TRANSCRIPT OF PROCEEDINGS
Wednesday, January 26, 2022
Municipal Building
425 East Broad Street
Westfield, New Jersey
Commencing at 7:00 p.m.

*Meeting held virtually via Zoom*
BEFORE:

MICHAEL ASH, CHAIRMAN

MICHAEL LA PLACE, VICE-CHAIRMAN

MAYOR SHELLEY BRINDLE, MAYOR DESIGNEE

COUNCILMAN MICHAEL DARDIA, COUNCIL LIAISON

MATTHEW CEBERIO, MEMBER

ANASTASIA HARRISON, MEMBER

ROSS GOLDSTEIN, MEMBER

ASIMA JANSVELD, MEMBER

ALEXANDRA CARRERAS, FIRST ALTERNATE

ANN FREEDMAN, SECOND ALTERNATE

DON SAMMET, TOWN PLANNER/BOARD SECRETARY

DAVID BATTAGLIA, TOWN ENGINEER

APPEARANCES:

ASHENFELTER, TREMBULAK, MCDONOUGH, GOLIA & TREVENEN, LLP
BY: ALAN TREMBULAK, ESQ.
Attorney for the BOARD
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MR. SAMMET: We are now live. Happy belated New Year everyone. In compliance with the Open Public Meetings Act in the State of New Jersey, adequate notice of this meeting was provided to all members of the planning board and the newspapers that have been designated to receive notice. This is actually a special meeting replacing our originally scheduled first meeting in January. We rescheduled due to the Omicron variant and concerns about meeting in person. We went to a virtual format, but because of legal notice and requirements for applications for development, we had to choose a new date and have the applicants provide new notice.

So this is actually our re-org on January 26. I'm going to first lead us in the Pledge of Allegiance and then I'll take a roll. So if everyone will join me.

(Whereupon, the Pledge of Allegiance was recited.)

MR. SAMMET: Now, I'll take the
roll. We have it pretty much in alphabetical order except for alternates.

Michael Ash.

CHAIRMAN ASH: Here.

MR. SAMMET: Mayor Brindle.

MAYOR BRINDLE: Here.

MR. SAMMET: Matthew Ceberio.

MR. CEBERIO: Here.

MR. SAMMET: Councilman Dardia.

Councilman Dardia, I see you're here.

MR. LAPLACE: He's muted.

MR. DARDIA: Here.

MR. SAMMET: Anastasia Harrison.

MS. HARRISON: Here.

MR. SAMMET: Ross Goldstein.

MR. GOLDSTEIN: Here.

MR. SAMMET: Asima Jansveld.

MS. JANSEVLD: Here.

MR. SAMMET: Michael LaPlace.

MR. LA PLACE: Here.

MR. SAMMET: Anthony Tiller is absent. Alexandra Carreras.

MS. CARRERAS: Present.

MR. SAMMET: And Ann Freedman.

MS. FREEDMAN: Here.
MR. SAMMET: We have five members that need to be sworn in. I believe Alan, we can do them all at once. We don't need to do individual.

MR. TREMBULAK: Yeah. They can be done collectively, Don.

MR. SAMMET: So welcome to your first term Councilman Dardia. And welcome to your -- I guess we'd say reappointments or renewed appointments -- to Michael LaPlace, Anthony Tiller -- who is not here, so I'll swear him in next time -- Anastasia Harrison and Ann Freedman. Will you all please raise your right hands and repeat after me.

(Whereupon, MICHAEL DARDIA, MICHAEL LAPLACE, ANASTASIA HARRISON, AND ANN FREEDMAN having been duly sworn were appointed into office.)

All right. Thank you, everyone, and welcome. We'll have these oaths when we're in a public meeting to actually sign. Welcome or re-welcome to the board.

The next item on your reorganization agenda is a report of any nominating committee that you may have formed to appoint a chair and
vice-chair. If no nominating committee has been
formed, someone can simply make a nomination from
the floor. I guess we'll start with chair of the
planning board. Michael LaPlace.

MR. LAPLACE: I don't think a
committee was formed. So considering that, I
would like to nominate Michael Ash to serve again
as chair.

MR. SAMMET: Does anyone second that
nomination?

MS. HARRISON: I'll second it.

MR. SAMMET: Ms. Harrison. I'll do
an; all in favor.

BOARD MEMBERS: Aye.

MR. SAMMET: Any opposed. I see
none. Congratulations, Chairman Ash.

CHAIRMAN ASH: Thank you.

MAYOR BRINDLE: And thank you,
Chairman Ash.

MR. LAPLACE: I was going on the
assumption that he wanted to be chairman again.

MAYOR BRINDLE: We don't ask those
questions, Michael.

CHAIRMAN ASH: There's only a
nominating committee, and there's no exception for
the committees. Thank you, and it's my pleasure to continue to serve. I'm happy to see that everyone who was up for renomination had volunteered to continue our service on this board. I think we all agree that it's an important role for our community, and I'm glad everyone is as invested in this as I am, and Don. So welcome back everyone. And you know let's get right into the business. I guess am I taking it from here, Don?

MR. SAMMET: You can. Or if you like Mr. Chairman, I could ask for nominations for vice-chair of the board.

CHAIRMAN ASH: All right. We'll take that as an ask for nominations for vice-chair. And since I'm unmuted, I will nominate Michael LaPlace to continue as vice-chair.

MS. FREEDMAN: And I'd like to second that.

MR. SAMMET: Motion by Chairman Ash. Seconded by Miss Freedman.

MS. FREEDMAN: Yes.

MAYOR BRINDLE: And nobody asked Michael.
MR. CEBERIO: Maybe that's his punishment.

MR. SAMMET: All in favor.

BOARD MEMBERS: Aye.

MR. SAMMET: Any opposed. I see none. Congratulations Vice-Chair LaPlace.

MR. LAPLACE: Thank you. Thank you, everyone. It's an honor to serve on this board in this town and I appreciate your faith in me and I look forward to a really productive year.

MAYOR BRINDLE: I will just add my personal thanks to not only the two of you, to the entire board, and to those that agreed to serve another term. I love the way this board has come together, and I'm hard-pressed to believe that there's a more qualified and exceptional planning board in the State of New Jersey. I might be biased, but we are a -- there is a lot of horsepower around this planning board and it gives me so much confidence in the decisions that this group makes because of all the experience you bring to the table. So thank you very much for your volunteer service.

MR. SAMMET: I guess moving on, Mr. Chairman, it's the appointment of a secretary.
CHAIRMAN ASH: And that's not a nomination but an appointment, as you outlined. I would move to appoint Don Sammet as secretary of the planning board.

MR. CEBERIO: I'll second that.

CHAIRMAN ASH: Thank you, Matt. All those in favor of Don Sammet appointed to secretary of the planning board say aye.

BOARD MEMBERS: Aye.

CHAIRMAN ASH: Any opposed. Any abstentions. Congratulations to you, Don Sammet, our secretary.

MR. SAMMET: I'm actually filling Kris McAloon's shoes in that role.

MR. LAPLACE: I'd like to add what Mayor Brindle said about this board is largely due to our staff, in particular, Don as well. We're very lucky to have him on board.

MR. SAMMET: Thank you very much.

CHAIRMAN ASH: Agreed. Next, we have a resolution appointing the 2022 planning board attorney for ordinary and extraordinary service. There's a resolution for the retention for professional legal services of Ashenfeter, Slous, Trembulak, McDonough, Golia and Trevenen,
LLP. Mr. Trembulak is here with us this evening, and I'll move this resolution for that appointment.

MR. SAMMET: There's actually two, Mr. Chairman. One is for extraordinary duties. The other for the ordinary.

CHAIRMAN ASH: Let's take them both together for ordinary and extraordinary as to the planning board. Can I have a second?

MR. CEBERIO: I'll second that.

CHAIRMAN ASH: Thanks again, Matt. All those in favor.

BOARD MEMBERS: Aye.

CHAIRMAN ASH: Any opposed. Any abstentions. All right. Welcome back Mr. Trembulak.

MR. TREMBULAK: Thank you very much. It's been an honor and a privilege to work with this board. I appreciate your continued trust and confidence, and I look forward to working with all of you over the course of the next year. Thanks again.

CHAIRMAN ASH: Thank you. Our next order of business on the agenda is appointment of the site plan review commit. Don, how many
MR. SAMMET: Mr. Chairman, there are four members to that subcommittee.

CHAIRMAN ASH: Good.

MAYOR BRINDLE: Mr. Chair, can you remind the group who's been the previous four.

CHAIRMAN ASH: I'll defer to you, Don.

MR. SAMMET: It was Anastasia, Linda Habgood served on it, Michael LaPlace and Anne Freedman were our four members last year.

MAYOR BRINDLE: And Don, can you just remind everybody what the duties of the role are and what they do.

MR. SAMMET: Sure. The Site Plan Review Subcommittee is often tasked by the board to conduct more detailed design reviews of applications. A good example would be when there's a minor subdivision, we have a provision in our zoning ordinance where the two homes constructed sit side-by-side as part of a subdivision cannot be identical. There are design standards in the ordinance that pertain to that, and very often, the Site Plan Subcommittee is charged with ensuring compliance with that
ordinance. Also, very often, the subcommittee will be tasked by the board to work out design details for a specific application where the board has approved an application, is okay with the substance, if you will, of the application, and needs some more technical design-oriented questions to the site plan subcommittee. It's a group that typically meets before the regular meeting for about a half-hour, however, that can vary. I mentioned before we started this evening that there are two different developers knocking on the door to meet the subcommittee, so there may be a necessity for a special meeting of that subcommittee every now and then.

MAYOR BRINDLE: And Don, would you say it's fair to say I know that occasionally developers that come forward with a potential project and they're just looking for some input, and the site plan subcommittee can serve in some advisory capacity just to get some aesthetic input. Would you agree with that?

MR. SAMMET: It's a bit tough with that because then we have board members discussing an application outside of a public forum. Dave Battaglia, our engineer and I, as well as the
zoning officer very often provide those services. But the subcommittee on occasion does provide advice regarding potential ordinance amendments or even related to safe site design standards in a redevelopment plan.

MAYOR BRINDLE: Yes, that's what I mean. Thank you.

MR. SAMMET: I for one, would recommend some continuity on the committee because we have some applications that have been approved in the past which I think the folks on that subcommittee would be best served to help us to move those applications forward. But it's certainly not ever required that someone be reappointed to it.

CHAIRMAN ASH: I agree and I think that's a good place to start with our current members. Three are legacy members of that committee and would start by asking if there's a desire to be reappointed to the site plan subcommittee of the current members; so Michael LaPlace, Anastasia Harrison, Ann Freedman.

MS. FREEDMAN: I'd be happy to serve. But if you needed someone to do the historical liaison, and there was no one else, I
would move over there as a substitute. But, yes. The answer is yes.

CHAIRMAN ASH: Let me ask, do you have a preference there? Would you want to be the liaison to the Historic Preservation Commission?

MS. FREEDMAN: I think that would be interesting. And when you talk about legacy, there would be two others that would be holdovers.

MR. CEBERIO: I was the liaison in 2021 for the Historic Preservation Commission. I probably was going to need to say that there's some conflict professionally on the night that they typically meet. So if Ann would like to do that, that would be great.

MS. FREEDMAN: Okay. What night do they meet, Matt?

MR. CEBERIO: It's usually the fourth Monday of the month.

MS. FREEDMAN: Okay. That's fine.

MR. LAPLACE: Michael, I'm fine with staying on it.

CHAIRMAN ASH: All right. Thank you.

MS. HARRISON: I'm fine with staying on it as long as you think I'm still worthy. I
ask a lot of questions.

MS. FREEDMAN: That's a good thing,

Anastasia.

MR. LAPLACE: It would be really
dull without Anastasia, so, please.

CHAIRMAN ASH: Okay. Thank you. So
that leaves two seats on that subcommittee. If
anyone is interested, just let me know.

MR. CEBERIO: Don, you said they
typically meet before these meetings?

MS. HARRISON: Yeah. It's like,

6:30 to 7:00.


MR. CEBERIO: If that is the case,
this night doesn't conflict, so I'd be more than
happy to help with that.

CHAIRMAN ASH: All right. Thanks,
Matt. If there's no one else interested, I
suppose I could fulfill one of those.

MS. JANSVELD: I'll jump in for site
plan. Also, how many people do we need for the
tree preservation one? Ross, I think you did it
before. I don't know if you were planning to do
it again this year.

MR. GOLDSTEIN: You're welcome to --
if you want to flex that muscle, you're welcome
to.

CHAIRMAN ASH: All right. Asima,
your choice.

MS. JANSVELD: I thought I'd try the
tree preservation one this time. But I'll do site
plan if no one else is able to do site plan and
someone else was interested in trees.

CHAIRMAN ASH: How about we take it
out of order. Is there any other interest in
being the liaison to the tree preservation
committee? I see none. Looks that one is yours,
Asima.

MS. JANSVELD: All right.

CHAIRMAN ASH: That brings us back
to the site plan review. Anyone else have
interest?

MS. HARRISON: I'm going to maybe
talk a bit. It was really helpful to have Linda
there at those meetings. I don't know if
Mr. Dardia wants to jump in on that. But because
she was also town council, it helped pull a little
more weight when she would say she would bring it
back to town council. I felt it to be very
helpful when she was at all of our meetings to
have a town council representative there. But there's no pressure.

(Crosstalk.)

MS. HARRISON: I didn't hear you.
MR. DARDIA: Can you hear me?
MR. LAPLACE: Yeah.
MR. DARDIA: You can hear me.
MR. CEBERIO: Yes.
MR. LAPLACE: It's a little spotty, but we can hear you.
MR. DARDIA: I'm sorry. My phone connection is really terrible. I don't know why. Yes, I will do it.
MR. LAPLACE: And I was going to say that even though Don said there're two parties lined up to speak to us, it really wasn't a big-time commitment last year. Just so everyone knows that.
MS. HARRISON: The only commitment was that Wychwood House. That was the only one that drove us nuts.
MR. SAMMET: Thank you, members, of the Site Plan Review Subcommittee. I'll try to line up your first meeting for actually February 7, prior to the start of our regular
planning board meeting.

CHAIRMAN ASH: Okay.

MR. SAMMET: Thank you, very much.

CHAIRMAN ASH: Do we need a vote on these appointments or we're good?

MR. SAMMET: I don't believe so, Mr. Chairman. They were treated in the past as chair appointments, so there wasn't a vote.

MS. JANSVELD: I guess I should ask. When does the Tree Preservation Committee meet? How often?

MR. GOLDSTEIN: It's the fourth Thursday of every month.

CHAIRMAN ASH: Thank you, everyone, for your additional service. That brings us to -- we're going to swear in our town engineer and town planner to provide professional testimony for the 2022 planning board calendar year.

Don and David, if you would raise your right hand.

(Whereupon, Don Sammet and David Battaglia having been duly sworn were appointed into office.)

CHAIRMAN ASH: Thank you.

MR. SAMMET: Thank you, everyone.
CHAIRMAN ASH: Don, we have our schedule of meetings for the 2022 calendar year, and that will be posted in town hall and on our website; is that right?

MR. SAMMET: That's correct. We provide it to the town clerk and she takes care of it for us.

CHAIRMAN ASH: And that will continue to be the first Monday of the month at 7:30 unless there's a holiday conflict?

MR. SAMMET: That's correct.

CHAIRMAN ASH: Okay. Great. And I believe that concludes or reorganization agenda. And with that, a motion to adjourn our reorganization.

MR. DARDIA: Before you do. Mike, can I just ask one thing. Can you hear me?

CHAIRMAN ASH: Yes.

MR. DARDIA: When we were getting sworn in earlier, my phone cut out. So I don't know if I'm officially sworn in.

CHAIRMAN ASH: Would you like to do that again?

MR. DARDIA: Sure.

(Whereupon, Mr. Dardia, having been
duly re-sworn was appointed into office.)

MR. SAMMET: Congratulations.

CHAIRMAN ASH: Officially, congratulations.

MR. DARDIA: Thank you.

CHAIRMAN ASH: Mr. Dardia, loves committees and oaths.

MR. DARDIA: Apparently.

CHAIRMAN ASH: And now, let's adjourn our reorganization meeting. Second?

MR. CEBERIO: Second.

CHAIRMAN ASH: All in favor.

BOARD MEMBERS: Aye.

CHAIRMAN ASH: Any opposed. Any abstentions. Okay. We're adjourned from our reorganization meeting. I have it at 7:29.

- - -

(The meeting was adjourned at 7:29 p.m.)

- - -
TOWN OF WESTFIELD

PLANNING BOARD

IN RE : PB-21-11 : PRELIMINARY AND FINAL MAJOR SITE PLAN:
552-556 NORTH AVENUE EAST :
560 NORTH AVENUE EAST :
BLOCK 3305 LOTS 1.03 AND 1.04 :
VCEA PROJECT NO. WES-1001.006 :

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BY: ALAN TREMBULAK, ESQ.
Attorney for the BOARD

HEHL & HEHL
BY: STEPHEN HEHL, ESQ.
Attorney for the APPLICANT PATEL
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CHAIRMAN ASH: Mr. Secretary, a roll call, please.

MR. SAMMET: Sure. First, I think we need to ready the Open Public Meetings Act statement.

CHAIRMAN ASH: You got it?

MR. SAMMET: If you have it or I can do it, if you like.

CHAIRMAN ASH: It's here.

In compliance with Chapter 231 of the Open Public Meetings Act in the State of New Jersey, adequate notice of this meeting was provided to all members of the Planning Board and the newspapers that have been designated to receive notice; the Star Ledger and the Westfield Leader.

MR. SAMMET: For the roll.

Chairman Ash.

CHAIRMAN ASH: Here.

MR. SAMMET: Mayor Brindle.

MAYOR BRINDLE: Yes.
MR. SAMMET: Mr. Ceberio.

MR. CEBERIO: Here.

MR. SAMMET: Councilman Dardia.

MR. DARDIA: Here.

MR. SAMMET: Ms. Harrison.

MS. HARRISON: Yes.

MR. SAMMET: Mr. Goldstein.

MR. GOLDSTEIN: Yes.

MR. SAMMET: Ms. Jansveld.

MS. JANSVELD: Here.

MR. SAMMET: Mr. LaPlace.

MR. LA PLACE: Here.

MR. SAMMET: Chief Tiller is absent this evening. Ms. Carreras.

MS. CARRERAS: Present.

MR. SAMMET: And Ms. Freedman.

MS. FREEDMAN: Here.

MR. SAMMET: Thank you.

CHAIRMAN ASH: Thank you. We have minutes from our December 6, 2021, meeting. Everyone’s had a chance to review the minutes.

MR. SAMMET: Mr. Chairman, I believe Ms. Freedman may have had a correction or two she would like to make.

MS. FREEDMAN: Yeah. There are a
couple of pieces of incorrect information. If you flip to the second to the last page under New Appeals, in the third paragraph it names the names of the company. It says, "Representing LLC Partners." We need the name of the company. We can look it up afterward, but it's missing. And then, two lines below that it talks about, "Inclusionary housing since the early 1190s." I think what she meant to say was "1990s." And then, if you flip onto the last page, in the first paragraph, the third line down, it says, "Mr. Espasa stated, 'That was of no concern. It was about pesticides running into the brook water.'" I don't think that's what he said. I think he said that -- and we can look it up -- but I think he said that he would tell the contractor who deals with the landscaping not to dump pesticides in the brook water, which is different than saying it's of no concern. Because it is a concern. So that was that correction. And then in the second full paragraph, she has, "Lastly, David, comma, a resident Westfield." We need the last name.

So I think going forward having the exact transcript, we won't have to go through
this. Thanks, Maria. And welcome, Maria.

MS. BREIEN: Thank you.

CHAIRMAN ASH: The, LLC is Westfield Park Partners, LLC. We'll add that to revised minutes. We'll add that revision to reflect early 1990s. And we will include the revision to the statement about runoff and the pesticides. And I'm not sure if we know David's last. I don't recall, but maybe we can --

MR. SAMMET: It's likely she couldn't understand it from the recording. We'll check.

CHAIRMAN ASH: Do you want to double-check? We can table these minutes until we have that revision.

MR. SAMMET: Or we could just add it in. Yeah. We'll listen to the recording and have Kristine check her notes. Otherwise, we may just have to -- if we don't have it, we may just have to state it as, "Resident of Westfield. Name could not be understood." Something like that.

CHAIRMAN ASH: All right. So we'll just revise it as we'll just kind of add a blank there, and to the extent that we can, fill in that blank re-reviewing the recording, then we'll treat
it that way.

A motion to approve the minutes of December 6, 2021, with the revisions identified by Ann Freedman unless there are any other revisions, questions or comments. Do we have a second?

MR. LAPLACE: I'll second.

MR. SAMMET: Second by Mr. LaPlace.

I'm sorry, who made the motion.

CHAIRMAN ASH: I moved.

MR. SAMMET: Thank you, Mr. Chair.

CHAIRMAN ASH: All those in favor.

BOARD MEMBERS: Aye.

CHAIRMAN ASH: Any opposed. And we'll note that Councilman Dardia abstained since he was not --

MS. JANSVELD: Actually, I should abstain too. I wasn't there in December.

CHAIRMAN ASH: Okay. Two abstentions. All right. Thank you. So we have a resolution from PB19-02.

MR. SAMMET: I think the resolution, Mr. Chairman, is Application Number PB18-10. The Schnitzers at 885 New England Drive.

CHAIRMAN ASH: Yes. Any questions or comments about the resolution?
MR. SAMMET: The abstentions would need to be the same on this; Councilman Dardia and Ms. Jansveld.

CHAIRMAN ASH: All right. Well, if there're no questions or comments, I'll move to adopt the resolution for PB18-10.

MR. CEBERIO: I'll second.

CHAIRMAN ASH: Thank you. Let's have a roll call, please.

MR. SAMMET: Chairman Ash.

CHAIRMAN ASH: Yes.

MR. SAMMET: Mayor Brindle.

MAYOR BRINDLE: Yes.

MR. SAMMET: Mr. Ceberio.

MR. CEBERIO: Yes.


MS. HARRISON: PB18-10 is New England Drive?

MR. SAMMET: Yes.

MS. HARRISON: I don't know how to -- as silly as it sounds.

CHAIRMAN ASH: Vote it, no.

MS. HARRISON: I vote it, no. What do I, continue to vote no?
MR. TREMBULAK: You shouldn't vote on the resolution if you're voting --


MR. SAMMET: Mr. Goldstein.

MR. GOLDSTEIN: Yes.

MR. SAMMET: Ms. Jansveld, you need to abstain. Mr. LaPlace.

MR. LA PLACE: Yes.

MR. SAMMET: And Ms. Carreras.

MS. CARRERAS: Yes.

MR. SAMMET: Ms. Freedman.

MS. FREEDMAN: Yes.

MR. SAMMET: And Chief Tiller is absent.

CHAIRMAN ASH: Okay. Thank you.

MR. SAMMET: Thank you very much.

CHAIRMAN ASH: That takes us to our appeals this evening. The appeal on PB21-09, 522 Springfield Avenue. That is being carried to February 7; is that right, Don?

MR. SAMMET: That's correct. The applicant was unable to make this evening's special meeting, so they have re-noticed for the February 7 meeting.
CHAIRMAN ASH: And will that be an in-person meeting?

MR. SAMMET: No, Mr. Chairman. We had to -- we advertised it for virtual as we were unsure if we'd be able to be live or in-person again. So February 7 will be virtual.

CHAIRMAN ASH: For the benefit of the board and for the public in attendance, we'll clarify that PB21-09 will be carried to February 7, and it also will be a virtual meeting. And we'll make the same announcement for PB19-02, and that is the 873 New England Drive application is also carried to February 7.

New business for the board this evening is PB21-11. That is 552-556 North Avenue East and 560 North Avenue East. This application is seeking to renovate and expand the former TD Bank for use as a liquor store. I see Mr. Hehl is joining us and there he is.

MR. HEHL: Great to see you all. I see Tom. Again, great to see everyone. Since the last meeting, happy New Year. Welcome new board members, welcome returning board members and board professionals. Again, always a pleasure to deal with Mr. Ash. Again, thank you for taking the
helm as chair. And we have an esteemed counsel there who I've known for forty-something years. It's good to see everyone. From our high school days. But anyhow, so this is --

MR. SAMMET: Mr. Hehl, may I ask before you start, I have Tom and Greg. I've added them on. Is there anyone else with you? Is Jim Watson here?

MR. HEHL: Jim should be here also.

And Mr. Patel, our client, should be floating around.

MR. SAMMET: Yes. I see Mr. Patel.

CHAIRMAN ASH: If we're all set with the virtual format, if you want to give us an overview.

MR. HEHL: Sure. Yeah. Thank you very much, Mr. Chairman. This is an exciting adaptive reuse. As you can see, we have a vacant building that is now -- it actually has been purchased by Mr. Patel and looking to convert it to a House of Wine liquor store. It's permitted use in the zone. You will see from Mr. Blasi's exhibits, making some nice aesthetic improvements to the building. We did receive -- and Don is always great about sending his memorandum -- we
have his memorandum from December 27. Again, we're permitted use in the zone. We meet practically all of the bulk criteria including parking, setbacks, loading zone, and the like. And Mr. Watson will cover it from a professional planning standpoint. But I believe the only variance associated with it is front-yard parking which was previously granted with the other approval. I did speak to Mr. Sammet, there was a request to add a wall sign, but that would trigger a variance which we didn't notice for. So we'll probably be back before the board when Mr. Patel evaluates the signage and appear back for an amended approval with the signage.

Again, he's closed on the property and would like to move forward with this project. And again, Dom, we appreciate when you provide these detailed memos because it's a big help for our professionals. So that's an overview of the application, Mr. Chairman. If there are no preliminary questions, we first have Mr. Quinn, our site engineer. I see Michael LaPlace has his hand up.

MR. LAPLACE: Mr. Chair, may I ask a question?
CHAIRMAN ASH: Yes.

MR. LAPLACE: Regarding that front-yard parking variance, I just wanted to sort of state at the outset that I understand why it's back before us even though it's an already existing situation. And I don't know if the applicant had considered extending the building forward towards North Avenue instead of enclosing a drive-thru pavilion. I just wanted to state at the outset that I really think that it was very unfortunate that this board approved the variance for front-yard parking when it did. Commerce Bank was opening a lot of these branches throughout New Jersey at the time, and some towns really held them to doing a more urban-style building up to the street, more pedestrian-oriented. I can think one in Montclair where it was right on Bloomfield Avenue and it wasn't set back. And I always thought it was very unfortunate, particularly as you drive up and down North Avenue. We've seen recent proposals where the buildings are up to the sidewalk. But this one is perpetuating a variance, which I wish had never been granted. I don't understand the hardship of why cars had to be in the front of this building. But
unfortunately, that's the situation we've
inherited. I guess my question is did the
applicant consider building out toward North
Avenue instead of perpetuating this variance
situation with the front-yard parking?

MR. HEHL: Well, certainly, that's
something we can address during the presentation
this evening.

MR. LAPLACE: Okay. Thank you.

MR. HEHL: Thank you, Mr. LaPlace.

I think -- yes, there's Mr. Quinn. If we could
please Have Mr. Quinn sworn.

CHAIRMAN ASH: Good evening,

Mr. Quinn.

TOM QUINN, having been duly sworn,
was examined and testified as follows:

CHAIRMAN ASH: Let's quickly go
through Mr. Quinn's qualifications.

BY MR. HEHL:

Q. Sure. Mr. Quinn, if you could
please give the board the benefit of your work,
educational experience, area of expertise. And I
know you have, in fact, testified before this
board in the past.

A. Numerous times, yes. I'm a 1993
graduate of NJIT. I'm received my PE license in the State of New Jersey in 1997, so I've been practicing civil engineering for 25 years. And I've presented through -- done just this sort of work, site development in numerous towns. Westfield, numerous times. Dozens and dozens of towns every year.

Q. And your licenses are in full force and effect at this time?
A. Yes, it is. Thank you.

CHAIRMAN ASH: Thank you. Any questions from the board as to Mr. Quinn's qualifications or experience? All right. We'll accept your qualifications.

BY MR. HEHL:

Q. Thank you very much. Mr. Quinn, if you could provide an overview of the existing conditions at the site and then we can move onto what's proposed by way of improvement including building, lighting, landscaping, drainage of like.
A. Sure. I'm going to go ahead and share my screen.

CHAIRMAN ASH: Thank you. There's a question from --

MR. QUINN: Can you all see that?
CHAIRMAN ASH: We can. Are these plans also available on the town website, Don?

MR. CEBERIO: They are.

CHAIRMAN ASH: If someone has that up on their screen, would you be able to put the link in the chat? I'll see if I can quickly find it. Thanks, Don.

MR. QUINN: Let me know when you want me to start.

CHAIRMAN ASH: Please continue.

MR. QUINN: Okay. Just so we're all looking at the same set of drawings, this is the that the board should have had delivered to it dated 9/9/2021, existing of seven sheets including a 1-of-1, which is the existing conditions plan. For the record, we're talking about actually two parcels identified as Tax Lots 1.03 and 1.04, Block 3305. They're highlighted in the center of the key map here. They're also located in the GB-2 Zone, which runs along here. They are bounded to the north by North Avenue East and a residential area. To the east and west by commercial properties. To the south by the Raritan Valley railroad line. And additional commercial properties further south beyond that.
I'm going to go to the existing conditions plan. For some reason, it's looking very light. But let me zoom in on this a little bit. Can you guys see that now?

MR. SAMMET: Yeah.

MR. QUINN: I'm going to bring this in a little tighter. Essentially, what we're looking at here is a snapshot of the site as it is today. It was formally -- well, the last that I've seen was the old Commerce Bank site. You see the building located pretty much in the center of the site. To the north, is North Avenue East. Basically, the site has a single ingress drive and loop parking and circulation aisle. Parking is basically located to the north and the west side of the building. The south and east side of the building provide the circulation aisles for the drive-thru that formerly existed there.

Again, the site is pretty much fully developed in its current condition for the use it was in that there is some drainage facilities on the site. There's also lighting on the site. There's not a lot of natural landscaping but there are some trees located along the property frontage. And I have a couple of aerials I can
share with you on that. But the thing that we
looked at in particular was the lighting on the
site. There's a total of 10 freestanding lights
scattered about throughout the site now. They're
all LED lights. Typically, bank sites are well
lit. So while I didn't do any light measurements
out there, I anticipate that the existing lighting
is certainly adequate for the use that we're
proposing if it's adequate for the use of a bank
site. In the current situation, as you heard
talk, the only existing violation for
nonconformity is parking in the front yard here.
The existing building represents about 10 percent
on its lot coverage, where 40 percent is
permitted. And the existing impervious cover is
57.7 percent currently, where 90 percent is
permitted. I'll zoom out a little bit. Just to
give a sense for -- I don't know why it keeps
doing that. North Avenue, again a single accessed
lane coming in a single drive in. And then a twin
lane coming out onto North Avenue.

Now, I'm going to go back to the
proposal. What you see here is an extension of
the existing building. This is a proposed
one-story addition, which is approximately 3,000
square feet. I'll let the architect get into a little more detail. As you see, that's appended onto the existing building, which if memory serves me correctly, is about 4,042 or 4,400 square feet. The area that the building footprint is situated is the old drive-thru aisles. You see them ghosted underneath. And can you see the edge out here, the existing edge of the impervious cover which is the outermost drive aisle. So a lot of this development is in an area of existing impervious cover. We've maintained the circulation parking lot to the north and to the west, and even largely to the south. But we've taken the opportunity to add some loading spaces here. These are 12-by-35 loading stalls. Typically, these kinds of users, the beverage trucks that are associated with this kind of use, they're typically between 25 and 35 feet long. So this spacing, 35 foot, is ample for the use that's proposed here. And that does provide an 18-foot drive aisle, which is adequate for emergency vehicles with a vehicle parked -- any one of these vehicles parked. And the one-way circulation is maintained throughout here. So once you get to the back loading area, we have constructed a
bypass drive that takes you back out to the exit drive. In order to affect this bypass drive, it is located in a high part of the site, as I'll show on the grading plan. We do have a little bit of a retaining wall located a couple of feet off the property line that never exceeds 2 feet in height.

I'll get through the rest of the drawings. P-3, the grading plan. Again, what this shows is that we've maintained this high spot. In the existing condition, the edge of the existing drive, immediately to the east of that is a knob, a bit of a hill. Probably some dirt that was left over when they constructed the site. So we're taking advantage of that and elevating this drive portion past the building and constructing this retaining wall here, which permits that again maximum height is 2 two tall which is located in this corner. We are constructing a little over 2,000 square foot of additional impervious cover. About 2,200 square feet, which is a minor development status. So what we've done is we've taken the opportunity -- because we have a relatively high spot here where the driveway is -- we've taken the opportunity to grab an equivalent
area of the existing building -- well, actually
the proposed addition and whatever of the existing
building we need -- but an equivalent area.
Actually, it says here 2,335 square feet. So
we've taken an equivalent area of impervious cover
increased, directed it into these dry wells.
We've relocated -- I'll zoom out a little bit --
the existing inlet. There was one here and then
there is one here then a pipe that connects them
through the old drive-thru. So you can see, we
have rerouted that pipe. We've taken the dry well
inflow and then back out into this manhole to the
discharge point that was formally there. These
dry wells because this whole area is defined as
urban land in the soil's survey. And I know just
from experience that most of Westfield, this
portion, in particular, doesn't exhibit really
permeable soils. We designed this dry well to
have a bottom-out feature. So while it's a dry
well in a traditional system, in the sense that
it's open. You know, it's pits with holes in a
stone matrix so that there is opportunity for
infiltration to the degree that the soils will
permit it, it doesn't rely on infiltration. We do
-- and I'll show you a detail of that -- we have a
bottom pipe out with a one-inch cap that assures that this thing will evacuate. Very slowly so it doesn't cause any kind of flooding, but it does assure continued evacuation so that it continues to function.

I'll zoom out a little and go to Sheet 4, which is landscaping lighting plan. As I indicated, there are -- there's not a ton of vegetation on the site. There are I think five mature trees. Three on this island and one of either end of these drives. And there's a couple scattered out on the islands on the south. There's a pretty heavy vegetated area behind that separates the store from the Raritan Valley. And here again, there're green areas here that have some landscaping, but not a lot. What we've done is we've taken the opportunity to dress up the building. The existing building also doesn't have a lot of landscaping. Since we're adding a relatively long structure, it made sense to soften it with foundation plantings. So basically, we've layered this. We have evergreens immediately along the building facade. Boxwoods mostly where there are windows so that they're shorter. And Sky Pencil hollies, which are taller, slender at
the column areas where there are no windows. The same pattern is along here. In front of that, we've supplemented daylilies, purple coneflowers, which are like a type of sunflower, and some lamb's ear. These are all proven to be hardy and relatively pretty flowering interests and textural interests for the lamb's ear.

This plan also shows the only lights that we're adding are the two on the building. And essentially, that is meant to light the impervious cover that we're creating. There is an existing light right here that takes care of the overlap. And there are also two existing lights. One located here, and one located here that will overlap this area. So we've only added two lights on the building mounted 15-feet tall. Again, downward-throw LEDs to really light the area where we've pushed the driveway aisle past the building. Essentially, those are the high points. The rest of the set consists of control plans.

The one thing I did want to show you was the, since we talked about it, the proposed dry well configuration. This is where -- typically, in a typical dry well, it's all infiltration. So your invert -- your invert in
and your invert out are at the top elevation. And
it replenishes through infiltration. Again, we
know enough in certain areas where we provide this
bottom drain, which is attached to the top drain.
So that this thing -- even if the soils are not
great -- these things fill up and then overflow.
But this one-inch cap assure that this will work
its way down and infiltrate as much as it can
while still evacuating fully to replenish itself
the next rain event. So that's a little something
we do when we expect the soil is not great.

The only other thing I would mention
is we do show a trash enclosure. And that is -- I
think Don's letter had asked what the enclosure
was to be, and it's a vinyl fence. Which is
basically shown right here. Again, those are the
highlights of the plan. I did go through Don's
letter. I don't know that there's a lot for me to
discuss on here unless there are clarifications
that Don wants me to make. I think I tried to
touch on some of the items that he outlined in his
letter when I went through my presentation.
That's all the direct testimony that I have.

BY MR. HEHL:

Q. Mr. Quinn, just another item, and I
know we discussed this during our preparation,
that the applicant is committed to the electric
charging.

A. Yes. You know what I did forget
though, thank you, there's something else; the
sign. I didn't touch on -- I've highlighted now
the sign here is on the westerly side of the
ingress drive. Here there's an exiting sign that
is going to be repurposed by the applicant. This
one has ground lights. Basically, ground light
bars that shine up at this sign, and the sign goes
all the way down to the ground. So when we do
these with these ground-mounted lights, I'm always
concerned about glare and visibility on a roadway.
But this one -- we're going to maintain what
they've got here, that was handled pretty well.
It's just going to be rebranded for the particular
user.

Q. And I know you discussed the trash
enclosure, the lighting.

MR. HEHL: And Mr. Sammet, I wanted
to know, did you need further explanation? I know
on Page 6, Item Number 1 on the top on the other
comments, you wanted information regarding the
grading and drainage.
MR. SAMMET: Right. And Mr. Quinn did touch upon that. I would defer, however, to our board engineer, Mr. Battaglia, if he has further questions regarding the drainage plan or the grading.

MR. BATTAGLIA: I have been no further questions. Everything is outlined in my letter. And I think you've provided enough testimony to satisfy those concerns.

MR. HEHL: Great. Thank you. With that, I have no further preliminary questions of Mr. Quinn at this time.

CHAIRMAN ASH: Thank you, Mr. Quinn. I'll turn it over to members of the board. Anyone have any questions or comments?

MS. FREEDMAN: I do. Mr. Chairman, I had a few questions about the traffic or are you going to be talking about that later?

MR. QUINN: You mean traffic out on the roadway, ma'am?

MS. FREEDMAN: The entrance and the exit. It looks like you have one entrance on the -- I guess that's the west side?

MR. QUINN: Correct.

MS. FREEDMAN: And then you have on
the east side you have an entrance and an exit.
Is that the current -- when the bank was there,
was that how it was set up?

MR. QUINN: No. The way it's set up it's an ingress drive only on the westerly side.
This is only in. And the egress drive only on the easterly side. But because I think the recognition that making a left would necessarily cue traffic trying to make a right, which is an easier movement, they're already split this into a left and right directional egress only. We're going to maintain that. And so you're aware, this is actually under state jurisdiction. So what we do on these cases where we're changing the use, we make sure that we do what we have -- but there's a lot of conformance calculation that's performed. It makes sure that there're no trip limitations on the lot per the DOT. So in other words, every lot, based on its configuration, has a certain number of trips that it's limited to. This lot, we checked when we were doing this layout with the dynamic traffic consulting engineer to make that we had no issues with lot performance from the DOT standpoint, and he said no. This is basically the DOT -- there're no DOT permits even required for
this since we're not in the right-of-way. At the 
very least, what they would do is give you a 
Letter of No Interest, if that's a requirement.

MS. FREEDMAN: Okay. Because on the 
plan, you can't tell because there are no arrows 
at the entrance and the exit. I assumed that 
but...

MR. QUINN: They're kind of ghosted. 
You can kind of see them underneath here.

MS. FREEDMAN: Oh, yeah. Got it. 
MR. QUINN: It's a little faint. I 
do apologize for that. It's underneath, it's kind 
of faint.

MS. FREEDMAN: Okay. Thank you.

MAYOR BRINDLE: Mr. Quinn --

Mr. Chairman, may I ask a question? I'm not sure 
if you're the person to direct this. I live 
around the corner from this, I could walk to this 
wine store. So I'm intimately familiar with 
traffic patterns and everything else. And I don't 
have to tell you North Avenue can be a nightmare. 
When I commuted, my bus stop was across the 
street. It would often take me -- it could take 
10 minutes just to cross the street as a 
pedestrian. What are the traffic -- I just am
curious about the traffic pattern's busy times of
day. You know, it seems like this would drive a
lot more traffic in and out than a bank would. Am
I'm just wondering what you're all anticipating
about that and if there are certain times of day
or days where you would see the heaviest amounts
of traffic. I mean I can kind of conjecture, it's
a liquor store, but maybe you can comment on that.

MR. QUINN: Now again, I'm not a
traffic expert, but I've done enough of these
applications that I've heard enough traffic
testimony. I do know I spoke to Craig Peregoy.
As a matter of fact, any time we have an
application like this on a state road we always do
a lot performance, make sure we have no issues.
What Craig told me was that this liquor store
generation is actually less than a bank.

MAYOR BRINDLE: Really.

MR. QUINN: It tends to be spread
out a little more because maybe people will leave
from work in the middle of the day to go to a
bank, whereas with a liquor store they tend to go
to or from their work or place. They don't make a
special trip often to go to a liquor store. In
terms of just trip generation, this particular
user apparently generates less trips per day, per peak hour than a bank would. Which is why we're eligible for a Letter of No Interest and the DOT has no issue with the lot performance. But that's about as far as I have as much expertise as I have in that area.

MAYOR BRINDLE: And it's very smart to split that exit because that left on North Avenue can be a real bear.

MR. QUINN: That was done when the bank was there, I'm certain. There was no way the bank and anybody else would ever get that changed. That made good sense to keep.

CHAIRMAN ASH: Mr. Vice-Chairman had his hand up.

MR. LAPLACE: I was showing off that I know how to use the little hand thing. I'd like to get back to the question I asked at the beginning. Was there consideration by the applicant to add to the building going north toward North Avenue instead of perpetuating this so you're sort of strip-shopping center pattern of the building set back behind front-yard parking?

MR. QUINN: To be honest, I'm not sure that I -- normally, these things -- by the
time the engineer gets it the building is already set and we work around the building. So to be honest, I wasn't involved in the planning. And typically, engineering officers are not planning associated with the building unless it's a brand new site. But in this case, I really can't tell you from my perspective what, if any, thought went into it. I think they were just trying to utilize as much of the existing site as possible.

MR. LAPLACE: Is there someone else that will be testifying tonight that can answer?

MR. QUINN: We have an architect here. I know they may shed light on that.

MR. HEHL: Yeah. I think our architect will touch on that building layout design and the like.

MR. LAPLACE: Okay. I have some questions about circulation. I don't really understand how it works in the back. It those are loading areas, if the trucks or whatever are coming in forward from that entrance and then they're looping behind the building, they're not backing into those loading docks, they're going forward? Is that how it works?

MR. QUINN: Beverage vehicles, they
discharge from the side. They're not like bigger trailers where they have everything that comes off the back of the truck.

MR. LAPLACE: They don't need to turn around back there?

MR. QUINN: No. No. They'll back up this way, and then this is all designed -- this is all ready for them to get out. They'll have no issue with that maneuver. And it's only trucks getting back here. The main parking area is --

MR. LAPLACE: Sure because everybody is parking in the front yard.

(Crosstalk.)

MR. QUINN: When here, you can back out and go this way. There's no precluding you from going --

MR. LAPLACE: I have a question about that new easterly drive. It seems awfully close to the property line. I don't know, maybe Don can answer there or someone can. What's the setback requirement for that new drive lane from the side property line and do you meet it?

MR. SAMMET: There is no setback requirement.

MR. LAPLACE: So that lane can go
right up to the -- oh, wow.

MR. QUINN: Just so you can see,
from the face of the curb to the property line is
7 seven feet, roughly. And then we've given a
little bit of space here to put a shorter
retaining wall just to make the break rather than
putting a slope. We just made a -- it seemed a
softer slope to just put a short retaining wall.

MR. SAMMET: I may have to take that
back, Mr. Vice-chair. Maybe 2 feet.

MAYOR BRINDLE: And Michael, that's
Top Line Appliance over there?

MR. QUINN: Yes.

MAYOR BRINDLE: And that whole side
is surface parking.

MR. LAPLACE: Usually, I know other
codes where there is more of a setback
requirement. That's what I was thinking about.
The last thing I'll ask right now is in the front.

MR. QUINN: So you see that? I
think that's what the mayor was talking about.
Right here, top line. Can you guys see this map
now? I tried jumping to Google Maps, but I had to
stop sharing.

MR. LAPLACE: It's okay. As long as
it's in conformance.

MR. QUINN: Yup. Yup. I had Google Maps on here but I had to stop sharing to bring it up to show you.

MR. LAPLACE: The last thing I would say, and it's more of a comment than a question is if we have to live with this front-yard parking, I'd really like to see to the landscaping between the sidewalk and the front property line in the parking area to be enhanced as much as possible for screening purposes. Okay. Thanks.

MR. HEHL: By the way, Mr. LaPlace, the applicant is going to testify. I can't imagine with the investment that he's making here that he would not be agreeable to that.

Mr. Quinn, not to put you on the spot, but don't we -- we can have the applicant -- but just, I assume that there's room in that area to provide the additional landscaping and enhance that area?

MR. QUINN: Yeah. Even on our portion of -- we've got 10 feet between the curb line and the right-of-way to work with here.

MR. LAPLACE: Good. Is there room for additional street trees as well along the curb?
MR. QUINN: To be honest, there are -- I was going to show you that on Google Earth, but there are three street trees in there and then there's one on either end. So I don't know that street trees would be optimal there. I think some fill in between those, ornamentals.

MR. LAPLACE: Okay. That's fine. I just wanted to make sure the team looked at it. Thank you.

MR. QUINN: Yeah. And I'm happy to take Don's suggestions when we looked at it, but that was my -- when I looked at the Google imageries, there seemed to be a good number of shade trees. It seemed like more than that on these islands would be pressing it.

MR. LAPLACE: Okay. Thank you.

MR. HEHL: No, thank you.

Again, I have no further direct questions of Mr. Quinn at this time. I guess it's still open for the board. I'm sorry.

CHAIRMAN ASH: Councilman Dardia.

MR. DARDIA: Thank you, Chairman.

Related to what Mr. LaPlace just eluded to, in terms of that driveway that comes from the rear to the front, I'm curious about the exits or
entrances for the actual store. Where are they?
And can you point out other exits, emergency exits, anything that may -- if you've got an exit that's there in the proposed one-story addition, where is that? Does it lead to that driveway?

MR. QUINN: This is probably better discussed by the architect. But I could tell you that the existing entrance is being maintained that's in the front of the store. There is an existing exit out in the back that we're also maintaining. There are two additional doors that are located on the easterly end of the building. This one attached to the sidewalk that goes out front and this one out to the rear. But again, more detail on that probably is better directed -- because he'll pull up the plans, the actual floor plans, and show you where things are.

MR. DARDIA: Thank you.

MR. HEHL: Thank you, Councilman.

CHAIRMAN ASH: Anyone other members of the board with questions or comments for Mr. Quinn?

MS. CARRERAS: I just had a general note that I wanted to make sure that this was picked up. That Note 21 talks about existing Lots
1.03 and 1.05, but we're talking about Lots 1.03 and 1.04.

MR. QUINN: That's what our note says?

MS. CARRERAS: Yes. Your Note 21, and it's on a couple of pages.

MR. HEHL: Yeah. That was pointed out.

MS. CARRERAS: I just want to make sure.

MR. QUINN: Thank you for that.

MR. HEHL: We are going to be -- I think, Don, one of the comments was about lot consolidation.

MR. QUINN: We're showing that, actually. You see that here. The two lots are 55,000 square feet, so we are showing that to be consolidated.

CHAIRMAN ASH: Thank you. If there are no other members of the board with questions or comments let's turn it over to members of the public in attendance. At this time, you have an opportunity to ask questions of Mr. Quinn, based on the plan he has presented and his testimony this evening. Don, if you could please check the
participants and see if there are any hands
virtually raised.

MR. SAMMET: Yes, sir, we have them
coming in. Anyone with questions of Mr. Quinn,
please virtually raise your hand and we'll allow
you to speak. I see Ms. Diane Brescher.

MS. BRESCHER: Can you hear me?

MR. SAMMET: We can hear you, yes,
Ms. Brescher.

CHAIRMAN ASH: Hi, welcome.

MS. BRESCHER: I live right at the
corner of 4th Avenue and --

CHAIRMAN ASH: If you wouldn't mind,
again, for the record because we're going to have
a transcript, just state your full name and your
address, please.

MS. BRESCHER: Diane Brescher.

606 4th Avenue.

CHAIRMAN ASH: Thank you very much.

Go ahead.

MS. BRESCHER: I sort of missed
Shelly's question around the traffic. The traffic
on North Avenue is atrocious and it's only going
to get worse. It may not matter to people that
don't kind of live right there, but I work from
home most days, and make a left, making a right on North Avenue can be brutal. So I'm trying to understand and I can really barely read the -- you know, it really very hard to see the plans. So I'm just trying to understand what's going to happen. Like when you were talking about the exits, can you explain that again? The entrance and the exits to this new proposed liquor store.

MR. QUINN: Yes, ma'am. We're utilizing the existing driveway cuts that are currently on North Avenue in the configuration that they currently exist. The westerly-most driveway is an ingress only. Only into the site. You can't come out this way. The easterly-most driveway is a double-wide double egress. Which means that it's got a directional egress; one lane to the right, one lane to the left. And this was no doubt affected when the bank application came through and it was probably something that the county or the state required because in acknowledgment that a left is going to be difficult to make, and a right will move quicker. So that configuration of driveway that worked for the bank is what we're maintaining.

CHAIRMAN ASH: Thank you,
Ms. Brescher. Do you have a follow-up question?

MR. SAMMET: It looks like Ms. Brescher does not. Does anyone else have questions for Mr. Quinn? If you would virtually please raise your hand. I saw a hand go up a down, so I want to make sure everyone gets their opportunity.

CHAIRMAN ASH: I see a hand going up and down.

MR. SAMMET: Up and down and it's like a split second.

CHAIRMAN ASH: Going once.

MR. SAMMET: Here we go again -- there we go. The Arezzi's. To the Arezzi's, we should be able to hear your now if you would like to ask your question.

CHAIRMAN ASH: Just please state your full name and address for the record.

MR. SAMMET: I don't see that you are muted at all, so we should be able to hear you.

MR. AREZZI: Can you hear me now?

MR. SAMMET: Yes, we can. Thank you.

MR. AREZZI: There was a little
popup in the corner that I had to take off. Thank you for having me speak. I don't know if it's a general comment, but I live across the street, North Avenue, the residential section where Westfield is so beautiful for children. I have a nine-year-old. I live at 606 4th Avenue on the corner there. I cannot believe that there's no difference in pedestrian customer traffic from a bank to a liquor store. I have been here for about five years and the bank is beautiful. It has maybe three cars in there, five cars. Nobody speaking, nobody yelling, no cases, no bottles, no carts, no shopping carts, no truck deliveries. You're doubling -- well, you're not doubling, but you're significantly increasing the size of the building. The occupancy has to significantly increase. The customers inside the store have to increase more than a bank. You're going to have a lot more traffic coming in and out of there. I have 25 years of a retired police officer. I was in charge of traffic. I cannot say that I'm an expert in this area here in this situation. But you have a different clientele, you have different customers, you have a noise level that increases, you have deliveries. I think in some of the
liquor stores now they have drive-ups where they
come out and pick up their items there. I just
don't understand where I think Mr. Quinn said it
shouldn't increase the traffic. I don't really
see that. I can't understand how that doesn't
significantly increase everything; pedestrians,
customers, cars, trucks, everything. Thank you.

MR. QUINN: Sir, I just want to
clarify. What I said was -- and again, this was
part of a lot conformance we did with the DOT
consultant. He said the liquor store would not
generate more trips for peak hours than the bank,
is what he said. Otherwise, we'd have an issue
with DOT. Again, that's as far as I can go with
traffic testimony. The other thing that I can say
is that it's a permitted use. So from a traffic
standpoint, any permitted use is assumed to be in
an area where traffic can be handled. And again,
we're trying to repurpose an existing commercial
site. Yes, he's expanding the building a little
bit more because he has inventory in a way that a
bank doesn't have inventory. Their inventory is
more tightly kept I think than a -- so I really
was told that there would be no problem from a DOT
standpoint, and there was no additional trip
CHAIRMAN ASH: All right. Let me jump in here. Mr. Hehl, I think you said the applicant will provide some testimony and I expect that will include a description of the business and the operations and what the intent of the use of this proposed liquor store will be; is that right?

MR. HEHL: Yes, that's correct.

CHAIRMAN ASH: We'll get that testimony in a little bit. And Mr. Arezzi, you can ask questions about the operations of the store of the property owner, the applicant. And just to clarify the testimony about the traffic generation. Mr. Quinn, understanding that you're not a traffic engineer and had qualified you as an expert in traffic engineering, but you did testify that you reviewed the proposed use with the engineer and you gave some technical terms about no increase in trip generation during the peak hour. Understanding you're not a traffic expert, could you just please in plain terms explain what that means?

MR. QUINN: Sure. Yeah. And we
didn't work with the county engineer, this
actually is part under the state jurisdiction.
What we typically do, since we're not county
engineers, we utilize a sub-consultant, Dynamic
Engineering. They do a lot of work, they've
probably been in Westfield a couple of times. So
when you're doing traffic tests, there's a book,
ITE, Institute of Transportation Engineers, that
these guys utilize as their bible. And it gives
you trip generations. That means how many trips
per peak hour, per square foot of a particular
use. And that you multiply the trip generation
factored by the square foot of the building with
the use, it generates a number of peak hour trips.
That's how traffic engineers calculate what a peak
hour trip is. Trip generation is that fraction
that is applied to the building. So that's what
was related to me was that trip generation for a
liquor store is no greater than the trip
generation for the bank that was there, especially
with the drive-thru. The number of lanes in the
drive-thru apparently has something to do with it.

CHAIRMAN ASH: Okay. Thank you.
Mr. Arezzi, if you're still there, do you have any
follow-up questions for Mr. Quinn?
MR. AREZZI: No, that's fine. Thank you.

CHAIRMAN ASH: Thank you. Any other members of the public have questions for Mr. Quinn at this time? Ms. Brescher, I see your hand again. Ms. Brescher? Don, can we unmute Mr. Brescher again?

MS. BRESCHER: Can you hear me?

CHAIRMAN ASH: Yes.

MS. BRESCHER: Super. Super. My computer died, that's why I got cut off. I missed the answer, should I listen to the recording or can you just explain -- I guess what I'm more concerned about is the right and the left there with what I perceive as more traffic than a bank.

MR. QUINN: We're talking about the egress drive. I don't know where you --


MR. QUINN: We have the single ingress and then the double egress drive.

MS. BRESCHER: That's how it is today; correct?

MR. QUINN: That is correct. That's how it is today. I'm sure that was hashed out when the bank application came through. At some
point, this driveway configuration had to be worked out with the DOT, so that's why we thought best not to change it. Particularly when our use does not generate additional traffic.

MS. BRESCHER: What are the hours of the liquor store?

MR. HEHL: We're going to have the applicant testify to that.

MS. BRESCHER: Okay. Thank you.

CHAIRMAN ASH: All right. Let's check our list of attendees. Anyone else? If you want to raise your hand and ask a question of Mr. Quinn.

MR. SAMMET: I see no one,

Mr. Chairman.

CHAIRMAN ASH: All right. Thank you.

MR. QUINN: I'll stop sharing?

CHAIRMAN ASH: Stop sharing. And I'll turn it back to the board. Any follow-ups before we excuse Mr. Quinn? All right. Thank you.

MR. QUINN: Thank you.

MR. HEHL: Mr. Chairman, I'd like to then proceed to the testimony of our architect,
Mr. Greg Blasi. I see him on the screen.

CHAIRMAN ASH: All right.

Mr. Blasi.

MR. HEHL: You're muted I think, Greg.

MR. BLASI: Hello everyone.

CHAIRMAN ASH: Welcome back.

MR. BLASI: Thank you.

GREG BLASI, having been duly sworn, was examined and testified as follows:

CHAIRMAN ASH: Mr. Blasi, you've been qualified as an expert in architecture for this board previously. Have your qualifications or licensing changed since your last appearance?

MR. BLASI: It has not.

CHAIRMAN ASH: Anyone on the board have any questions for Mr. Blasi about his qualifications, his experience or licensure. All right. You may proceed with your testimony as an expert in architecture.

BY MR. HEHL:

Q. Thank you, Mr. Chairman. Mr. Blasi, obviously, you're well familiar with the site design and the design of the building and layout. If you could take the board through the floor
plans and elevations. And then if you would also
address -- I know Mr. Sammet had some comments in
his review letter?

MR. BLASI: This is the first-floor
plan. What I'm circling around right now is the
existing portion of the building which was the
bank area, there was an office. And then with the
new area is where the drive-thru would be. I'm
taking out the open bank area. They're going to
create a new through -- coming through the
entrance, they're going to have a food court or
food area; refrigerators, shelving. And create
handicap toilets. Office space. You have the
main entrance. You have a secondary means of
egress through the back center area. There's more
shelving on the side. And there's refrigeration
in the rear here. And there's a staircase that
leads down to the basement. So this creates the
third means of egress. So main entry, secondary
means of egress, third means of egress. So
there're basically three means of egress. This is
the checkout area. So entry, checkout area.

The existing building, what I'd like
to say is it's only a 20-year-old building made
out of brick. It's all brick and glass. So you
have an existing brick wall, all glass, brick wall
-- brick pier -- glass, a lot of steel beams
holding up these big large open spaces, getting a
contemporary building newer. And then these large
brick piers here, brick. And then continuing with
the stylistic way -- which I'll show you in the
elevation -- is a pier, glass, pier, glass, pier,
and then changing to an all brick facade around
this egress area. I don't have the site plan, but
what I would like to address -- which I'm assuming
Mr. LaPlace was speaking about -- that the
building creating an urban edge would be done by
keeping all in line with North Avenue.
Unfortunately, this building is set back and in by
creating, if were to build straight toward North
Avenue, we would basically be splitting the site
in half creating almost two front side yard
parking areas and then the area to go around. So
the building is already set back, it does have
trees, it does have vegetation, it does have
glass. I'm going to show you an elevation how the
materials of brick and glass are continued across
so that it looks like it was one intentional
monolithic structure to be built with the same
details of brick and glass. And to remove this
building, to remove this 4,000 square feet of existing foundations of concrete and brick piers, it makes sense to leave it here and add to the side. I don't think building -- one way would be tearing the building out, which I think is unrealistic to owner doing it that way. But the other is if we took the addition and built it toward the front again, it would just split the site in half and you would still be looking at two parking lots on either side.

I'm going to stop sharing this and go to the next, which is basically the foundation. The foundation area, this is slab on grade; it's going to remain. On the left side of the new addition, there's going to be a proposed new basement area. Pretty simple. I'm going to go to the front elevation. The front elevation, as you can see, by the uncolored area is the existing brick. Brick pier, brick header across the top of the building. This is the existing entry. This is all glass in this area here. And then the new addition is going to be brick to match, all glass with brick above. It's going to be set back, just like the setbacks in the existing building. This area front entrance pulls forward. You have the
setback around the glass, new setback around the
glass areas here, pier, brick and glass, pier, and
then the side stair area. Across the top, to add
some scale and add some height, the existing
building stops which is a plain stone coursing
that goes across here. Because the Commerce
Bank's stylistic architecture had a clear story
that popped up here is being removed. In order to
give the scale and use a noble material like the
brick, it will be a stucco parapet that will go
across the top with a precast stone to match the
existing precast stone on the building. So this
stone area here, precast, will match the existing
precast that's on the building here and here. The
brick matches and the color of the stucco will tie
it all together and create one building to appear
as though it was designed at one time.

The rear of the building is
basically facing the train rail. It's brick.
This is the existing doors. So here is the
drive-thru that's being removed, so we're going to
continue the brick and that stucco band that goes
around the top. The side elevation -- this is the
existing side elevation to the right which has a
large area of glass, all brick, which will e
proposed stucco on top. And then the opposite
side, which faces Top Line, would be continue the
brick all the way around. Add two windows to add
light into this area. Some windows for a little
relief to the elevations on the side. And this
bump out would be brick with stucco on the front
side.

MR. HEHL: Pardon me for
interrupting, one second. Don, those are the ones
that we sent over today. Being that they weren't
part of the original package perhaps we can mark
it as -- the floor plans were -- but the colored
elevations, if we could have those marked as A-1,
for both sheets would be fine.

MR. BLASI: And those elevations
area exactly the elevations that have been sent
in, just colored. The only thing that's different
is the rendering on them.

MR. SAMMET: There were two sheets;
correct?

MR. BLASI: Yes. S-04 and S-05.

MR. SAMMET: S-04, should we mark
S-04 as Exhibit A-1, and S-04 as Exhibit A-2?

MR. HEHL: S-05.

MR. SAMMET: Excuse me, S-05. S-04,
Exhibit A-1. S-05, Exhibit A-2. We do have those and they were placed on the website.

(Whereupon, Applicant's Exhibits, A-1, Sheet S-04 Colored Front and Rear Elevations; and, A-2, Sheet S-05 Colored Right and Left Side Elevations, were marked for identification.)

MR. SAMMET: So if anyone from the public would like to view those, they're also on the website.

BY MR. HEHL:

Q. And Mr. Blasi, I know that there was -- I think you answered the questions about the ingress, egress. Any architectural items that you would like to address from Mr. Sammet's review letter? I think you touched on --

A. I think I hit on the materials.

Q. And then as part of the -- I know one of the submissions showed building signage, and as I said at the outset, that because that would trigger a variance, we've withdrew the request for building signage. So at the present time, there's no building signage proposed; is that correct?

A. Correct.

Q. And then, again, I think you've
clearly identified the areas of ingress and egress that was requested by the councilman. With that, I have no further questions at this time for Mr. Blasi.

CHAIRMAN ASH: Thank you, Mr. Hehl. Members of the board, let's ask questions of Mr. Blasi if you have them. Starting with Michael LaPlace.

MR. LAPLACE: Thank you, Chair. A couple of things. Mr. Blasi, thank you for addressing my question about the design concept. I just sort of want to clarify that. My question was: Did you and your design team actually seriously consider building the new retail section, the new wing, the new construction north toward North Avenue instead of to the side in an easterly direction where the drive-thru windows are?

MR. BLASI: It's just the issue was if you look at the existing building, the existing glass, the existing composition of this building and how it's laid out, the existing entry and the use of glass, if you built out this way, it would be taking away part of the existing building.

MR. LAPLACE: I get that. I just
wanted to know if you seriously considered it.

MR. BLASI: Yes. Yes. I understand. And I understand, Michael, exactly what you want to do. And if it was an older building, and it was a tear down maybe it would have been different. But the fact that this is --

MR. LAPLACE: Well, I never suggested tearing down the existing building. That was not part of my question. My part was extending it in one direction instead of the other. And I want to follow up on something you said, I guess an interpretation of what I was getting at where you said there would be two parking lots up to North Avenue instead of one that will cross the front. I would be interested in hearing from you if this building was extended up toward the sidewalk in the middle of the lot toward North Avenue and there were side parking lots with but you know with recessed -- you know, they didn't have to come right up to the sidewalk, of course, they could have green spaces and landscaping to buffer them from view, but the building would be up front at the center of the site. You don't think that would be preferable to a long and extended sort of set back
strip-shopping-center formation with the front parking area? You think that's just a better design concept?

MR. BLASI: Being at this site looking at the materials, looking at the way it's landscaped, I do see the existing building does have pretty decent bushes and hedges in front of it. When you're up close to the building, it's actually sort of attractive. Being that it's setback, I do think for this site and this building, it does work better the way it's positioned now than being up front.

MR. LAPLACE: I don't recall from the site plan where there's a separated pedestrian lane to walk from the sidewalk to the entrance or do you have to walk through the drive aisles and parking lot?

MR. BLASI: Well, the thing is that there's the curbing and the right-of-way sidewalk, then there's a pretty deep area of grass, and then you park into a regular two-lane parking, and then you walk up to a sidewalk that you can walk along the building that is pretty heavily vegetative, so it is --

MR. LAPLACE: What I'm asking is:
If you're walking to the site if you're not in a
car and you're on the sidewalk, can you get to the
building without having walk through the drive
aisles or the parking area?

MR. BLASI: No. I'm sorry, I
misunderstood you. No, you cannot.

MR. LAPLACE: There's no separated
pedestrian walk area in the layout?

MR. BLASI: No.

MR. LA PLACE: All right. Thank
you.

CHAIRMAN ASH: Any other members of
the board have questions for Mr. Blasi?

MAYOR BRINDLE: Yes, Mr. Chairman.

Just to follow up on what Mr. LaPlace was
suggesting. You know, one of our goals on North
Avenue in light of the hydroponic farm that will
be opening up later this year is we are looking to
make it more bike and pedestrian-friendly, which
is a big ask I know in light of the heavy traffic
that it carries. So we are doing -- and there are
new apartment buildings slated to be just two
doors down. It would be great if you all could
consider not only the vegetation, the screening
Michael talked about earlier, but just a
pedestrian-inviting environment because we are trying to be less car-centric and I think if there even pedestrian access points to the front, it would further reinforce what is happening along the North Avenue corridor. And it would be great. Ultimately, I think if it doesn't exist, this place will be an outlier.

CHAIRMAN ASH: Thank you. Anyone else on the board? Just scrolling through the gallery. I see none. Let's turn it over to members of the public in attendance. Looking for virtual hands raised.

MR. SAMMET: Anyone from the public with questions for Mr. Blasi, would you please virtually raise your hands so we can allow you to speak. Ms. Brescher. Ms. Brescher, if you unmute your mic, we'll be able to hear you.

MS. BRESCHER: This is more than a liquor store; isn't it? It's a liquor store, did I hear that there're tables for food?

MR. BLASI: No. I'm sorry. In fact, I'll let the client talk about how he's going to run the space. I basically showed shelving and refrigeration, and there might be an area inside with a table that you could pick up
you know baskets or cheese.

MS. BRESCHER: Oh, okay.

MR. BLASI: No, there's no -- I have never had discussions about seating. But I'll let that question to be answered by the owner.

MS. BRESCHER: Okay.

CHAIRMAN ASH: Any other members of the public?

MR. SAMMET: Any other members of the public with questions for Mr. Blasi? I see no other hands, Mr. Chairman.

CHAIRMAN ASH: All right. Thank you. Thank you, Mr. Blasi.

MR. BLASI: Thank you.

MR. HEHL: Mr. Chairman, I would now like to call upon Nimesh Patel, and I see him there on the screen. You have to unmute yourself there.

MR. PATEL: Hi, everyone.

CHAIRMAN ASH: Good evening, Mr. Patel.

NIMESH PATEL, having been duly sworn, was examined and testified as follows:

BY MR. HEHL:

Q. Mr. Patel, I know I indicated at the
beginning, you and your family purchased this property?

A. Yes.

Q. If you could give the board first a little background on your knowledge and experience in operating a facility similar to the House of Wine that's proposed here.

A. I have been in this business almost -- this is my thirteenth year. I have a lot of experience in wine, liquor, beer business. We do want to add into the store a little gourmet food. It's not actual -- like, we're not preparing anything. It's cheese, grapes, crackers and things like that. So that would answer the person, the resident that was asked earlier. It's not actual -- there's no food. They'll be made or there will not be any tables there. Besides that, the second question that was asked was about the timing of the -- what would be timing of the liquor store. It would be nine to nine. Nine in the morning to nine in the evening, except whatever the town law is on a Sunday. I need to find out what is required by the town. Second thing is it would -- it would be seven to eight employees would be working there. So that was one
thing that still were discussing about how many
people would be working there. And then, if any
other questions, if you guys have, please.

Q. Let me just touch on a couple of
items just in anticipation of the board. One of
the questions, as the board probably knows, we set
up these little text chats so we can talk about
these questions. I know you indicated that you
had no issues with providing the additional
landscaping that Mr. LaPlace suggested. And a
great suggestion.

Are you committed to provide
additional landscaping in the front of the
building and obviously working with the township
or the town engineer and Mr. Sammet with that
design?

A. Yes, definitely.

Q. And I don't want to put you on the
spot, but the mayor mentioned about the pedestrian
access. I know you obviously want to have a
successful business here.

Are you willing to also provide
pedestrian access so that -- say somebody is
walking around, they're not going in and walking
in and out of the driveways. I assume that that
MR. HEHL: Mayor, are you talking about right in the middle in between the two driveways, have a little walkway?

MAYOR BRINDLE: I'll let you all be the experts with the determination of that. I just also -- you know, just anticipating what we believe is going to be happening on this corridor. And there are, like I said, there're apartments slated, you're going to have people coming from the hydroponic vertical farm. I wouldn't be surprised if they'll want to pick up a bottle of wine and head up there. So there's going to be a very, hopefully, pedestrian vibe. We'd like people to widen their sidewalks. And the other thing I'll mention, and you know I don't know -- I know we talked about EV stations and you've committed to -- there's a commitment to that. I'm not sure how many of the EV stations. But there's one thing you should know about this corridor in particular. We are really leading into this corridor as being a green corridor for Westfield. The whole town is really set up to be a very premier sustainable town in New Jersey. What's happening in this corridor in particular, as I
mentioned, you've got the region's first hydroponic vertical farm that's opening up right down the street from you. On the other end, is the EV car dealership with Karma. And I've already spoke to potential new projects and just said to the degree that these particular projects can exude everything about sustainability and green to lean into that brand, I think these are the people that are going to be coming to this place. And I think you're going to see lots of regional visitors to this farm, so to the degree and your building, you might want to over-lean into the green and sustainability initiatives and pedestrian mobility, all that stuff is part of that. But I think even from a brand perspective, it would be a great thing I think for you all if you also supported what is happening and your neighbors around you.

MR. PATEL: Greg, is there any way we can figure it out with the (indiscernible) thing or no? I'm really needing to look into the design.

MR. HEHL: Let me perhaps -- yeah, let Mr. Blasi touch on the green and sustainability from a building standpoint, Mayor.
And then we can certainly again work on -- I think it makes -- particularly with the work in the area having a pedestrian-friendly site is important. So Greg, do you want to just -- sorry -- are you okay with -- I just switched it for a second.

MR. BLASI: Sure. I think that the idea of making a walkway down the center and actually using some of the grass area in the center to create a place to park bikes and then to have a different material for a lane to walk into the store would be attractive and look great and maybe give this area a place to have a bicyclist be able to park their bike safely. As far as the building being green, and as an architect who cares about sustainability, I like the fact that the building is already brick and it's glass, and we're adding brick and glass. So it's we're not using synthetic material. It's materials that are there to last for a very, very long time. So what the interior will be like, the client will be discussing environmental ways of heating and cooling and other things of that nature. But I think the building of itself with its vegetation with the charging station with the bike racks with some more landscaping will be attractive and meet
those other needs to look similar to the buildings surrounding it.

MR. HEHL: And Don, I guess we have enough -- I don't want to -- with regard to the parking.

(Crosstalk.)

MR. SAMMET: Pedestrian access?

MR. HEHL: Yeah. The parking.

MR. SAMMET: I was thinking about that and looking at the plan, and my first look, was also maybe something down the center sort of running perpendicular from the building entry straight out to the sidewalk. But then I was thinking, people like to walk the shortest distance. Right? And if they're walking from the hydroponic farm or from spots west, they'll most likely cut through the driveways anyway just because it's the path of least resistance, so to speak. They see the door, they cut right across. So maybe there's some space on either corner of this site where it hits North Avenue, sort of on a diagonal pathway through, and maybe not lose any parking spaces. Stripe the paved areas with the pedestrian walkway, which I know we have done in town before. And you may lose less parking spaces
even though you have an access, but I think you
would also provide a shorter or a more direct path
that people will likely walk to the front door of
this site if they're walking up or down North
Avenue.

MR. HEHL: Actually, Don, it's funny
because that's what Mr. Watson just said on his
little text that maybe moving over closer to the
driveway. And maybe even -- I don't want to spend
my client's money -- but I like Greg's thought of
a different type of material there instead of
striping. Sorry, Nimesh.

MR. LAPLACE: I'm really so
appreciative of the mayor highlighting the
importance of us thinking about access to the site
other than a motor vehicle. It's a shame that
we're now, after the fact, trying to squeeze in
pedestrian and bicycle access. It's not the time
to be doing it. It should have been part of the
overall site plan concept from the beginning. I
kind of like the idea even if -- even if you're
right. Don is absolutely right, people usually
like shortcuts and the most direct path, but if
going down the center means you can really do it
in a really nice way in terms of design and
materials. If there's an edge of landscaping along the front, maybe that will guide people to the central walk. But regardless of where it is, I hope in the future when we do site plans, we're not trying to think about pedestrians at the eleventh hour at the very end and trying to squeeze them in. They should be at least as important as where cars are parked.

BY MR. HEHL:

Q. Again, at this point, I have no further direct questions of Mr. Patel. I think he discussed his operational and his commitment.

Mr. Patel, as you said before, you're committed to do the charging stations, the pedestrian accessibility, and the additional landscaping?

A. Yes.

Q. And I assume with the inter of the premises, you'll work with Mr. Blasi and your construction team to make sure you use new high efficient, energy-efficient systems for HVAC and the like?

A. Yes.

Q. I have no further direct questions of Mr. Patel at this time.
CHAIRMAN ASH: Thank you. Let's turn it over to members of the public.

MR. SAMMET: Any members of the public with questions of Mr. Patel? If you would please virtually raise your hand so we can allow you to speak. Anyone? There's no one who has raised their hand, Mr. Chairman.

CHAIRMAN ASH: Okay. Thank you.

MR. HEHL: Mr. Chairman, our final witness to cover professional planning associated with this application is Mr. James Watson.

CHAIRMAN ASH: Good evening,

Mr. Watson.

MR. WATSON: Good evening. Can you hear me okay?

CHAIRMAN ASH: Yes, I can. Nice to see you.

MR. WATSON: Same here.

JAMES WATSON, having been duly sworn, was examined and testified as follows:

CHAIRMAN ASH: Very quickly. Your experience and qualifications as a planner.

MR. WATSON: Sure. James Watson, W-A-T-S-O-N, from EKA Associates located at 328 Park Avenue, Scotch Plains. I'm a licensed
land surveyor and professional planner. I've been
doing this for over 30 years. I appeared in
Westfield probably six or seven times a year
between the two boards. Appointed positions, I've
been the town planner for the Township of Union
and the Borough of Carteret. I've also been
appointed as the planner for the public advocate
for the Township of Warren.

CHAIRMAN ASH: Very good. And your
license as a planner in New Jersey current and up
to date?

MR. WATSON: Yes, it is.

CHAIRMAN ASH: Great.

BY MR. HEHL:

Q. Mr. Watson, if you could now please
provide -- there are very minimal variances
associated with this application -- but generally
talk about the justification and actually the
benefits that now are shown with the suggestions
made by the board, particularly the mayor and
Mr. LaPlace.

A. Sure. As usual, Mr. Sammet did a
wonderful job with his letter. I'm not going to
read the whole thing. I'm going to assume
everyone else has read it. He makes good points
in everything. And the thing that I take away from his letter the most is if this was a new application, it would have some variances for front-yard parking and side-yard parking. But because those were granted on prior applications, the variance runs with the land. We don't need new proofs. If I were to argue for a new site, I would argue under C-2 basically safety. It's better to get cars off the street providing more than the required parking. It just goes straight to safety. I also believe that we would comply under matching the existing neighborhood pattern. Then you go from the Garwood line over by 4th Avenue all the way up to Hillcrest, everything on our side of the street has either front-yard parking or side-yard parking as the sites currently exist. I don't know what's proposed in some areas, but from Westfield Lumber all the way down to the strip mall next to the dentist office, everybody has front and side yard parking at this time. It's a good application. Like it was stated before, you're repurposing a site that has been abandoned for some time. The parking in the front yard and side yard is grandfathered, like I said, from the 2004 approvals. And we do have
valid arguments if this was a vacant site we were
developing in as a new site complete, we would
have taken the opportunity to move the building
forward trying to get all the parking in the rea.
But like we've said before, the building is in
place and it actually goes to hardship to make us
rip up stuff that's usable that would just be
rebuilt behind the building to conform to an
ordinance when the pattern in the existing
neighborhood doesn't match that.

A quick recap that I've been
listening to tonight. First and foremost, we meet
all of the bulk requirements of your zoning
ordinance with the exception of the side and
parking, which again, has been grandfathered in
from the prior approval. New impervious coverage
has storm water management measures attached to
it. Mr. Quinn didn't get that far into it, but we
do have an underground storage system for
additional runoff created by this project. The
site is sufficiently landscaped in my opinion with
mature trees and bushes which will all remain. If
you want, quickly I can show you a picture of the
front that was taken a month again before we got
postponed. I'll put share screen now, if I can.
Can you see the picture?

MR. SAMMET: No, not yet, Jim.

MR. WATSON: Let me go back and try share screen again. There we go. How about now?

MR. SAMMET: Yes, sir.

MR. WATSON: Unlike any other site along North Avenue, we have five shade trees along our site. Unfortunately, there're no leaves on them at this time, but the entire front of all the parking areas have low landscaping to shield residences and pedestrians from lights. You can see the full mature hedge that's along the entire site. I can zoom in a little bit, give you a little better picture. Before, we were talking about an ingress for pedestrians. It would make most sense to put it right here along the westerly side of the ingress driveway. You come across and there's a sidewalk over here in front of the bank. This walk could be pavers and you could easily access from the sidewalk on North Avenue across or parallel to the entrance drive crossing the drive aisle right here. And in this area, you could put bicycle, you know, you could plant and put bike racks and also have a little more paved area so people have a little more room to move around
there; if you want. I'll stop sharing at this point. Like I said, the site, I think is sufficiently landscaped with mature trees and bushes. First and foremost, we are a permitted use in this zone. We are way less intense than something like a WaWa or Burger King would be or even a nursery school or something like that where you have intense peaks where lots of people are coming and going from the site in a short amount of time. This site is going to have traffic, but it's going to be spread out over an entire day. Normal hours, I think Mr. Patel said from 10 to 10 -- if I'm incorrect, please correct me -- but those are not hours that are out of the ordinary for a retail operation like this.

Again, like I said, we're repurposing a vacant site and it's basically at the eastern gateway of Westfield. As you come into Westfield from Garwood, you're going to see this site. I know there're other developments going in, this area is being rebuilt. But like I said before, we're matching the existing patterns with front-yard parking and side-yard parking in the area. We do have a little bit of a higher volume business. A liquor store is more intense...
than say a small retail like a vitamin shop or
something like that, but keep in mind, you want to
direct these business to roads with more traffic.
This is a state highway that's governed by the
state. We'll make a Letter of No Interest
application to the state just to confirm all this.
But as Mr. Quinn testified to, this use as per the
ITE numbers is less intense than the bank use
that's currently on the site. We meet and exceed
all of your parking requirements for the vehicles
as well as your loading areas. We're providing
three loading spaces in the back for the typical
beer truck or the box truck that brings the kind
of materials and wares that this store will sell.
We are, again, providing a make-ready parking
space. And again, we're less intense than
something like a WaWa or Burger King or a nursery
school, which is permitted in this zone.
We're here strictly for site plan
approval tonight. I think we've met all of your
criteria. I think the circulation pattern that is
proposed is smart, it is wise. With some small
revisions, we can accommodate the requests that
the board made tonight. With that, I'll conclude
my testimony and hope you approve our project.
MR. HEHL: And Mr. Quinn, just one -- I know you mentioned on a couple of occasions that this site is more than adequately landscaped, but obviously, you're aware of the commitment of the applicant to provide that additional landscaping to the front, and also the site plan would be revised to provide that, as you mentioned, the pedestrian walkway, and I think like you mentioned I think the bike rack, that area would be great too.

MR. QUINN: Yeah. And if you look at the picture and if you go on Google Earth and look at this site, when everything is in bloom, there is a lot of landscaping along North Avenue. I can supplement it. We'll take suggestions from Mr. Sammet's office. Whatever they want, I don't see a problem doing it.

MR. HEHL: Thank you. No further questions again at this time of Mr. Watson.

CHAIRMAN ASH: Thank you. Members of the board, anyone have questions for Mr. Watson? Michael LaPlace.

MR. LAPLACE: Thank you, Mr. Chairman. I do have a question for the
planner. He stated that this is a state highway, and it is indeed a state highway. It's one of the earlier ones in New Jersey. But also, local, there's also nearby highways like Route 22, and I was wondering if he would acknowledge that this a different kind of state highway in that it becomes a main street through a lot of the towns like Cranford and Garwood, and in certainly Westfield where it goes into our central business district. And right across the street is a residential area. So I was just wondering if he could sort of make clear that while it's a state highway, it has a certain character and a certain history to it. It has a different character than some other state highways where there's more highway strip development.

MR. WATSON: I agree with you. The residential component of North Avenue in this area is probably from the turn of the century around 1900. I think a lot of this was constructed before your zoning ordinance even went into place. But again, it's a state highway. It is a busy road. Everybody knows that. And that's why you wisely put your G-2 Zone there because you want traffic from other towns coming into town and you
want it to come in along a main road.

MR. LAPLACE: Thank you.

MR. SAMMET: Mr. Chairman, I have a question as well. And if it would be all right, I'd like to share my screen just to show a Google street view. It would just help me to --

CHAIRMAN ASH: Very good.

MR. SAMMET: Jim, what I'm trying to do -- there we go.

MR. WATSON: Just go down the street, go west and it will change.

MR. SAMMET: Right. Right. And it gets to be newer photographs too; right?

MR. WATSON: Right. Just keep going.

MR. SAMMET: But I'm thinking of this particular area here, the other corner of the site. I'm thinking that some additional landscaping that the board suggested may be appropriate in this location. And I'm still thinking that for those who are walking from the east toward the site, I just see them cutting straight through here as pedestrians. So whether that's some sort of striping or a different payment pattern running through this part of the
paved area cutting through here. I just think
human nature is going to be someone walking
westerly in a westerly direction down the sidewalk
is just going to cut right through here and
they're not going to walk to the center or the
other side of the site to get to the pedestrian
walkway.

MR. WATSON: I totally agree with
you and I think both of them would be good.

MR. SAMMET: That's exactly what I'm
thinking, Jim.

MR. WATSON: I agree with you.

MAYOR BRINDLE: Don, I would just
say, I don't know you're going -- I think you
should put maybe a pedestrian or something down
that grassy area and across. I don't know if
you're going to want them -- that crazy exit and
that left and right, I don't know if you're going
to want them, encouraging them to walk through
those cars.

MR. WATSON: We can bring them
behind. Where most of the cars come, we can bring
them behind that tree that you see there.

MAYOR BRINDLE: Right around there
and then go around.
MR. SAMMET: To get the shortest distance across the parking area, the paved portion of the parking area, in which to walk. Which, of course, this is showing what exists today and we'll have the new drive, Tom. Which I think may actually -- well, it might not lessen the distance, but it's possible it would lessen the paved area in which you'd have to walk across.

MR. BLASI: What you're showing, Don, if you look at where the drive-thru is now, that's going to be building with more bushes and hedges.

MR. SAMMET: Exactly. Exactly.

MR. BLASI: And the drive that's coming from the back is rarely going to be used, so someone would be able to go along the grass.


MR. SAMMET: This is going to be more green scape. But this would be building, and the front would be more green. So a direct connection that way. They will, of course, have to go across what is a driveway still. But it won't be maybe as hard or as long as a paved area to walk across.
MR. WATSON: Right. It won't be as wide as that exit for the drive-thru. It will only be 20 feet wide.

MR. SAMMET: I guess the point I'm trying to make is pedestrian access points from both the easterly and westerly corners of the site at the North Avenue front end.

MR. WATSON: I totally agree with you.

MR. HEHL: And it makes sense. I just want to get Mr. Patel to commit to providing the two pedestrian entrances.

MR. PATEL: Yes, we can do it.

MR. HEHL: Great. Thanks. Sorry, Ms. Harrison.

MS. HARRISON: I have a question. I guess it's for the planner and the engineer. Why is it that there's always parking spaces right by the front door? Wouldn't it be nice if at that front door entrance those were the two spaces maybe that were open and that's where the bikes could park? People like to see their bikes close to the front door. They don't really want them far away. They don't want to lock them. I just think that you've got the natural progression
coming in off of the street, you can cross the
drive lane, you're coming up the path, and then it
would be nice if there weren't cars right at that
front. I don't know if that's a design element or
safety or maybe it was old bank ideas parking
because they have the bollards there. But can
that be looked at to maybe open it or is it
completely not necessary?

MR. WATSON: One word I would just
give you as an answer is handicap accessibility.

MS. HARRISON: Yeah. But the
handicap is all the way over to the right. I'm
not talking about moving those. I'm talking about
the two directly in front of the door. Isn't the
door where the bow is, where the building moves.

MR. WATSON: Let me see if I can get
my site plan up.

MS. HARRISON: The handicap is all
the way over to the right.

MR. WATSON: Right. And I think
you're restricted across that front where that
hoop is. I don't have the ability to give you a
distance, but just eyeballing it, I think you only
have four or five feet in front of that.

MS. HARRISON: I'm talking about
maybe those two spaces directly in front or two or
three. Like couldn't you the parking to the left
of where the handicap spaces are or is that bad
parking karma? And then, have the front open
instead and that's where the bike paths and
everything could be? Because then, your walkway
paths, bike paths are all connected.

MR. WATSON: Yeah, we could.

MS. HARRISON: I'm not a planning
engineer, so...

MR. WATSON: My thinking would be
where the -- see where it says "proposal" on 103,
on the plan up on the screen?

MS. HARRISON: Yes.

MR. WATSON: Right there. Come down
below that, there's this big area.

MS. HARRISON: Yes.

MR. WATSON: My initial thought was
to just put pavers there, put your bike racks
there, and that way everybody can get in from the
sidewalk coming from the west. And anybody that
comes in along the easterly access crosses the
drive, the new driveway to exit. They can go
across the sidewalk and put their bike there.
That was just a first thought. I don't see them
pulling parking spaces out because now you're rippling up parking areas and we're losing parking. I know that we more than conform.

MS. HARRISON: I was sort of thinking if you took these three spaces in the front and turned them into almost like a plaza entrance. You can park your bikes there. You have a nice -- it's also more visibility to the front door from the street. And then you could just switch your three spaces to the left where it says "existing lot line to be removed." The handicap wouldn't move. Nothing would move.

MR. WATSON: You mean put spaces to the left of where the handicap parking is?

MS. HARRISON: Yeah. If you just flip them. Like if you took two or three spaces out of the front and put them over there. Would that work?

MR. WATSON: Yeah. We may be able to do that. Put one to the westerly side right in front and use two of those parking spaces to create a plaza. Yeah, we could probably do that.

MS. HARRISON: I just think it might be better for business to have a nice little plaza at the front entrance with the bike, parking, and
you could have sidewalks from both sides leading
to it so that pedestrians were never really
confused where to go. It's very clear.

MR. WATSON: It's not a bad idea.

MS. HARRISON: It was just an idea.

MR. WATSON: We'll look at it. If
the grading works for the handicap access, which I
assume it does because it's in place now, we can
try to make it work. Yeah. I don't foresee that
as a big problem.

MS. HARRISON: And it also pulls --
even though it's only three cars -- it pulls three
cars out of the dead smack entrance to the
building.

MR. WATSON: Yeah. Even two spaces,
you're talking about a 20-by-20. So that's still
a nice size.

MS. HARRISON: Something. Thank
you.

MR. HEHL: Thank you.

CHAIRMAN ASH: Scrolling through the
gallery. Any other members of the board? All
right. Let's see if there are any members of the
public at this time if you have questions for
Mr. Watson.
MR. SAMMET: Anyone from the public, please virtually raise your hand. Ms. Brescher.

MS. BRESCHER: Hello. So I'm not sure who to direct this one to. I'm curious about the delivery. Like, when the wine gets dropped off, what are the delivery hours and the loading hours and that kind of a thing?

MR. HEHL: That's a great point, Ms. Brescher.

BY MR. HEHL:

Q. Mr. Patel, we know loading is going to take place in the back of the building. If you could again confirm the type of vehicles, that the loading is from the side, and if you could also indicate the general time and frequency of those deliveries?

A. Usually, all the deliveries are around 10:00 when we open the store. All the delivery vehicle is parked in the back. Usually, we time out the deliveries so we don't have too many trucks or more delivery vehicles at a time. There's a big slot that we bring it in, and at the same time, it's hand-delivered. So it's like those big tractor-trailers coming in then they're taking the delivery that they would block any of
the driveways. And usually, we take the
deliveries on Monday and Tuesday. So it's a slow
time for the store. And usually, week take it
after the rush hour. So when rush hour is done,
that's when we take the delivery inside the store.

Q. And, approximately, how many
deliveries per week?

A. Per week, usually -- I mean, it
depends. If it's a busier time, again, we get
more maybe Christmas and holiday time. But on an
average week, it's five to six deliveries.

Q. For the whole week?

A. For the whole week, yes.

CHAIRMAN ASH: Any other questions?

I don't see any other hands raised.

MR. SAMMET: No other hands raised,

Mr. Chairman.

CHAIRMAN ASH: All right. Thank
you. Mr. Hehl, any other witness?

MR. HEHL: We have no further
witnesses. And if there're no comments from the
public, I can briefly sum up. I'll leave it to
you opening to the public. Thank you. And
certainly, any of our witnesses that have
tested so far are here if there are further
questions.

CHAIRMAN ASH: Thank you. All right. At this time, are there any members of the public in attendance who have general comments about the application or the testimony you heard this evening?

MR. SAMMET: Anyone with comments, please virtually raise your hand.

CHAIRMAN ASH: I see none.

MR. HEHL: Thank you, Mr. Chairman. And if I could briefly sum up again. We appreciate the board, the board professionals, members of the public with their input this evening. Again, as we've indicated, this is a great adaptive reuse of this building. Mr. Blasi did a great job with taking the synergy of the existing building and carrying it onto the addition. The site layout is certainly well designed and efficient. We truly appreciate the comments of the board and the public. I think that providing the pedestrian access to the site will certainly -- I think Mr. LaPlace's suggestion of the additional landscaping, the applicant has agreed to. Again, the mayor suggested the pedestrian walkway, Mr. Sammet's comment on the
second walkway, the applicant had agreed to it. We'll certainly work on the idea of that courtyard -- I guess courtyard, for lack of a better phrase, in the front there, and we'll put our team together there. Again, it's permitted use in this zone. Adaptive reuse of a vacant building. The variance, while preexisting, I think is buffered by the additional landscaping and the commitment of the applicant to construct a first-rate facility here. The hours of operation have been explained. The ingress, egress has all been addressed. Again, we appreciate Mr. Sammet's detailed report. And we look forward to this project moving forward. The applicant, again, has committed to having a high-energy efficient HVAC system and other systems throughout the building. Mr. Blasi talked about the glass and the brick structure. And again, the commitment to provide the charging stations. I think for all of these reasons, we respectfully request the board grant this application. And we look forward to the redevelopment of this site. We appreciate your time this evening.

CHAIRMAN ASH: Thank you, Mr. Hehl. Members of the board, does anyone have comments as
to the application, any of the testimony? Thank you, Michael.

MR. LAPLACE: I would like a clarification first, and then I have some comments. Maybe our counsel can help with this. A variance was cited to continue the front-yard parking, yet, the planner testified for the applicant stated that variances usually run with the property, and that's always been my understanding. Counsel, could you clarify that?

MR. TREMBULAK: I think that's generally true, Michael. I mean variances would run with the land. There is a change in use, which the board could -- I mean the applicant has requested the variants and I think it's required here. Although, again, there's sort of a presumption in favor of it since it was previously approved by the board. Currently exists and has existed since the property was developed with the bank. Unless the board feels that there's some substantial change as a result of the change in use. I mean, it's technically a variance that the board needs to approve, but I think again, the weight is in favor of the variance given the fact that the condition was previously approved before
this board, albeit for a different use.

MR. LAPLACE: Thanks, Alan. And I just wanted to make some comments. I acknowledge that it's a permitted use of the zone, and it's always great to see a vacant space in Westfield filled with a viable business. We don't want vacancies and we don't properties becoming deteriorated or sitting empty. So that is good. I'm always happy to see investment in town.

Having said that, I just can't get away from feeling this was a real missed opportunity. There's a really exciting thing happening, particularly on North Avenue, but throughout the center of Westfield, and this project, in terms of its urban form, is just not in keeping with how North Avenue is evolving. So that just disappoints me. It's a missed opportunity. I wish this front variance had never been given to the bank and the building setback with the front parking. It would have nice to sort of resolve that by having the building expand toward the street, but we're not having that. That's a shame.

The other thing I just wanted to point out is I'm disappointed that the site plan
didn't really consider pedestrians and bicyclists or anyone other than someone driving there in a car until they got to -- it seems like until they got to the hearing this evening. And that's just not acceptable, particularly for Westfield. But it shouldn't be acceptable anywhere. I hope in the future, we get more balanced site plans that consider all users and how they gain access to a site, not just people driving a private automobile. Anyway, I just wanted to put some of those thoughts on the record. Thank you.

CHAIRMAN ASH: Thank you. Any other members of the board?

MAYOR BRINDLE: Yeah. I'll just build a little bit on what Michael just said. And I think what you all should know, and it's something you probably maybe aren't privy to, is how this corridor is evolving and what we expect and anticipate to happen. It would behoove you all to make sure that you had a building that felt it was -- although you're on a state highway as you acknowledge -- that you are going to be in a very pedestrian and mobile-friendly environment because that is where we're going. And you don't want to be in the position where your building
looks very dated in five or so years. So I would say any investment you can make upfront so that, you know with the setback aside, to make it as much seem that it is part of a more urban landscape; if you will. As it is closer, I think it would behoove you because that is exactly where this corridor is going and you don't want to be the outlier with the trend. So I just say do it now while you're investing the money up front as opposed to thinking after five years it looks like you're, you know, behind the times. I just want to reiterate that because that's absolutely where this corridor is going to be in five years.

CHAIRMAN ASH: I think based on what we heard this evening, the applicant is willing to make some of those changes and has accepted suggestions to create the pedestrian access and the other features that were described. I don't want to put anyone on the spot, but Michael LaPlace, do you feel that you can adequately and accurately recap those revisions and tweaks that we have described and that the applicant committed to in line with the goals and objectives that you've described?

MR. LAPLACE: I'll give it a shot,
Chair. I think that a condition would be revising the site plan to accommodate the separated and safe pedestrian access or access routes, route or routes, from the front of the site to the building. And we can leave some flexibility in there, I don't think we have to be specific so that it's up to them to design it. But that the pedestrian access ways are separate, designed in such a way that they're clear and separate from the parking areas. And then also I believe that the applicant agreed to enhanced landscaping to screen the view of the front parking areas from the street. I think those were the two that I had in mind. Did I miss one?

MR. TREMBULAK: The EV-ready parking space I think should be a condition.

MR. SAMMET: You could put in name of the required development fee.

MR. LAPLACE: And also, if a bicycle rack or bicycling parking can be accommodated as well.

CHAIRMAN ASH: I think that includes everything. Anyone else? Well, I think I agree that, you know, this bank has been vacant, the property has been vacant for a long time now. I
don't remember the last time that bank was in operation. I think it's always a good thing when a vacant site and filled in. We're always happy to see new investment in Westfield. I think the representations that we heard tonight by the applicant and with changes to the site that we just described, you know, I think this would be a welcome addition to our town. And so, I will move to approve the application with the relief requested with the conditions that Mr. LaPlace summarized as agreed to by the applicant.

MS. FREEDMAN: And I'll second that.

MR. SAMMET: Seconded by Ms. Freedman. I'll take a roll.

Chairman Ash.

CHAIRMAN ASH: Yes.

MR. SAMMET: Mayor Brindle.

MAYOR BRINDLE: Yes.

MR. SAMMET: Mr. Ceberio.

MR. CEBERIO: Yes.

MR. SAMMET: Councilman Dardia.

MR. DARDIA: Yes.

MR. SAMMET: Ms. Harrison.

MS. HARRISON: Yes.

MR. SAMMET: Mr. Goldstein.
MR. GOLDSTEIN: Yes.

MR. SAMMET: Ms. Jansveld.

MS. JANSVELD: Yes.

MR. SAMMET: Mr. LaPlace.

MR. LAPLACE: No.

MR. SAMMET: And our first alternate, Ms. Carreras.

MS. CARRERAS: Yes.

MR. SAMMET: So that's the full complement of votes. Ms. Freedman, would you like to cast a vote even though we have a full complement of voting members.

MS. FREEDMAN: Sure. Yes.

MR. SAMMET: Thank you. So it's approved with conditions.

MR. HEHL: Thank you very much. We appreciate the board's feedback, and Don for your report, and look forward to seeing you all soon and looking forward to this development.

MAYOR BRINDLE: I'll just add.

Mr. Patel, thank you for your investment in Westfield. I do live in the neighborhood, as I mentioned. I do think it's going to be a home-run success. My biggest concern, quite frankly, are going to be the pedestrians who are crossing North
Avenue to get to it. And that is a real legitimate concern, and something that we're going to have to address; council will have to address separately. But I thank you for investing in Westfield. I think it's going to be a real home run, and we all welcome you to the community.

MR. PATEL: Thank you. Thank you. And I'll assure that whatever we said about the pedestrian and the bike rack, all the three or four things, we'll make sure that we'll cover all of them.

MAYOR BRINDLE: Thank you.

MR. DARDIA: I would like to also echo the mayor's sentiment, particularly around thanking Mr. Patel for the commitment to the changes, as well as the concerns around pedestrian safety. I'm a member of the Public Safety Committee. I know we're going to be addressing the increased pedestrian activity across North Avenue as a result of this business and I think as a result of other businesses now opening up along the North Avenue corridor. So, again, thank you very much? Looking forward to this business. And I'm also a resident of this neighborhood living just a couple of blocks away.
MR. HEHL: Thank you very much, Councilman, I appreciate it. And to all your time dedicated to doing this. Have a great night.

CHAIRMAN ASH: That concludes our agenda for the evening. Would someone like to make a motion to adjourn?

MAYOR BRINDLE: So moved.

MS. HARRISON: Second.

CHAIRMAN ASH: All those in favor say aye.

BOARD MEMBERS: Aye.

CHAIRMAN ASH: Thank you, everyone.

MR. SAMMET: Site plan subcommittee, I'll see you February 7, we'll say 6:30. Good night everybody.

- - -

(The meeting was adjourned at 9:33 p.m.)

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