

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
REGULAR PUBLIC MEETING
AUGUST 27, 2015**

APPROVED 9/10/15

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
Phillip Cerruti, Vice-Chairman
Mayor John Birkner
Robert Bicocchi, Councilmember
William Martin
Thomas Constantine
Ann Costello

ALSO PRESENT:

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

ABSENT: Keith Doell (Alt. #1) (excused absence)
Yash Risbud (Alt. #2) (excused absence)
Daniel Olivier (excused absence)
Richard Bonsignore (excused absence)

4. MINUTES: The Minutes of the **7/23/15 meetings were approved** on motion made by Phillip Cerruti, seconded by Mayor Birkner, and carried unanimously on roll call vote.

(WWPB 8/27/15 Minutes)

5. CORRESPONDENCE:

1. Memo from Ed Snieckus, Burgis Associates dated 8/20/15, RE: Lipkin, 345 Old Hook Road;

2. Memo from Ed Snieckus, Burgis Associates dated 8/25/15, RE: Overnight Parking;

6. RESOLUTIONS:

1. **Hackensack University Medical Center - HUMC Emergency Room Relocation - 250 Old Hook Road, Block 2001, Lot 16 - Not ready; carried to 9/10/15;**

7. PENDING NEW BUSINESS: None

8. VOUCHERS: \$3,140.00 - A motion to approve the Vouchers totaling \$3,140.00 was made by Thomas Constantine, seconded by Councilman Bicocchi, and carried unanimously on roll call vote. It was noted that the Voucher for ETD Tires was for the Zoning Board, and was therefore extracted from the list.

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS - NONE

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

1. **Lipkin, 345 Old Hook Road, Block 2103, Lot 2 - sign and Generator Variance** - Applicant requested an adjournment without a specific date; Carried to 9/10/15;

10. DISCUSSION:

Updates given by Steve Lydon, Burgis Associates, on behalf of Ed Snieckus, Burgis Associates:

1. **COAH** - Casement Management scheduled for mid-September. They are establishing a need number and convincing judge to apply those numbers to Westwood, as they are good. There may be a credit for new construction numbers. Mr. Martin asked if after this is established, will this be a safe harbor for the Borough. Mr. Lydon responded it should be. It should stop lawsuits. They anticipate the judge will grant the Borough ample time to prepare a housing plan. We will be protected for

(WWPB 8/27/15 Minutes)

ten years after substantive certification. A brief discussion continued.

2. Streetscape - Westwood Avenue is going well with good reports on the new trees. Mayor Birkner commented it is going well; many people are asking why they are replacing the trees. They were infiltrating underground utilities and lifting sidewalks, causing trip and fall lawsuits against the Borough. It was time to engage in the public/private partnership, which allowed them to move forward with and complete this successful project. They will look particularly beautiful in the spring, as they flower.

3. Vertical Signage - There were no updates.

4. Overnight Parking - Memo from Ed Snieckus dated 8/25/15 provided a planning perspective on this issue in the Borough. It examined the 2011 Periodic Reexamination Report of the Master Plan, setting forth Goals and Policies, as well as the Borough's Land Use and Development regulations as they pertain to the envisioned character of Westwood's residential neighborhoods. As an overview, it was reported that Goal #1 is to preserve and protect the residential character and moderate density of the community and limit intensities of use. Goal #2 is to ensure any prospective development is responsive to Westwood's environmental features. Goal #6 is to discourage the proliferation of two-family and multi-family dwellings. While the goals do not specifically address overnight parking, they contain language that places high emphasis on protecting, preserving and maintaining the character of the Borough's established residential neighborhoods. Furthermore, the Borough's regulations contain additional provisions regarding off-street parking for residential neighborhoods, requiring a minimum number of parking spaces pursuant to the State's RSIS, stating the parking of motor vehicles on residential developed lots shall be limited to the defined driveway portion of a lot. When considered together, it is unlikely the Borough's Reexamination Report, nor its land use and development regulations would envision or support the establishment of overnight parking, which could potentially detract from the intended orderly and spacious arrangement of its residential neighborhoods. A brief discussion and commentary by the Board followed as to this planning perspective. Mayor Birkner added he was curious to hear any comments from emergency services.

(WWPB 8/27/15 Minutes)

A member of the public was present to hear this discussion. Patty Grisolia, 48 Roosevelt Avenue, an interested party, came forward and commented this is not for a future plan, but for houses that have been here for years. The homes that have been around for many years have very little space for parking and/or expansion of a driveway. The Police Chief is no longer allowing overnight parking or calling for permission for such. She read a statement written by her. This is a great hardship and she appealed for consideration. Chairman Hodges commented they have to look out for the entire community and are seeking guidelines and recommendations to send back to the Mayor and Council for a resolution in some fashion. Mayor Birkner advised this is not finished; they are awaiting the report and recommendations from the Planning Board and review it amongst the Mayor and Council. They are not automatically coming to any decision tonight. These things have a life-span and take a while to complete.

Councilmember Ray Arroyo came forward from the audience and discussed the Chamber of Commerce's request for the vertical signage. Further, he spoke about COAH. There was a municipality that exceeded its obligation, and in a variance sought by a builder before the Zoning Board, the Board denied the variance. Upon appeal, it was remanded back because of the need in the entire State. Chairman Martin commented it was probably what they specifically did or did not base their decision on. We follow the law as written and state reasons from the Master Plan to deny and that will protect us against an unfavorable ruling in any lawsuit. Mr. Arroyo followed up on comments made by the interested party regarding overnight parking. The interested party's neighbor had appeared at the Mayor and Council. He asked about changes in society with respect to the Master Plan. Mr. Martin commented the interested party was stating things have to do with the properties from many years ago, when in fact they have not. Mr. Biccocchi commented she claimed it is an economic hardship, which is personal. She also did not want any walking from parking lots involved. The Chairman likened it to the Sunday Blue-laws, and noted another societal issue is once this ordinance is gone, you cannot get it back. The Mayor summed up they are trying to come up with a solution and provide some relief. He inquired about the process and whether the Board would give a recommendation as to whether the Borough should adhere to the Master Plan, requesting a consensus. Board Members gave opinions. Mr. Constantine agreed with Mr. Martin's suggestion that we adhere to Burgis Associates' Memo. The Mayor

(WWPB 8/27/15 Minutes)

is looking for the Planning Board to give something to go back to the Mayor and Council with.

William Martin moved that the Planning Board and Borough of Westwood, after review of the Master Plan and Zoning Ordinance, and in consultation with Burgis associates, Borough Planner, finds there is no information contained in the planning documents to support changes in the ordinance prohibiting parking in the streets of Westwood overnight. The motion was seconded by Phillip Cerruti. On roll call vote, William Martin, Thomas Constantine, Philip Cerruti, Ann Costello, and Jaymee Hodges voted yes. Mayor Birkner and Councilman Bicocchi abstained, since it comes back to the Mayor and Council.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approximately 9:50 p.m.

Respectfully submitted,

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