

**BOROUGH OF WESTWOOD
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
Municipal Building
MINUTES
February 6, 2023**

APPROVED 3/6/23

1. OPENING OF THE MEETING:

The meeting was called to order at **8:00 pm, at the Municipal Building**, 101 Washington Avenue, Westwood, NJ.

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 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: Eric Oakes, Vice Chairman (Acting Chair)
Peter Grefrath
Gary Conkling
Matthew Ceplo
Michael O'Rourke
Robert Desmond
Lauren Letizia, (Alt #1)
Frank Mantz, (Alt #2)

ALSO PRESENT: Thomas Randall, Esq., Board Attorney
Steve Lydon, Burgis Associates,
Board Planner
Brandon Goldfine, Boswell Engineering
Board Engineer
Nick DeNicola, Boswell Engineering

ABSENT: William Martin, Chairman (excused absence)

4. **MINUTES:** The Minutes of the 1/9/23 meeting were approved on motion made by Gary Conkling, seconded by Peter Grefrath and carried unanimously.

5. **CORRESPONDENCE:** None

6. **RESOLUTIONS:**

1. **Walsh, 196 Sand Road - Bulk variances for a deck which was constructed without permits; Dismissed without prejudice - Carried to the next meeting on 3/6/23;**

2. **Cruz, 73 Harding - Bulk Variances for a one-story rear addition and driveway expansion (driveway, covered porch and pergola on right side was completed without a permit) -** The Board Attorney read the Resolution of Approval into the record. There were no questions, comments or discussions. A motion for approval was made by Gary Conkling and seconded by Robert Desmond. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Robert Desmond, and Lauren Letizia voted yes. Eric Oakes and Frank Mantz were not eligible to vote.

3. **OSM Hospitality, 170 Center Ave - Use Variance and Site Plan Approval, Rooftop Dining -** The Board Attorney read the Resolution of Approval into the record. There were no questions, comments or discussions. A motion for approval was made by Gary Conkling and seconded by Robert Desmond. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Robert Desmond, and Lauren Letizia voted yes. Eric Oakes and Frank Mantz were not eligible to vote.

4. **Cooper, 34 Clairmont - Bulk variances for side yard and combined side yard setback - Carried to the next meeting on 3/6/23;**

7. **PENDING NEW BUSINESS:** ALL CARRIED TO 3/6/23 if complete:

1. **Fedorchak, 121 Cypress - Deck - Bulk Variances;**
2. **Jameson, 163 Prospect-Garage expansion - Bulk variances;**
3. **Nagengast, 75 Clairmont - Driveway Expansion;**
4. **Abbott, 169 Carver - Vacant Land - D-1 Use, C- variances, and Site plan to construct a four (4) unit townhouse structure;**
5. **Lind, 111 Ash - Widening of driveway in the front yard without approvals;**
6. **Drew, 41 Hoyer -1st & 2nd floor additions - Bulk variances**
7. **Fitzgerald, 124 Mill - Installed a 6' fence in the front yard (WWOP);**
8. **Carrier 27 Seventh - Height variance for an accessory structure;**

VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS AND INTERPRETATIONS: The Board Professionals were sworn in by Board Attorney Randall

1. Bauer, 22 Cypress - Driveway wider than the garage without approvals - Walter K. Schreyer, Esq. represents the applicants - Not heard; Carried to 3/6/23;

2. Dragona, 22 Bryant Place - Project was approved and completed, the final as-built survey shows that the pool is less than 15' to the side property line and the lot coverage is 42.9% when 40% is permitted - Lauren Letizia recused herself and stepped down from the dais. Applicants Gary and Nicole Dragona appeared and were sworn in. They submitted the notice and publication documents. The pool as-built survey was submitted, prepared by First Sight Surveying, LLC, dated 11/7/21 and as-built survey dated 12/2/2020 prepared by Lapatka Associates. The variances were for an existing pool setback of 14.5' where 15' is required, and permitted lot coverage of 42.9% where 40% is permitted.

Mr. Lydon commented there is an increase in impervious coverage. He asked what can be done to get to 40% impervious from existing 42.9%. Mr. Dragona said he could take up the patio. Mr. Lydon suggested he contact the contractor to bring down the impervious coverage as contracted for. Applicant was asked if he gets flooding, and the response was no. The reason for the raised pool area was due to the elevation on the west side corner of the house. Mr. Oakes commented about ways to reduce the coverage. He suggested carrying to the next meeting, so they can go back and see how they can reduce impervious coverage while keeping something already built. Applicants agreed. The matter was carried to the 3/6/23, and the notice was carried. No further notice is required.

Christopher Moran, 19 Dean Street - neighbor of Mr. and Mrs. Dragona, came forward to speak on behalf of the applicants on the record, speaking highly of Mr. Dragona, who has done so much for the town. Everything they have done has made their property and their neighbor's property better in many ways, with better drainage. He didn't see why they should be held to 40%. Mr. Dragona said this board is responsible to look at a property as if it were not built, and then it would be built with conforming coverage.

Lauren Letizia returned to the dais.

3. Pellegrino, 26 Ash Street - Driveway expansion wider than garage - C variance - Pellegrino - Robert Desmond recused

himself and stepped down from the dais. John J. Lamb, Esq. represented the applicant for a variance for a driveway larger than a garage, describing the hardship. Applicant received a building permit and a CO and built the garage. There is a tree in front of the garage that he goes around. He previously removed a driveway and thus reduced impervious coverage, having 20% where 40% is allowed. The question is does he have to rip up the remaining driveway when he can use it. So now he is applying for a variance to make it all right.

Applicant Michael Pellegrino was sworn in and testified to the photo distributed, marked A1. The following sets of photos were marked Exhibits A2, A3, and A4, and also described by applicant. Exhibit A4 shows 8 photos of driveways in the neighborhood that are wider than the garage. Architectural plans were prepared by Zampolin & Associates, dated 10/1/22, revised to 12/20/22. The old driveway would have been a one car width driveway, and too narrow, necessitating him having to shuffling cars in and out of the street to access the car parked in the garage if a second car is parked in the driveway, also disturbing the neighbors. The lot is not wide enough to permit the construction of a two-car garage that would allow for the wider driveway without a variance. He spoke with the neighbors who have wider driveways. The construction of a compliant driveway would require removing the large tree, which sits directly between the garage and the street. A variance would preserve this tree.

Questions by the Board and Chairman followed. Board members commented. Mr. Grefrath commented, noting this was a good plan. Mr. Lamb summed up and asked the Board to approve the application. followed. The matter was opened to the public, but there were no questions or comments.

A motion for approval was made by Peter Grefrath and seconded by Gary Conkling. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Lauren Letizia, Frank Mantz, and Eric Oakes voted yes. Robert Desmond was recused.

Robert Desmond returned to the dais.

4. Glazer, 137 Fourth Avenue - Driveway expansion, wider than garage - No appearance by applicant; Carried to 3/6/23;

10. DISCUSSION: Procedural Rules & End of Year Variance Report - Carried to the next meeting on 3/6/23;

(WWZB 2/6/23 Minutes)

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned 9:10 pm.

Respectfully submitted,

Mary R. Verducci
Zoning Board Secretary