

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
PUBLIC MEETING AGENDA
REGULAR MEETING
MAY 13, 2010**

APPROVED 8/12/10

1. OPENING OF THE MEETING

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the 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: Mayor Birkner
William Martin
Thomas Constantine
Richard Bonsignore
Ann Costello
Councilwoman Cynthia Waneck
James Schluter, Vice-Chairman
Daniel Olivier (Alt. #1)
Jaymee Hodges, Chairman

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney
Ed Snieckus, Burgis Associates, Board Planner
By Steve Lydon
Louis Raimondi, Brooker Engineering,
Board Engineer

ABSENT: Philip Cerruti (excused absence)
Otokar von Bradsky (Alt. #2)

4. MINUTES: The Minutes of **4/8/10 & 4/22/10** were approved on motions made by William Martin, seconded by Richard Bonsignore and carried on roll call vote.

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5. CORRESPONDENCE:

1. Letter from David Soloway, Esq., dated 4/26/10 RE: Verizon Wireless, enclosing Disclosure Statement of applicant;
2. Memo #10-66 from Karen Hughes, Borough Clerk, enclosing Ordinance #10-10 for Board's Review;

6. RESOLUTIONS: None

7. VOUCHERS: None

8. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS:

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

1. Verizon Wireless - One Westwood Ave, Block 907, Lot 9- Application for Minor Site Plan Approval with Variances for Proposed Rooftop Wireless Communications Facility - (May 27, 2010)

9. DISCUSSIONS:

1. Ordinance #10-10 - Ordinance and Resolution Adopting Ordinance To Amend Chapter 65C-121 of The Borough Code, Said Ordinance Being Entitled, "Wireless Telecommunications, Towers and Antennas" - Mr. Randall advised that the Ordinance was introduced on 5/4/10 on First Reading and was scheduled for adoption on 5/18/10. The information was presented to the Board by report of Planner David Spatz, Special Planner, substituted for Ed Snieckus, recused. If the Board chooses to recommend the Ordinance, the recommendation can be sent with a Resolution if the Board so chooses. It indicates our agreement with it, or if there are any changes we can put it in writing as an exhibit to the resolution. If there are no changes, the Council is free to adopt it on the 18th. If there are any changes, it may cause a delay in adopting same. Our Special Planner's Memo dated 5/13/10 does appear to find it consistent with the Master Plan. Mr. Randall read the salient portions of the Memo and called for any comments or recommendations.

Councilwoman Waneck inquired since Mr. Snieckus had to step down, should any members that had to recuse themselves in the application have to step down. Mr. Randall advised they did not have to step down. John J. Lamb, Esq. came forward requesting to

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comment on the procedural question. Also, he is representing Richard Heck, property owner, who supports the proposed Ordinance, and procedurally commented. He advised the Mayor and Councilperson should not deliberate with the Board and should step down. Mr. Randall advised for the sake of any clarity, there is no conflict, but it would probably be better for them to step down. Mayor Birkner and Councilwoman Waneck stepped down from the dais.

William Martin commented he would recommend adopting the ordinance but questioned whether the section gives the Zoning Official the authority to approve antennas be removed. Mr. Randall advised the ordinance is consistent with the Master Plan & Re-examination Report, except it does not address that issue. It creates a procedure. The Board can make the recommendation without this procedure, and further review it, but not hold up this ordinance. If there is an inconsistency, the Mayor and Council must address it further. If there are no inconsistencies, they can adopt it. The Board can recommend it is consistent, but advise they will study this particular section further.

A motion to recommend to governing Body that they adopt the Ordinance and at some future time review the section the Board discussed, Section F1A, was made by Mr. Martin and seconded by Mr. Bonsignore. On roll call vote, all members voted yes.

A motion was made by Mr. Martin to approve the Resolution regarding the changes in Ordinance #10-10 - Wireless Telecommunications Towers and Antennas Ordinance, was made by Mr. Martin, seconded by Ms. Costello. On roll call vote, all members voted yes.

Mayor Birkner and Councilwoman Waneck returned to the dais.

10. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 8:55 p.m.

Respectfully submitted,

MARY R. VERDUCCI, Paralegal
Planning Board Secretary