

**BOROUGH OF WESTWOOD
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
Municipal Building
MINUTES
October 17, 2022**

APPROVED 11/3/22

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: William Martin, Chairman
Eric Oakes, Vice Chairman
Gary Conkling
Robert Desmond, (Alt #1)
Lauren Letizia, (Alt #2)

ABSENT: Matthew Ceplo (excused absence)
Peter Grefrath (excused absence)
Michael O'Rourke (excused absence)
Tom Smith (resigned)

ALSO PRESENT: Thomas W. Randall, Esq., Board Attorney
Steve Lydon, Burgis Associates, Board Planner
Louis A. Raimondi, Board Engineer

4. MINUTES: 9/12/22 - A motion for approval of the Minutes was made by Eric Oakes, seconded by Gary Conkling, and carried unanimously on roll call vote.

5. CORRESPONDENCE: None

6. **VOUCHERS:** None

7. **RESOLUTIONS:**

1. **15 Westwood Realty, LLC-269 Westwood Ave - Amended Site Plan and Use Variance for 4 Residential Units** - Board Attorney Randall gave an overview of the Resolution. There were no questions, comments or discussions. A motion for approval was made by Eric Oakes and seconded by Gary Conkling. There were no further questions, comments or discussions. On roll call vote, Eric Oakes, Gary Conkling and Robert Desmond voted yes. The remaining members present were not eligible to vote.

2. **Migliore-131 Second Avenue - Height variance for an Accessory Structure** - Board Attorney Randall gave an overview of the Resolution. A motion for approval was made by Eric Oakes and seconded by Gary Conkling. There were no further questions, comments or discussions. On roll call vote, Eric Oakes, Gary Conkling and Robert Desmond voted yes. The remaining members present were not eligible to vote.

3. **Resolution of Recognition of Tom Smith for Service to Board** - As Mr. Smith has resigned, the Board Attorney read a Resolution of Recognition thanking Mr. Smith for his service to the Board. A motion for approval was made by Eric Oakes, seconded by Gary Conkling and carried unanimously.

8. **PENDING NEW BUSINESS: ALL APPLICATIONS CARRIED TO 11/7/22:**

1. **Cooper, 34 Clairmont - Bulk variances for side yard and combined side yard setback** - Carried to 11/7/22 if complete;

2. **Duggan, 411 Fourth Avenue - Bulk variances (side yard and building coverage)** - Carried to 11/7/22 if complete;

3. **Glazer, 137 Fourth Avenue - Driveway expansion, wider than garage** - Carried to 11/7/22 if complete;

4. **Fedorchak, 121 Cypress-Deck - Bulk Variances** - Carried to 11/7/22 if complete;

5. **Jameson, 163 Prospect - Garage expansion - Bulk variances** - Carried to 11/7/22 if complete;

6. **Nagengast, 75 Clairmont- Driveway Expansion** - Carried to 11/7/22 if complete;

7. **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 - Carried to 11/7/22 if complete;

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETATIONS: SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

1. Walsh, 196 Sand Road - Bulk variances for a deck which was constructed without permits. The dwelling already had a non-conforming rear yard setback of 20' - (Gregg Paster, Esq.) **Not heard - Carried to 11/7/22 with no further notice. Escrow Account is deficient and must be made current before the matter can be heard; Applicant's attorney to be notified;**

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); Property is in the AE flood zone - (Thomas Garlick, Esq.) **Not heard - Carried to 11/7/22 with no further notice and time extension granted. Escrow Account is deficient and must be made current before the matter can be heard; Applicant's attorney to be notified;**

3. OSM Hospitality, 170 Center Ave - Use Variance and Site Plan Approval, Rooftop Dining - (Lawrence S. Cutall, Esq.) - **Not heard - Carried to 11/7/22 with no further notice and time extension granted** at request of applicant since there would be only five (5) Board Members present;

4. Tributt Inc., 7 Bergen Street - "D1" Use Variance, "C" Variances and Site Plan - **Not heard - Carried to 11/7/22 with no further notice and time extension granted** at request of applicant since there would be only five (5) Board Members present. **Escrow Account is deficient and must be made current before the matter can be heard; Applicant's attorney to be notified;**

5. Regna, 17 Euclid Avenue - "C" Variance, building coverage - **Not heard - Carried to 11/7/22 with no further notice and time extension granted** at request of applicant since there would be only five (5) Board Members present;

6. Rozum, 111 Lake Street - Bulk variance (side yard setback) - Dean Stamos, Esq., Ferraro & Stamos, represented the applicants, Douglas and Jayne Rozum in an application for extension to their home. The applicants have a smaller home on a narrow, deep lot. Mrs. Rozum grew up in Westwood, and they would like to stay and raise their family in the town. They would like to add 900 sf to their home so they can have room for the family. Notice was provided.

Applicant's architect, Chris Blake, Licensed NJ Architect, 24 New Bridge Road, Bergenfield, NJ, was sworn in and provided his credentials, which were accepted. The Chairman noted he had appeared before the Board many times. Mr. Blake reviewed his drawings dated 12/29/21. He was familiar with the property, which is 7,500 sf on a long, narrow lot. The lot is 50' wide where 75' is required. There is a one-car detached garage in rear. The first floor will be gaining a family room and the second floor a master bedroom. It is 2.5' from the property line on one side where 10' is required and over 20' on the other. They are continuing the non-conformity on the side yard setback as they go back with the addition. The application package was marked Exhibit A1. A set of three photos was distributed and marked A2. Mr. Blake described the photos. A C1 hardship variance was required. They do need a variance for the combined side yard setbacks.

Mr. Raimondi commented if Mr. Blake was going to use the Schmidt Survey, a key map must be shown on the plan. The survey was noted on the plan, but Mr. Raimondi stated a signed and sealed survey was required. Mr. Stamos provided a signed and sealed copy of the survey. Mr. Martin commented a waiver could be requested from transferring the surveyor's information onto the plan. This could be a condition of approval or voted on. Mr. Stamos requested the waiver. A motion for approval of granting the waiver was made by Gary Conkling, seconded by Eric Oakes and carried unanimously.

Mr. Lydon commented the lot size is conforming but the lot is deficient on side yard. The impervious coverage is driven up but is sufficient. The building height is not changing. Mr. Blake did a good job on designing a smaller house on a narrow lot, and it is an upgrade to the house as far as square feet and number of bedrooms. It is a good example of how a design can be done that is not a negative to the zoning ordinance. Mr. Conkling asked where the air conditioners would be located, and the response was in the rear. There is no patio and no deck. There would just be a landing. Chairman Martin stated if there was any thought to adding a patio, they would have to return. He also stated the chimney for the fireplace projects out and can it be pushed inward, since they would have to walk onto the neighbor's property to get around it. Applicants agreed it would be pushed in as a straight wall. As for a basement, there would be none--just a crawl space of 7'. The bilco doors would be eliminated.

There were no interested parties and no further questions. Mr. Stamos summed up and asked that the Board act favorably on the

application. A motion for approval was made by Eric Oakes. At that point, **applicants revisited adding a patio and decided they would like to carry and come back for the patio.** Their architect would have exact calculations to define the patio area to be included in the application. The motion was then withdrawn, and the matter was **carried to the 11/7/22 meeting** with time extension. Applicant do not need to renotece.

7. Bauer, 22 Cypress - Driveway wider than the garage without approvals - Not heard - Carried to 11/7/22 - Applicants must notice;

10. DISCUSSION: On the next agenda would be a Resolution of Recognition of David Rutherford, Esq. for his family and recognizing his many years of service to the Board.

11. ADJOURNMENT - On motion, made seconded and carried, the meeting was adjourned at 9:00 pm.

Respectfully submitted,

**Mary R. Verducci
Zoning Board Secretary**