

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MINUTES  
August 7, 2023**

**APPROVED 9/18/23**

**1. OPENING OF THE MEETING:**

The meeting was called to order at 8:00 pm at the Westwood Municipal Complex, 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:** William Martin, Chairman  
Peter Grefrath  
Gary Conkling  
Matthew Ceplo  
Michael O'Rourke  
Lauren Letizia, (Alt #1)  
Frank Mantz, (Alt #2)

**ALSO PRESENT:** Thomas Randall, Esq., Board Attorney  
By Steven Paul, Esq.  
Steve Lydon, Burgis Associates,  
Board Planner  
Brandon Goldfine, Boswell Engineering  
Board Engineer

**ABSENT:** Eric Oakes, Vice Chairman (excused absence)  
Robert Desmond (excused absence)

**4. MINUTES:** The Minutes of the **7/10/23 meeting were approved** on motion made by Gary Conkling, seconded by Michael O'Rourke and carried unanimously.

**5. CORRESPONDENCE:**

1. Letter from Shade Tree Committee dated 8/1/23 RE: 169 Carver Avenue;

**6. RESOLUTIONS:** None

**7. VOUCHERS:** A motion to approve Vouchers was made by Gary Conkling, seconded by Michael O'Rourke and carried unanimously.

**8. PENDING NEW BUSINESS:**

ALL CARRIED TO 9/18/23 if complete still incomplete):

1. **ZB-2304 - Fitzgerald, 124 Mill - Installed a 6' fence in the front yard (WWOP)-** Deemed complete;

2. **ZB-2315-E.M.F.F.B. LLC/Maria Fernandez - Use Variance to add a residential unit to the second floor of a building in the CBD/SPE Zone;**

**9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS AND INTERPRETATIONS:** The Board Professionals were sworn in by the Board Attorney

1. **ZB-2218 - 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; William Martin recused) Not heard; Carried to 9/18/23 at request of applicant;

2. **ZB-2214- Glazer, 137 Fourth Avenue - Driveway expansion, wider than garage -** L. Scott Berkoben, Esq. represented the applicant. Mr. Berkoben, Esq. continued and reviewed from the last hearing. Applicant was present and previously sworn. Mr. Lydon summarized the application. The variance is for the driveway setback and width. They are proposing pervious pavers. Chairman Martin stated they need a self-maintained system and cultec chambers. Ms. Glazer indicated she spoke with engineer and the expense is exorbitant, and the entire front yard would have to be ripped up. Mr. Martin suggested the cultec system would accomplish what needs to be done in order to grant a variance requested by the applicant. It balances out what they need. The cost is not a reason for granting a variance. Ms. Glazer stated they are a family of four trying to park, and their property is on Fourth

Avenue, and the front yard is being destroyed and muddy. The Chairman stated their parking situation is understandable but cultec chambers are necessary. We need to reduce impact on flooding in the town. At Mr. Berkoben's request, the matter was carried to 9/18/23, with no additional notice and time extended.

**3. ZB-2301 - Lind, 111 Ash - Widening of driveway in the front yard without approvals** - Robert Costa, PE, PP, applicant's engineer and planner, Josh Shulman & Matthew Lind, the applicants, were sworn in at the last meeting and continued under oath. The revised the plan, as of 7/11/23 per the Board's comments. By doing so, they went 52% down to 42% coverage, where the permitted coverage is 40%. Chairman Martin commented there is an easement running through the property, and it has been confirmed it is a two-family house. Mr. Costa stated they are just here to make the driveway more usable. They addressed the stormwater management. They proposed a Pervious Paving System as depicted in their submission, per the NJ Stormwater Management Best Practices Manual. Mr. Goldfine asked for them to send the plan. Mr. Costa would send the maintenance plan. Chairman Martin stated the Board wants to know the exact plan. Mr. Costa would provide that as a condition of approval. Mr. Goldfine gave recommendations. Chairman Martin polled the Board on a pavement system as proposed and heard comments from Board Members. Mr. Costa reviewed DEP regulations and explained the system, which is better aesthetically and works for the site the way it is pitched. They defer to the Board.

A detailed discussion ensued. The Chairman stated they need to determine if the variance request is warranted. Mr. Costa believed by putting the pavers in it works, and the DEP agrees. Chairman Martin stated they should have reduced the amount of pavers and eliminated the variance. They are doing this for convenience. Mr. Costa explained there was a complaint filed, and that is why they are here. Applicants need a larger driveway for their commercial vehicle, which is their only vehicle. Chairman Martin suggested they remove some pavers. We are trying to reduce flooding in this neighborhood. Can the shape of the driveway be changed to accommodate the width of the vehicle and not need the variance. Mr. Costa said it is 232 sf. They were willing to compromise with a removal of 4' from the front of the house, taken from the left.

A 5-minute recess was taken at 9:46pm for them to calculate and discuss. Upon reconvening, Mr. Costa drew on the exhibit board 112 sf that would be removed. There is an inlet in the yard. They would put in asphalt, not pavers, with a 250-gallon seepage pit.

Calculations to be provided to Mr. Goldfine, with a revised plan before the next meeting. The variance is for 1%, 41.2%. Mr. Goldfine requested a clear revised plan. Mr. Costa stated they will do what the Board votes on tonight. There were no further discussions. A motion for approval as modified with asphalt and cultec chambers and revised plan to be approved was made by Michael O'Rourke, and seconded by Peter Grefrath. On roll call vote, all members voted yes.

**4. ZB-2220 - Carrier 27 Seventh - Height variance for an accessory structure** - Not heard; Carried to 9/18/23 at request of applicant with no further notice required;

**5. ZB-2302 - Abbott, 169 Carver - Vacant Land - D-1 Use, C-variances, and Site plan to construct a four (4) unit townhouse structure** -Not heard; Carried to 9/18/23 at request of applicant;

**6. ZB-2215 - Jameson, 163 Prospect - Garage expansion - Bulk variances;** Not heard; Carried to 9/18/23 at request of applicant;

**7. ZB-2310 - Millenium Health Care Center-Site Plan with C Variances;** Not heard; **Carried to a Special Meeting 8/21/23** at request of applicant's attorney, Marc Leibman, Esq. who appeared and put his request on the record. A motion for approval of the Special Meeting on 8/21/23 was made by Gary Conkling, seconded by Michael O'Rourke and carried unanimously.

**8. ZB-2314 - Leonard-109 Goodwin Terrace - Bulk variance rear yard; driveway wider than the garage and retaining walls exceeding 3' in the front yard** - Brian Callahan, Architect, and applicants Mark Leonard and Rachel Leonard were sworn in. Mr. Callahan was accepted as known to the Board and presented the application. His plan was dated 6/12/23. They are building a new second story addition over an existing one-story portion of the home, with a new covered porch at front and a widening of the existing driveway. Mr. Lydon commented the variances were for the driveway, where driveway must be width of garage, and retaining walls must be less than 18" high in front yard. A new retaining wall of 4' in height is proposed in front yard There are two front yards. The ordinance defines the shortest front yard as the front yard for calculation requirements. There is no impervious coverage issue. Applicant would install a landscaping system in the front yard for stormwater management. A motion for approval was made by Peter Grefrath and seconded by Gary Conkling. On roll call vote, all members voted yes.

(WWZB 8/7/23 Minutes)

**10. DISCUSSION:** None

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned 9:45 pm.

**Respectfully submitted,**

**Mary R. Verducci, Zoning Board Secretary**