kinderkamack Road. It is not anticipated that the proposed development will have an impact on county drainage facilities.