

**BOROUGH OF WESTWOOD
ZONING BOARD OF ADJUSTMENT
REORGANIZATION/REGULAR MEETING
MINUTES
January 6, 2020**

APPROVED 2/3/2020

1. OPENING OF THE MEETING

The meeting was called to order at approximately 7:30pm.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a **Reorganization/Regular Meeting** of the Westwood Zoning Board of Adjustment.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

PRESENT: William Martin, Chairman
Eric Oakes, Vice Chairman
Matthew Ceplo
Michael Klein
Peter Grefrath
Alyssa Dawson
Michael O'Rourke (Alt #1)
Gary Conkling (Alt #2)

ALSO PRESENT: David Rutherford, Esq., Board Attorney
Steve Lydon, Burgis Associates,
Board Planner
Louis A. Raimondi, Board Engineer

ABSENT: H. Wayne Harper(excused absence)

**Proclamation by Mayor Ray Arroyo
Westwood's Volunteer of the Year for 2020
William J. Martin**

At the Borough's 126th Reorganizational meeting on Thursday night, and at this Zoning Board of Adjustment Reorganization Meeting, Mayor Ray Arroyo read this proclamation into the record "Honoring Bill Martin as Westwood's Volunteer of the Year for 2020" and presented him with a plaque:

This recognition follows Bill receiving the AIA Architects League of Northern New Jersey's 2019 Community Service Award for his excellent, 25 year voluntary service to Westwood's Land Use boards.

For a quarter century Bill has contributed his expertise, intelligence and passion for our town, leading his fellow board members along Westwood's, tricky, and potentially treacherous path of growth and development.

You at the Zoning Board are engaged in a balancing act, weighing individual property rights and aspirations against the general restrictions that limit them for the public good.

I know of no one better suited to lead this board in that exercise than William J Martin.

And I am not alone in this opinion. During my eight years as a Zoning Board member, and every year since, Bill offered to yield the chairmanship at each board reorganization.

However his fellow board members consistently refuse to accept the offer. They understand what Bill brings to the role and appreciate his value to the board's mission.

My eight years with Bill were an invaluable education, on more than just zoning issues. Board members learn the value of fact based, reasoned argumentation, in an arena that demands, and deserves, a civil discourse.

I learned that even if I'd voted in the minority, and I failed to persuade my colleagues, I had participated in a fuller vetting of the issues; and in shaping a better application - both for the Applicant and for Westwood.

Board members yield to the majority with no ill-will, because their minority position has been afforded a full hearing. We are "all "in it" together regardless of the outcome.

And for Westwood, I can think of no one better to be "in it" with than my friend Bill (WJM) Martin".

Upon acceptance, William Martin thanked Mayor Arroyo, the Board and his family. He spoke about the importance of volunteer work, which he enjoys immensely. *“Westwood is a great place, to be protected and enhanced, for our children and our children's children. I am truly humbled, and to the community, leaders, friends, neighbors--thank you all for this honor, and thank you for your continued confidence in me. I am an architect. I know how to put buildings together. I know how communities work, and I know how to solve problems, so for me, doing this kind of volunteer work is very important”.*

REORGANIZATION MEETING

SWEARING IN OF MEMBERS BY BOARD ATTORNEY:

- Eric Oakes - Regular Member, 4 Yr. term, expiring 12/31/2023;
- Peter Grefrath - Regular Member, 4 Yr. term, expiring 12/31/2023;
- Alyssa Dawson - Regular Member, Unexpired Term, expiring 12/31/2021;
- Michael O'Rourke - Alternate Member #1, 2 Yr. term, expiring 12/31/2021;
- Gary Conkling - Alternate Member #2, Unexpired term, expiring 12/31/2020;

NOMINATIONS FOR CHAIRMAN OF THE ZONING BOARD:

David Rutherford, Esq. called for nominations for the position of Chairman of the Zoning Board.

Upon nomination by Vice-Chairman Oakes, seconded by Mr. Klein, with no further nominations, **William Martin** was nominated as Chairman of the Zoning Board. On roll call vote, all members voted yes.

NOMINATIONS FOR VICE-CHAIRMAN OF THE ZONING BOARD:

Chairman William Martin requested a nomination for the election of a Vice-Chairman:

Upon nomination Mr. Klein, seconded by Mr. Conkling, with no further nominations, **Eric Oakes** was nominated as Vice-Chairman of the Zoning Board. On roll call vote, all members voted yes.

NOMINATIONS FOR APPOINTMENT OF ATTORNEY FOR THE ZONING BOARD:

Chairman Martin requested a nomination for the appointment of an Attorney:

Upon nomination by Vice-Chairman Oakes, seconded by Mr. O'Rourke, with no further nominations, **David Rutherford, Esq.** was nominated to continue as Attorney for the Zoning Board. On roll call vote, all members voted yes.

NOMINATIONS FOR APPOINTMENT OF PROFESSIONAL ENGINEER FOR ZONING BOARD:

Chairman Martin requested a nomination for the appointment of a Professional Engineer:

Upon motion of Vice-Chairman Oakes, seconded by Mr. Conkling, with no further nominations, **Louis A. Raimondi, PE, LS, CME** was nominated to continue as Professional Engineer for the Zoning Board. On roll call vote, all members voted yes.

NOMINATIONS FOR APPOINTMENT OF PROFESSIONAL PLANNER FOR THE ZONING BOARD:

Chairman Martin requested a nomination for the appointment of a Professional Planner:

Upon motion of Vice-Chairman Oakes, seconded by Mr. O'Rourke, with no further nominations, **Steve Lydon, PP, Burgis Associates**, was nominated to continue as Professional Planner for the Zoning Board. On roll call vote, all members voted yes.

NOMINATIONS FOR APPOINTMENT OF RECORDING SECRETARY:

Chairman Martin requested a nomination for the appointment of a Recording Secretary:

Upon motion of Vice-Chairman Oakes, seconded by Mr. Grefrath, with no further nominations, **Mary R. Verducci, Paralegal**, was nominated to continue as Recording Secretary for the Zoning Board. On roll call vote, all members voted yes.

ADOPTION OF 2020 MEETING DATES & 8:00 pm start time:

The Board reviewed the meeting dates and changed the start time to 8:00 pm, commencing with the 2/3/20 meeting, as agreed to by Board Members. A motion for approval as amended was made by Vice-Chairman Oakes seconded by. On roll call vote, all members voted yes.

ADOPTION OF PROCEDURAL RULES & BY-LAWS:

A motion to **table the Procedural Rules & By-Laws until the 2/3/20 meeting** was made by Mr. O'Rourke, seconded by Vice-Chairman Oakes, and carried unanimously. Board Attorney Rutherford advised in amending Par 1.3-4 he addressed reference to the Statute talking about attendance and excused absences, such as when a Board Member fails to appear for consecutive meetings, the Board needs to notify the Council, unless the absence is excused. The Board must mention at the meeting if it is an excused absence. There were a few other clean up changes on verbiage.

ADOPTION OF THE ANNUAL REPORT OF THE ZONING BOARD FOR 2019:

A motion to **table the Annual Report until the 2/3/20 meeting** was made by Chairman Martin, seconded by Ms. Dawson and carried unanimously.

REGULAR MEETING

4. **MINUTES:** A motion to approve the Minutes dated **12/16/19** was made by Matthew Ceplo, seconded by Michael O'Rourke and carried unanimously on roll call vote by those eligible to vote.

5. **CORRESPONDENCE:** None

6. **VOUCHERS:** None

7. **RESOLUTIONS:**

1. **The Andrea & Gatana Bartolotta Irrevocable Family Trust, 252 Fourth Avenue, Block 1101, Lot 2.02** - Board Attorney Rutherford read an overview of the Resolution into the record. A motion for approval was made by Mr. Ceplo, seconded by Mr. O'Rourke, and carried unanimously on roll call vote by eligible Members, Ceplo, O'Rourke and Martin;

2. **Gadino, 5 Grand Street, Block 804, Lot 10 - Bulk Variance** - Board Attorney Rutherford read an overview of the Resolution into the record. A motion for approval was made by Mr. Ceplo, seconded by Mr. O'Rourke, and carried unanimously on roll call vote by eligible Members, Ceplo, O'Rourke and Martin;

3. **Recognition/Thank You Resolutions:**
George James, Anthony Zorovich and Beverly Karch

Board Attorney Rutherford read into the record the three Resolutions recognizing prior Board Members George James, Anthony Zorovich and Beverly Karch and thanking them for their service to the Board. A motion for approval was made by Vice-Chairman Oakes, seconded by Mr. Klein and carried unanimously on roll call vote;

4. Appointment of Substitute Attorney and Planner for the Zoning Board - Katheryn J. Razin, Esq. and Kathryn Gregory, PP - Board Attorney Rutherford read the Resolution into the record. A motion for approval was made by Vice-Chairman Oakes, seconded by Mr. Conkling, and carried unanimously on roll call vote;

8. PENDING NEW BUSINESS:

1. Cuomo, 10 Westervelt - Bulk Variances - Incomplete - Carried to 2/3/20;

2. Min Sung, LLC-583 Broadway - Use Variance and Site Plan - Incomplete - Carried to 2/3/20;

3. Sheridan, 15 Bogert Street - Incomplete - Carried to 2/3/20;

4. 459 Broadway Realty, LLC, 459 Broadway - Bulk Variances and Site Plan - Incomplete - Carried to 2/3/20;

5. 247 Westwood Ave. Corp., 247 Westwood Ave. - Use Variance and Site Plan - Adjourned to 2/3/20 at request of applicant;

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETATIONS:

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

1. Care One, 300 Old Hook Road - Amended Site Plan Approval & Variances - Adjourned to 2/3/20 at request of applicant's attorney;

10. DISCUSSION:

1. Submission requirements: Paper vs. Electronic - Chairman Martin advised at the last meeting in December this matter was discussed and table, as the Board concluded that the Borough's electronic submission rules from the Governing Body were needed. There are requirements in the MLUL requiring hard copy submissions. We are looking to get them in

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electronic form in order not to waste paper. We did not want to create procedures that conflicted with the Borough. The Council Liaison perhaps could determine those rules so we can be consistent with the Borough in implementing this - Tabled;

2. Meeting start time: 8:00pm vs. 7:30pm - **8:00 pm start time approved** with no objections;

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approximately 8:20 pm.

Respectfully submitted,

MARY R. VERDUCCI, Paralegal
Zoning Board Secretary