

**Town of Westfield
Planning Board
MINUTES
December 17, 2018
Special Meeting**

The Westfield Planning Board met on December 17, 2018, at 7:30 pm in the Council Chambers in the Westfield Municipal Building, 425 East Broad Street, Westfield, NJ.

The meeting was called to order and opened, and all present were asked to join in the Pledge of Allegiance.

In compliance with Chapter 231 P.C. 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.

ROLL CALL:

PRESENT: Robert Newell, Darielle Walsh, Michael La Place, Linda Habgood, Anastasia Harrison, Michael Ash, Matthew Ceberio, Kris McAloon, Mayor Shelley Brindle, and Bill West

ABSENT: Ann Freedman

ALSO PRESENT: Alan Trembulak, Planning Board Attorney, Donald Sammet, Town Planner and Linda Jacus, Administrative Secretary

ADOPTIONS OF MINUTES:

None.

ADOPTION OF RESOLUTIONS:

None.

CARRIED FROM DECEMBER 3, 2018:

PB 18-12 Arto Ozgub, BB Westfield, LLC., DBA Bareburger Block 3116, Lot 9 11/13/18 Applicant is seeking approval to convert existing retail space into a restaurant with seasonal rooftop dining. Applicant is seeking variance relief from Section 11.25E3, 17.02B5/17.02C7r, and 17.02G2 of the Land Use Ordinance. Ordinance requires a minimum rear yard setback of 13.25 feet. Proposed is 9.93 feet. Ordinance requires 36 parking spaces. Proposed are no parking spaces. Ordinance requires 36 parking spaces for the proposed use where 10 spaces where required for the prior use. Proposed are no parking spaces and a 26-space increase in an on-site parking deficiency. **Application deemed complete November 21, 2018. 120 day decision date is March 21, 2019.**

Phil Morin, Esq., (20 West Holly Street, Cranford) appeared on behalf the applicant. Mr. Morin stated this will be a unique dining experience. Sustainability is the hallmark of Bareburger, which goes beyond just food, as it is a health conscious and an environment conscious establishment. Every restaurant is unique and designed to capture the essence of each particular

neighborhood. Mr. Morin stated the proposed use is permitted in the zone, but we are seeking approval for rooftop dining, which is a conditional use under the new ordinance just passed by the Council. A parking waiver is being requested for this property as it does not have any onsite parking, and a rear setback variance is required.

Chairman Newell swore in Oliver Wilhelm (1064 River Road, Edgewater). The Board accepted Mr. Wilhelm as licensed architect.

Mr. Wilhelm stated he has designed a number of Bareburger restaurants. The proposed space is 3,100 square feet and the main entrance is off of Central Avenue. Mr. Wilhelm described the layout stating there will be 60 seats, with 12 seats in the bar area. The front of the building will have the main seating area, the rear of the building will include the kitchen area, and a rooftop dining area is proposed. Railings will be installed along the rooftop, with the parapets being extended around the perimeter of the roof for safety. The rooftop dining will include 25-30 seats and be seasonal. The basement will have a secondary support kitchen prepping food for the main kitchen. Mr. Wilhelm went through the variances associated with the application and stated, a parking waiver is being requested because there is not any onsite-parking available, and the proposed use requires 36 parking spaces. The prior retail use only required 10 parking spaces, which is an increase of 26 required spaces. A waiver can be granted by the Board if no more than a 30-space increase is required. A rear yard setback variance is being requested. A setback of 13.25 feet is required and a 9.93-foot rear yard setback is proposed.

Open to public questions and comments. None. Closed to public questions and comments.

Chairman Newell swore in Arto Ozgub, owner (458 Chestnut Street, Ridgefield). He stated the hours of operation will be 9am-10pm weekdays and 9am-11pm on weekends, and if there is a demand to stay open later, the hours will increase. The garbage pickup will be early morning, and there will not be a dumpster on site. Mr. Ozgub stated there are not a lot of vendors we do business with so there will be a limited number of deliveries.

Open to public questions and comments. None. Closed to public questions and comments.

Mr. Morin stated we have presented more than adequate plans to address the improvements, parking, and trash maintenance. We will comply with all the conditions of the rooftop dining ordinance. He asked the Board to approve the application.

Chairman Newell called for a motion. Anastasia Harrison made a motion to approve; Darielle Walsh seconded.

ALL IN FAVOR:	Robert Newell, Darielle Walsh, Kris McAloon, Mayor Shelley Brindle, Michael La Place, Linda Habgood, Anastasia Harrison, Michael Ash, Matthew Ceberio
ABSENT:	Ann Freedman
OPPOSED:	None
ABSTAINED:	Bill West

Motion carried.

Application approved.

OTHER BUSINESS:

Review of Historic Preservation Commission Report and Resolution: Proposed Historic Site Designation 603 Clark Street.

Robert Newell recused himself and Darielle Walsh presided over the meeting. Don Sammet stated the Historic Preservation Committee has nominated 603 Clark Street as a historic site. A historic designation is an amendment to the Land Use Ordinance and the zoning map. Any amendment to the Land Use Ordinance must be reviewed by the Planning Board. Designating this property as a historic site would be consistent with the Master Plan as this property is already identified in the Historic Preservation Element of the Master Plan.

A motion was made and seconded that the designation of 603 Clark Street is consistent with the Master Plan; Subsection 14 of the Historic Preservation Ordinance should be amended to include 603 Clark Street; and the zoning map should be amended to identify Lot 26, Block 808 as a designated historic site.

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 8:11 pm.

Respectfully Submitted,

Linda Jacus
Administrative Secretary