

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MINUTES  
September 18, 2023**

**APPROVED 10/2/23**

**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  
Eric Oakes, Vice Chairman  
Peter Grefrath  
Gary Conkling  
Matthew Ceplo  
Michael O'Rourke  
Lauren Letizia, (Alt #1)

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

**ABSENT:** Robert Desmond (excused absence)  
Frank Mantz, (Alt #2) (excused absence)

4. **MINUTES:** The Minutes of the **8/7/23 & 8/21/23 meeting were approved** on motion made by Eric Oakes, seconded by Michael O'Rourke and carried unanimously.

5. **CORRESPONDENCE:** None

6. **RESOLUTIONS:**

1. **ZB-2301 - Lind, 111 Ash - Widening of driveway in the front yard without approvals** - Board Attorney Randall read the Resolution of Approval into the record. A motion for approval was made by Eric Oakes, seconded by Gary Conkling. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Lauren Letizia, and William Martin voted yes. Eric Oakes was not eligible to vote.

2. **ZB-2314 - Leonard-109 Goodwin Terrace - Bulk variance rear yard; driveway wider than the garage and retaining walls exceeding 3' in the front yard** - Board Attorney Randall read the Resolution of Approval into the record. A motion for approval was made by Matthew Ceplo, seconded by Michael O'Rourke. On roll call vote, Matthew Ceplo, Gary Conkling, Peter Grefrath, Michael O'Rourke, Lauren Letizia, and William Martin voted yes. Eric Oakes was not eligible to vote.

3. **ZB-2310-Millennium Health Care Center-Site Plan with "C" Variances** - Board Attorney Randall read the Resolution of Approval into the record. A motion for approval was made by Eric Oakes, seconded by Gary Conkling. On roll call vote, Eric Oakes, Matthew Ceplo, Gary Conkling, Michael O'Rourke, Lauren Letizia, and William Martin voted yes. Peter Grefrath, was not eligible to vote.

7. **VOUCHERS:** As signed off by Chairman.

8. **PENDING NEW BUSINESS:**

ALL CARRIED TO 10/2/23 if complete still incomplete):

1. **ZB-2304 - Fitzgerald, 124 Mill - Installed a 6' fence in the front yard (WWOP)**- Steve Lydon reviewed the application for completeness, and the matter was scheduled for a Completeness Hearing on 10/2/23;

2. **ZB-2317-Pierro-174 Lexington Avenue - Addition with bulk variances;**

3. **ZB-2318-Dombkowski-246 Fourth-Covered Deck with a bulk variance for rear yard setback;**

**4. ZB-2319-Appletree Play House- 24 Booker- D1-Use Variance and site plan;**

**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)-Carried to 10/2/23 at the request of the applicant;

**2. ZB-2214- Glazer, 137 Fourth Avenue - Driveway expansion, wider than garage -** Not heard; Scott Berkoben, Esq., applicant's attorney, appeared and requested an adjournment to the next meeting. The matter was carried to 10/2/23 at request of applicant, with no further notice required. Time waived through next meeting.

**3. ZB-2220 - Carrier 27 Seventh - Height variance for an accessory structure -** Not heard; John J. Lamb, Esq., applicant's attorney, appeared and requested an adjournment to the next meeting. The matter was carried to 10/2/23 at request of applicant, with no further notice required.

The Board took a recess from 10:15pm - 10:30pm.

**4. ZB-2302 - Abbott, 169 Carver - Vacant Land - D-1 Use, C-variances, and Site plan to construct a four (4) unit townhouse structure -** Harold Cooke, Esq. represented the applicant and advised that applicant, Robert Abbott, Applicant's Engineer and Architect were also present. Katheryne Gregory, Applicant's Planner, will appear and testify at the next meeting. Mr. Cooke presented the application to construct a four (4) unit, side-by-side, townhome development with three (3) parking spaces per unit. Variances included a use variance to permit a townhouse use in the R-1 Zone, FAR, maximum height, combined side yard setback, building coverage, impervious coverage. The site is currently vacant, and the project would benefit the community by developing a piece of land as a transitional use to buffer single-family homes to the north and commercial/industrial uses to the south. It is located on the east side of Carver Avenue between Westwood Boulevard and Douglass Street, within the R-1 Residential zone District.

The applicant also requested a waiver for soil test pits to be performed prior to the release of construction permits. As noted

(WWZB 9/18/23 Minutes)

by the Board Engineer, Brandon Goldfine, Boswell Engineering, test pits are necessary in the application as part of the required stormwater management calculations as are reports, as part of the NJ Stormwater BMP Manual, per the Boswell Engineering reports dated 3/10/23 and 6/2/23. A Stormwater Management Report is required, per the Board Engineer.

Board Planner, Steve Lydon, Burgis Associates, also issued a review Memo dated 1/26/23. The plans presented were:

- Site Plan, consisting of eight (8) drawings, prepared by Angelo Onello, III, PE, Onello Engineering, dated 12/12/22, revised 4/14/23. Report by Onello Engineering was rendered, dated 4/17/23;
- Architectural Plan, consisting of six (6) sheets, prepared by William G. Brown, Architects dated 12/12/2022;
- A Tree Location Survey prepared by Christopher Lantelme, Kurens, Lantelme & Associates PC;
- Planting Plan by Robert Hessels, NJ LA, of RDH Design Group, Landscape Architecture, dated 4/26/23;
- Boundary & Topographic Survey, made by Thomas f. Miller NJ Land Surveyor, dated 10/7/22;

Applicant also submitted a report by EcolSciences, Inc. dated 4/27/23, per a wetlands investigation of the site, to determine the present/absence and location of wetlands and waters within the site and evaluate the extent of associated buffers regulated by the NJDEP.

Applicant's engineer, Angelo Onello, PE, Licensed NJ Engineer, of Onello Engineering, 5 Beechnut Street, Hillsdale, NJ, was sworn in qualified and accepted. He testified as to his site plan describing the property in detail. The site contains 0.289 acres. Topographical conditions are the property has a significant slope and drop off by Carver venue. The property is presently vacant. He gave a cursory overview of the wetlands affecting the property. A survey by Chris Lantelme was submitted. There is a 50' wetlands buyer in the rear of the property. They plan not to disturb that area, and a letter from the DEP will be necessary. They propose four luxury townhouse units. The property is 100' wide. There will be a garage for each unit and parking in the driveway, so there will be a total of three parking spaces for

each unit. Walk-out basements in the rear and decks above were also proposed.

Angelo Onello continued, addressing the Boswell reports. He discussed stormwater management per the Board Engineer. He would like to get feedback from the Board on the application before proceeding with test pits. Chairman Martin stated they rely on the test pits per the Board Engineer. Mr. Onello acknowledged they need to do them, but they do not have test pits now. The Chairman stated he was hearing if the test pits data do not back up their plan, he is saying they will redesign the system. Mr. Onello agreed. Mr. Goldfine was consulted and commented having the test pits has been standard in previous applications. Mr. Martin was concerned if they have to redesign, they will disturb much of the property. We do not know what the stormwater management system is on the property at this time. Mr. Onello discussed the wetlands line, but needs to receive the DEP review. Their environmental specialist, EcolSciences, will submit their report to the DEP. Mr. Martin requested a representative from EcolSciences appear and attest to the report. Mr. Cook advised the person is certified and licensed to prepare the report, and Mr. Onello is relying on same. This will be submitted to the DEP.

Mr. Onello went on to discuss lighting, which will be standard, single-family, low-impact lighting. There will be no disturbances to the neighborhood. Mr. Onello introduced the landscaping plan, displaying same. They do not intend to bring Robert Hassels, Landscape Architect to testify. Mr. Martin stated they will not allow this plan to be accepted without Mr. Hassels being present to testify. Mr. Lydon would have questions of Mr. Hassels. Mr. Cook said he will bring him to the next meeting. Mr. Martin asked how many trees will remain. Mr. Onello stated two. They are clearing the entire site of trees. Mr. Martin asked if more trees could be saved. Mr. Lydon read from the Shade Tree report dated 8/21/23, requiring landscape details and testimony.

The matter was opened to public for questions of the engineer Warren Saunders, 93 Westwood Boulevard, came forward and stated his house borders this property. He inquired about the dry wells and questioned whether they have water table issues, observing a certain swell on the properties, as they commissioned a soil testing company and performed test pits. The water table is 3' below the surface. Mr. Martin stated this is open for questions only, and testimony can be given at the end. Mr. Saunders asked if he knew the percent of grade on southwest corner of Lot 19 and the northwest corner and steepness of the slope. Mr. Onello stated about 7%. A standard wheelchair slope is 8%. They will submit a

site triangle diagram. Mr. Saunders asked questions about landscaping and visual screening.

Ryan Byrne, 22 Westwood Boulevard, asked how they came up with three dry wells. Mr. Onello responded with a description of the method used. A discussion ensued.

Fred Collado, 87 Westwood Boulevard, asked about the actual drywall, and where it sits. Mr. Onello responded 70' from the rear of his property. Nothing goes out to the street, and nothing is pitched toward his property.

Robert Vonner, 61 Westwood Boulevard, asked if they are planning to dig up Westwood Boulevard to allow the water to flow better from the wooded area going north. He is concerned about his property.

Chris Marerro, Westwood Boulevard, directly across the street, asked about drainage and water flow, as his property floods out in the rain. Mr. Onello stated they are reducing the rate of runoff and described their plan. There was a prior application for a single-family home on this property, Mr. Marerro said. Mr. Martin stated it may have been withdrawn.

Alberto Barcia, 81 Westwood Boulevard stated he has extreme flooding at his property. He asked what the risk is for his house, being three years old. Mr. Onello did not understand the question in the context of age. The resident inquired about the increased risk to his property. Mr. Onello responded the rate of runoff will be held on site and released at a lesser rate. Mr. Barcia indicated he would ask questions of the planner.

Rudy Jaeger, 778 Carver Avenue, also had questions regarding the drywells. Mr. Onello addressed same. He read from his report, on the stormwater drywells. A long discussion ensued.

Applicant's architect, William G. Brown, NJ Licensed Architect was sworn in and accepted. He prepared the plans, which he described. The material would be Hardie Plank clapboard, with Alsace trim. He continued describing the three-bedroom units. There are two (2) zones for each unit. There are decks above patios below. All lighting is in the soffits. No lights are directed outward. There will be plantings and screenings. Both were set out on the plans and described.

Comments/questions from the Board followed. Mr. Lydon asked the architect about the rear yard setback and was referred to the

engineer's plan. Mr. Onello stated the setback is 16' from the wetlands buffer. Mr. Lydon commented they are not showing home offices, which is a current trend. Mr. Brown said one of the bedrooms could be used as such, but they are planned as bedrooms, and they did not include any additional rooms for home offices. Mr. Ceplo commented the project and units look really big. Mr. Brown stated he could get them down a foot or two, but he cannot make the project much narrower without losing a bedroom. Mr. Martin asked him to take another look at the zoning table. There were no further questions of the architect.

The matter was opened to the public for questions of the architect. Fred Collado, 87 Westwood Boulevard, asked how deep are the foundations, and the response was 3' below grade in rear, and the garage is a slab on grade.

Chris Marerero asked about parking. Mr. Brown stated there is parking for three cars for each unit. Per the engineer, the RSIS requires it. Chairman Martin noted no rooms in attic are permitted, and there needs to be pull down access only--no stairs are permitted. The architect acknowledged same.

There were no further questions, and the matter was closed to the public.

The Board discussed a Special Meeting on 10/23/23 to be confirmed at the 10/2/23. The matter was carried to the 10/2/23 meeting with no further notice.

**5. ZB-2215 - Jameson, 163 Prospect - Garage expansion - Bulk variances** - Not heard; Scott Berkoben, Esq., applicant's attorney, appeared and requested an adjournment to the next meeting. The matter was carried to 10/2/23 at request of applicant, with no further notice required.

**6. 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** - Not heard; Scott Berkoben, Esq., applicant's attorney, appeared and requested an adjournment to the next meeting. The matter was carried to 10/2/23 at request of applicant. Notice is required.

**10. DISCUSSION:** The application of Milk & Cookies, 146 Westwood Avenue, for a sign variance, is being transferred to the Zoning Board. John J. Lamb, Esq. appeared on behalf of the application and confirmed same, to be heard at the 9/28/23 Planning Board meeting.

(WWZB 9/18/23 Minutes)

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was 11:00 pm.

**Respectfully submitted,**

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