

Application of 247 Westwood Avenue Corporation  
Use Variance, Bulk Variances, Parking Variance, and  
Amended Major and/or Minor Site Plan Approval  
Westwood Board of Adjustment  
Monday, June 29, 2020

### **SCHEDULE OF EXHIBITS**

- A-1 Amended Application (and earlier letter dated 2/18/20 explaining prior changes)
- A-2 Plans prepared by Vincent Cioffi as listed below:
- First Floor Plan - Cellar Floor Plan (A-102.00), last revised 2/10/20
  - Roof Plan (A-103.00), last revised 2/10/20
  - Exterior Elevations (A-104.00), last revised 2/10/20
  - Existing Site Plan (SP-102.00), last revised 2/10/20
  - Site Plan (SP-101.00), last revised 2/10/20
- A-3 Resume of Vincent Cioffi
- A-4 Resume of Brewery Consultant, Jason R. Rowley
- A-5 Resume of Michael Maris and Associates
- A-6 Report of Michael Maris and Associates
- A-7 Resume of Peter Steck, Planner
- A-8 Planning Report of Peter Steck
- A-9 Separate Pictures and Exhibits of Peter Steck (also shown in Report)

A-1

**AMENDED PRELIMINARY AND FINAL MAJOR SITE PLAN APPLICATION  
(TO THE EXTENT REQUIRED)**

**ADDENDUM TO NO. 3**

Applicant originally filed this application as a minor site plan. This additional application for major preliminary and final site plan relief is being filed as a result of comments made in the Board's expert reports indicating that there was a question as to whether the use of the roof as requested requires "major" site plan approval. This interpretation question will have to be decided by the Board. Applicant does not believe this application requires major site plan approval for an existing building not being expanded, but in case the Board so decides, the Applicant has filed this application but has sought waivers from all of the requirements other than those that may have been supplied with the original plan submitted.

**RIDER TO QUESTION 5**

The amount of required parking will also need to be interpreted by the Board. There is no established standard in the ordinance for "Limited Brewery". As it is a relatively new or novel use. The required amount of parking depends on the method of calculation, whether it be by number of seats, square footage or by some other methodology determined by the Board. Applicant will be providing 12 parking spaces on site which, under any methodology, will be sufficient to the business, but it may be less than required and thus a parking variance is requested to the extent necessary.

## RIDER TO CHECKLIST REQUIREMENTS

Applicant already submitted items on the general checklist (Attachment 1) with its minor site plan application.

With regard to Attachment 6, the checklist for preliminary major site plan and Attachment 8, the checklist for final major site plan, the applicant requests waivers from all items that are not already reflected on the plans previously submitted. Applicant does not believe that preliminary and final major site plan approval is necessary. The building is not being expanded and the only reason this application is submitted is based on certain comments in the Board expert's reports raising the issue of whether preliminary and final major site plan is required. If the Board does so decide that it seems necessary, Applicant will submit whatever other additional information contained in the checklist the Board deems relevant, or necessary under these circumstances. This is an existing building and the only basis for this to be a major site plan is the proposal to use the existing roof for limited seating (on a seasonal basis). There is no planned expansion of the building or other work that would ordinarily trigger a major site plan.

AMENDMENT



# BOROUGH OF WESTWOOD

Office of Construction and Zoning

TELEPHONE (201) 664-5900 • FAX (201) 664-7570 • 101 WASHINGTON AVENUE • WESTWOOD, NJ 07675

## I. APPLICANT INFORMATION

Name: 247 Westwood Avenue Corporation

Mailing Address: 247 Westwood Avenue, Westwood, New Jersey

Daytime Telephone: (201) 815-6704 E-mail: cjalepa@live.com

Applicant is a: (check applicable status)

Corporation  Partnership  Individual (s)  Other \_\_\_\_\_  
(please specify)

Corporate/LLC/Partnership, etc.: List all persons owning 10% or more of the stock in the corporation in compliance with N.J.S.A. 40:55D-48.2

Name	Address	% Interest
1. <u>Chris Alepa</u>	<u>247 Westwood Avenue, Westwood, NJ</u>	<u>100%</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Relationship of applicant to property (check applicable status):

Owner  Contract purchaser  Lessee  Other \_\_\_\_\_  
(please specify)

If applicant is represented by an attorney:

Attorney's Name: Beattie Padovano, LLC John Lamb, Esq.  
50 Chestnut Ridge Road

Mailing Address: Montvale, New Jersey 07645

Telephone: (201) 573-1810 E-mail: jlamb@beattielaw.com

2. SUBJECT PROPERTY INFORMATION

Subject Property Owner's Name: 247 Westwood Avenue Corporation

Westwood Street address of the subject property:  
247 Westwood Avenue

Tax Map Block(s): 811 Lot (s): 9 Zone District: CBD/SPE

3. NATURE OF APPLICATION:

Major Site Plan- See Rider

4. Project Description:

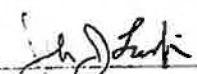
Limited brewery use, including seasonal rooftop seating in an existing building.

5. Relief Requested:

Ordinance	Section Item	Required	Proposed
195-118	Use Variance for limited brewery use not permitted in zone		
195-162	Parking Variance- See Rider		12

6. VERIFICATION AND AUTHORIZATION

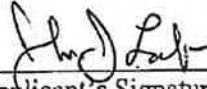
Owner's Statement: I, the undersigned, being the owner of the property described in this application, hereby consent to the making of this application and the approval of the plans submitted. I hereby authorize members of the Land Use Boards and its staff to conduct a site visit of the premises that are the subject of this application.  
247 Westwood Avenue Corporation

<u>Chris Alepa</u>		<u>April 17, 2020</u>
Property Owner's Name (PRINTED)	Property Owner's Signature	Date
Chris Alepa	John Lamb, Esq. Attorney for 247 Westwood Avenue Corporation	

Applicant's Statement: I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are, to the best of my knowledge, true and accurate.

247 Westwood Avenue Corporation

Chris Alepa, President



April 17, 2020

Applicant's Name (PRINTED)

Applicant's Signature

Date

John Lamb, Esq.

Attorney for 247 Westwood Avenue Corporation

Sworn and Subscribed before me

14<sup>th</sup> day of April 2020  
Month Year



(Notary)

LAND USE AND DEVELOPMENT

195 Attachment 6

Borough of Westwood

Appendix A  
Form 5  
Preliminary Major Site Plan  
Details and Requirements

Applicant's Name 247 Westwood Avenue Corporation

Application # WZ 0452 Date Received \_\_\_\_\_

All applications for site plan approval shall be prepared, signed and sealed by a professional engineer. They shall bear the signature and the seal of a licensed land surveyor as to topographic and boundary survey data. A signed and sealed copy of the survey on which the site plan is based shall be submitted to the reviewing board with the site plan submission.

PLAN ACCURACY AND LEGIBILITY

SUFFICIENT FOR REVIEW: Yes ( ) No ( )

PREPARED BY P.E. OR L.S.: Yes ( ) No ( )

Yes	No	
( )	( )	1. A key map showing location of tract to be considered in relation to the surrounding area, within at least 200 feet of the subject site.
( )	( )	2. Title block containing name of applicant and owner, preparer, lot and block numbers, date prepared and date of last amendment.
( )	( )	3. Space for signatures of Chairman and Secretary of the Board and the Borough Engineer.
( )	( )	4. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.
( )	( )	5. North arrow.
( )	( )	6. Zoning district in which parcel is located, and the zone district of adjacent property, with a table indicating all setbacks, lot areas, lot widths, lot coverage, floor area ratios, density, number of parking spaces, and slope disturbance, both as to required and proposed, for the subject property.
( )	( )	7. The boundaries of the tract in question, with dimensions of same. Where it is physically impossible to show the entire property on the required sheet, a key map is permitted.
( )	( )	8. Location of existing easements or rights-of-way, including power lines.

SEE ATTACHED RIDER



WESTWOOD CODE

Yes	No	
( )	( )	9. Location of natural features, including woodlands, streams and other water bodies, wetlands, flood hazard areas and rock outcrops. If such features are located on adjacent property, but have the potential to affect the site development, they shall be shown.
( )	( )	10. Existing and proposed topographic contours of the site and adjacent areas affecting the site. Contour intervals shall be no greater than: 10% slope or less – 2 feet; over 10% slope – 5 feet.
( )	( )	11. Proposed spot elevations at the corners of all buildings and in appropriate pavement locations if new buildings or paved areas are proposed, or if regrading near existing buildings is proposed.
( )	( )	12. Location of existing buildings and their setbacks from property lines, plus the location of existing buildings and paved areas on adjacent properties.
( )	( )	13. Floor plans for existing and proposed buildings, showing the use and layout of internal space, and front, rear and side building facade elevations, both at a scale not exceeding eight feet per inch. Building elevation and floor plans shall be prepared by a New Jersey licensed architect.
( )	( )	14. Location and design of existing and proposed parking, loading, access and circulation improvements, showing dimensions of same.
( )	( )	15. Existing and proposed signs, including the size, materials, nature of construction, location and illumination of same.
( )	( )	16. The location and design of fences, walls, sidewalks and similar improvements to be constructed.
( )	( )	17. Existing and proposed utility service, including septic systems with test hole locations and soil log information, connections to sanitary sewers, wells, connections to water mains, fire hydrants, etc.
( )	( )	18. Existing and proposed storm drainage design and improvements, including a map showing the entire drainage area, the drainage area contributing to each pertinent drainage structure and drainage tabulation sheets showing calculations for each drainage area. Provisions for rooftop drainage shall also be shown.
( )	( )	19. Existing and proposed site illumination, including height and location of fixture, type of fixture and bulb, pole material, and manufacturer's isocandela diagram superimposed upon the site plan.
( )	( )	20. Location and description of existing and proposed landscaping. Information for proposed landscaping shall include common and botanical names, number of plants, planted size and root specifications. All portions of the property not utilized by buildings or paved surfaces shall be landscaped.
( )	( )	21. Soil erosion and sedimentation control plan, if required pursuant to P.L. 1975, c. 251.

LAND USE AND DEVELOPMENT

Yes	No	
( )	( )	22. Location of any required dedication or reservation for streets or any area shown on the Official Map.
( )	( )	23. The location and design of solid waste disposal containers, recycling containers and monitoring wells, if such wells are required by this chapter or the Board.
( )	( )	24. Construction details and specifications sufficient to illustrate the nature of site improvements, including but not necessarily limited to the following, when appropriate: paving, curbing, walls, fences, utility and storm drainage structures, soil erosion control structures, tree protection devices, light fixtures and standards, signs, planting and staking details, and barrier-free access design.
( )	( )	25. A written description of the proposed use(s) of nonresidential buildings, including the number of employees or members, the proposed number of shifts to be worked and the maximum number of employees on each shift, expected truck and tractor-trailer traffic, emission of noise, glare, vibration, heat, odor, air and water pollution, safety hazards and anticipated expansion plans incorporated in the building design. In apartment and townhouse projects, the number of dwelling units, by type, shall be provided. All architectural drawings shall be prepared by a licensed New Jersey architect.
( )	( )	26. Temporary contractor's construction structures and storage areas. The location of all proposed trailers, warehousing, storage facilities and temporary contractor's offices shall be shown giving consideration to the proximity of residential development and located so that they are not an eyesore to adjoining landowners and the passing public. The landscaping plan shall show how these facilities will be screened or buffered and how they will be maintained during construction by the developer. The Construction Official or Borough Engineer shall be authorized to grant temporary permits and exceptions to this subsection when the trailers or storage facilities are of a small size and are not to be in a location for more than 60 days.
( )	( )	27. Traffic study (where required by Board).
( )	( )	28. Environmental impact study (where required by Board).
( )	( )	29. Submission of site photographs of existing conditions, including, but not limited to, existing structures, site frontage and relationship to adjacent properties.

LAND USE AND DEVELOPMENT

195 Attachment B

Borough of Westwood

Appendix A  
Form 7

Final Major Site Plan or Final Major Subdivision  
Plat Details and Requirements

Applicant's Name <u>247 Westwood Avenue Corporation</u>	
Application # <u>WZ 0452</u>	Date Received _____
PLAN ACCURACY AND LEGIBILITY SUFFICIENT FOR REVIEW: Yes ( ) No ( )	
PREPARED BY P.E. OR L.S.: Yes ( ) No ( ) (for office use only)	

**FINAL MAJOR SITE PLAN**  
( ) APPLICABLE ( ) NOT APPLICABLE

Yes	No	
( )	( )	1. Those items required for preliminary major site plans pursuant to Form 5, Subsections _____ through _____, shown in final form.
( )	( )	2. Information sufficient to demonstrate that all of the conditions of preliminary approval have been satisfied.

**FINAL MAJOR SUBDIVISION**  
( ) APPLICABLE ( ) NOT APPLICABLE

Yes	No	
( )	( )	1. Those items required for preliminary major subdivisions pursuant to Form 6, Subsections _____ through _____, shown in final form.
( )	( )	2. The required front, side and rear setback lines, pursuant to the zoning regulations of this chapter, on all lots.
( )	( )	3. The location and description of all monuments.
( )	( )	4. All lot lines, showing bearings and distances to the nearest hundredth of a foot.
( )	( )	5. All lot areas, to the nearest tenth of a square foot.
( )	( )	6. The radius and central angle of all arcs and curves along all street lines.
( )	( )	7. Block and lot numbers assigned by the Tax Assessor, and street addresses

SEE ATTACHED RIDER

WESTWOOD CODE

Yes	No	
		assigned by the Post Office, for each of the lots.
( )	( )	8. The location of all telephone, electric, gas and cable television lines and easements.
( )	( )	9. Information sufficient to demonstrate that all of the conditions of preliminary approval have been satisfied.
( )	( )	10. Certification from a licensed surveyor as to the accuracy of the details on the plat and as to compliance with provisions of the Map Filing Law.
( )	( )	11. Certification from the Borough Engineer as to the plat's compliance with the provisions of the Map Filing Law and all applicable Borough ordinances and requirements.
( )	( )	12. A statement from the Borough Engineer that he has received a map showing all utilities in exact location and elevation, identifying those portions already installed and those to be installed, and that the developer has installed all improvements in accordance with all Borough regulations, and/or a statement by the Borough Clerk that proper performance guarantees have been posted with the Borough Council for the installation of required improvements.
( )	( )	13. When approval of a plat is required by an officer or agency of the Borough, county or state, approval shall be referenced and certified on the plat.

MARTIN W. KAFAFIAN (NJ, NY, DC BARS)  
ADOLPH A. ROMETI (NJ, NY BARS)  
JOHN J. LAMB (NJ BAR)  
ANTIMO A. DEL VECCHIO (NJ, NY, DC BARS)  
ROBERT A. BLASS (NJ, NY BARS)  
IRA J. KALTMAN (NJ, NY BARS)  
ARTHUR N. CHAGARIS (NJ BAR)  
STEVEN A. WEISFELD (NJ, NY BARS)  
IRA E. WEINER (NJ BAR)  
RENATA A. HELSTOSKI (NJ, NY BARS)  
MICHAEL STERNLIEB (NJ BAR)  
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DANA B. COBB (NJ, NY BARS)  
MARY ELLEN B. OFFER (NJ, NY BARS)  
EMERY C. DUELL (NJ, NY BARS)  
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February 18, 2020

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RALPH J. PADOVANO (1935-2016)

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Reply to New Jersey Office

OUR FILE NO. 190897

Via First Class Mail & Email

Borough of Westwood Zoning Board of Adjustment  
101 Washington Avenue  
Westwood, New Jersey 07675

Attn: Chairman William J. Martin  
and All Board Members

**Re: Applicant: 247 Westwood Avenue Corporation  
Premises: (Block 811, Lot 9)  
(L&N Grand Building)  
Westwood, New Jersey**

**AMENDMENT TO  
APPLICATION FOR  
LIMITED BREWERY**

Dear Chairman Martin and All Board Members:

As you are aware, the undersigned represents 247 Westwood Avenue Corporation, also known as "Five Dimes Brewery," the Applicant in the above captioned matter.

As you may recall, this application was originally filed on November 7, 2019. Thereafter, a hearing was scheduled. Before the hearing took place, the Applicant decided to participate in the Master Plan review process before the Planning Board which was discussing a recommendation for a "limited brewery" use, and obtain input from the Planning Board in general and its thoughts on the limited brewery. We also wanted to revise the plans to substantially reduce the number of seats and eliminate the restaurant component. We have now

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completed the revisions, and 15 copies of the revised plans have been submitted under separate cover by the Applicant's architect, Vincent J. Cioffi, A.I.A.

We thought it appropriate to summarize the substantial revisions from the original application as follows:

1. **Elimination of restaurant:** The original plans called for the creation of a limited brewery and a separate restaurant at the location. The revision has eliminated the restaurant use. That restaurant use required a separate use variance because it was not located at a corner, as required by the Borough Ordinance in the CBD/SDE Zone. Therefore, because of its elimination, that use variance is no longer required. Additionally, there is a receiving and storage area now possible in the rear of the building that was not originally accommodated. That is now provided with the elimination of the restaurant.

2. **Total seating reduced to 68 seats:** The original plan called for a total of 132 seats in the limited brewery. In the amended plan, a total of only 68 seats is proposed.

3. **Reduction of seats on roof to 14 seats:** The application still seeks approval for use of the roof, but with less seats—and on a seasonal basis. The original plan called for 47 seats on the roof, with the concomitant parking demand discussed below. The amount of seating in the amended plan greatly reduces the seats to only 14 seats on the roof. Additionally, there are significant enhancements to the landscaping plan on the roof. (The roof also includes skylights to the brewery below, not present on the original plan.) There is an adjacent tasting area with 2

seats, for a total of 14 seats. The roof seating is seasonal and when not in use, the approved roof seating quantity will be utilized inside the first-floor main seating areas.

4. **Substantial reduction in parking requirement:** In light of the substantial reduction in the number of seats, the required parking has also been substantially reduced. The original plan generated a 61-space parking space requirement, where 10 spaces were proposed. The amended plan now shows a parking requirement of 22 spaces, with 12 spaces proposed (a parking variance of 10 spaces). (If you assume that this was a gourmet food or specialty food use with no parking required for the 1,500 square foot seating area, then even less of a parking variance would be required.)

5. **Increase in proposed on-site parking spaces to 12: dumpster:** The original plans called for the creation of a dumpster at the southwest corner in the rear of the building, which also required the removal of one existing parking space. That is eliminated on the revised plans; the existing dumpster will continue to be used. A total of 12 on-site parking spaces are proposed, including the existing parking spaces plus one new van-accessible handicapped space.

6. **Roof top has been modified by tasting area:** The original plan also called for a bar on the roof with 18 seats. That has been eliminated in favor of a general seating area where 12 seats are located and a tasting area with two seats (for a total of 14 roof top seats, as previously noted).

7. Retail area: With the elimination of the restaurant use, the larger area for the limited brewery on the first floor allows for small retail sales area which includes a beverage case for retail sales, not previously proposed.

8. Other changes: The seating has also been reorganized and modified from the original layout as shown. Additionally, a walk-in box, shown on the original plans, is no longer proposed on the revised plans. A new delivery entrance will also be created at the rear of the property. The cellar hatch, which was proposed to be located at the rear of the building, is no longer proposed.

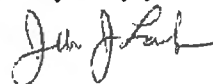
\* \* \*

I trust this summarizes the modifications and revisions to the current application. Reference to the modified plans should be made for the full extent of the changes and revisions.

We look forward to presenting this application on Monday, March 2, 2020. Notice for the amended plan has or will be provided.

Should you need anything further or have any questions, please call at your earliest convenience.

Very truly yours,



John J. Lamb

JJL:lb



Westwood Zoning Board of Adjustment  
February 18, 2020  
Page 5

cc: 247 Westwood Ave. Corp.  
Attn: Dr. Christopher Alepa  
David Rutherford, Esq. (Board Attorney)  
Mr. Armand Marini (Borough Construction Official/Board Secretary)  
Mr. Steve Lydon, P.P. (Board Planner)  
Mr. Louis Raimondi, P.E. (Board Engineer)

A-2

Revisions		
No.	Date	Description
1	01-14-19	
2	01-22-20	
3	01-30-20	
4	02-10-20	

# Vincent J. Cioffi a r c h i t e c t

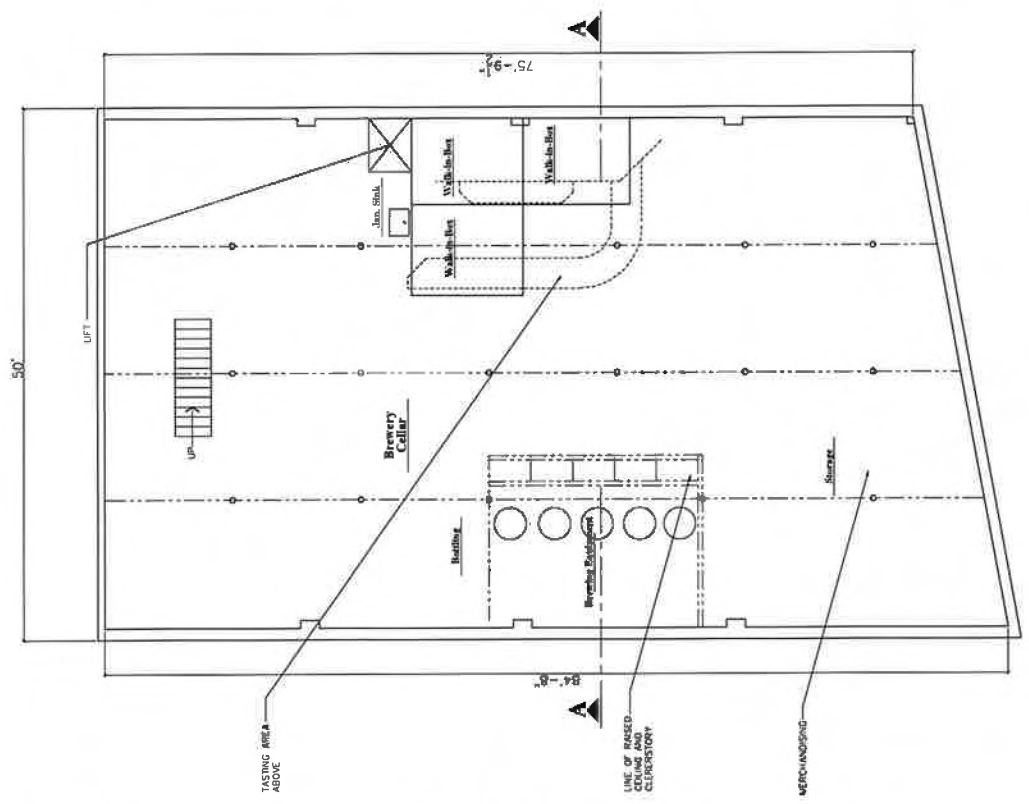
123 Westwood Avenue, Westwood, New Jersey 07095  
Tel: (908) 466-8500 Fax: (908) 466-8489  
Project:

**Five Dimes Brewery**  
247 Westwood Avenue  
Westwood, New Jersey  
Block 811, Lot 9

## First Floor Plan Cellar Floor Plan

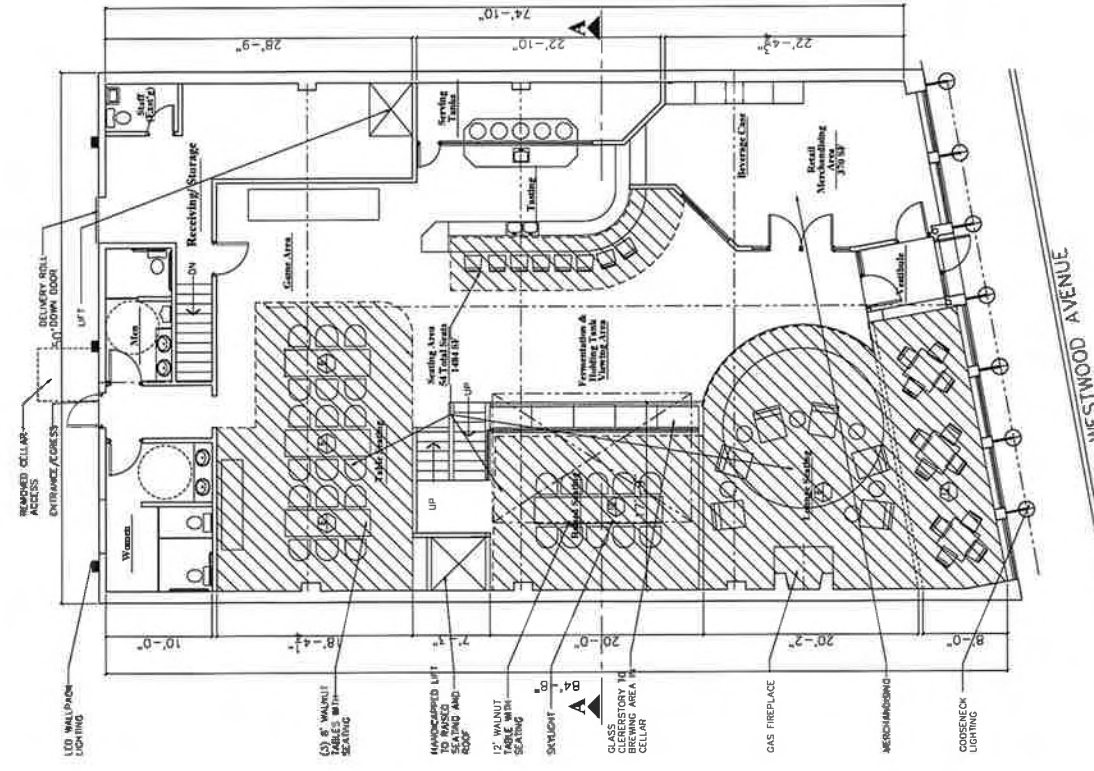
Date:	10-05-19	Set & Separator
Project No.:	21425	
Scale:	3/8" = 1'-0"	
Drawn by:	VJC	
Checked by:	VJC	
Call File:		

# A-102.00



**CELLAR FLOOR PLAN**  
SCALE: 3/8"=1'-0"

BREWERY - 4094 GSF IBC USE CLASSIFICATION: BREWING, INDUSTRIAL F-1  
ACCESSORY STORAGE



**FIRST FLOOR PLAN**  
SCALE: 3/8"=1'-0"

BREWERY - 4075 GSF, IBC USE CLASSIFICATION: ASSEMBLY, A-2, 54  
SEATS TOTAL (WE RESERVE THE RIGHT TO SUBSTITUTE BENCH SEATING FOR CHAIRS  
AT THE LONG TABLES) HATCHED SEATING AREA TOTALS 1484 SF

WESTWOOD AVENUE