

**Town of Westfield
Planning Board
MINUTES
May 4, 2020**

The Westfield Planning Board met on May 4, 2020 at 7:30 pm. Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom.

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.

Chairman Newell called the meeting to order and opened the meeting by calling all present to join in the Pledge of Allegiance to the Flag.

ROLL CALL:

PRESENT: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael Ash, Michael La Place, Linda Habgood, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman

ABSENT: None

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

ADOPTIONS OF MINUTES:

Chairman Newell called for a motion to adopt the minutes of the April 6, 2020, meeting. Ann Freedman made a motion to adopt; Michael Ash seconded.

ALL IN FAVOR: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Linda Habgood, Michael Ash, Michael La Place, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman

OPPOSED: None

ABSTAINED: None

ABSENT: None

Motion carried.

ADOPTION OF RESOLUTIONS:

None.

Chairman Newell announced that the following application has been carried to the June 1, 2020, meeting:

PB 19-10 923 Central Avenue, LLC., 923 Central Avenue

CARRIED FROM APRIL 6, 2020:

PB 19-09 440 North Avenue East, LLC., 440 North Avenue East 7/17/2019
Block 3202 Lot 7

Applicant is seeking approval to construct a three-story office building contrary to Section 17.02C5c, 17.04A, and 16.04E5 of the Land Use Ordinance. Ordinance requires 63 parking spaces. Proposed are 40 parking spaces. Ordinance requires a minimum parking space dimension of 9' x 18'. Proposed is 9' x 16'. Ordinance requires a setback of 20 feet in the front yard. Proposed is 1 foot. **Application deemed complete September 5, 2019. 120 day decision date is January 3, 2020.**

Rafael Betancourt, Esq. (186 North Avenue, Cranford) appeared on behalf of the applicant. The applicant is proposing to construct a three-story building containing retail on the ground floor and office space on the second and third floor. The site plan was marked as Exhibit A-1.

Chairman Newell swore in Ed Dec (131 North Michigan Avenue, Kenilworth). The Board accepted Mr. Dec as licensed engineer.

Mr. Dec went through the plans with the Board. He stated the property is vacant, covered only by asphalt and gravel. The applicant is purposing a one way in one way out configuration for the lot, and in the center of the site is the footprint of the building. The ground floor of the building will contain retail space, parking, an elevator, and stairwell. Floors two and three will be an office use. There will be an electric car charging station and bicycle & motorcycle storage on the ground floor. The applicant proposes parking both within a surface parking area and underneath the building. The applicant is requesting a variance from the number of parking spaces required by use. When parking for the proposed project is calculated under the use requirement, 63 parking spaces are required; however, when the parking requirement is calculated based on the zone district, only 53 parking spaces are required. The applicant is proposing a total of 40 parking spaces. All 30 parking spaces within the surface parking area are compliant. For the remaining 10 parking spaces, which are under the building, the applicant is requesting a variance. The parking stall dimensions measure 9 feet wide by 16 feet deep, where the ordinance requires a 20-foot-deep stall. Another variance being requested is for the front yard setback. Based upon discussions with the Site Plan Subcommittee, the applicant has brought the building to one foot from the front property line. This one-foot setback results in the necessity for a variance; a 20-foot front yard setback is required and a one-foot setback is proposed. The landscape plan indicates that all four corners of the site will contain planting beds, along with three street trees. It was requested by the Board that an additional street tree be added for a total of 4 street trees. The building proposed is fully compliant with height requirements for the zone district, and the minimum side and rear yard setbacks are being met and exceeded. The applicant is fully compliant with the coverage requirements, which include maximum coverage by buildings and above grade structures, and maximum coverage by improvements.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Roger Winkle (947 Park Avenue, Plainfield). The Board accepted Mr. Winkle as a licensed architect.

A rendering of the proposed building was marked as Exhibit A-2 and the architectural plans were marked as Exhibit A-3. Mr. Winkle went through the plans with the Board. He stated the building will be a contemporary design, and the materials that will be used will be brick and either azek or aluminum panels, which will be a medium gray. The cornice on top will be black similar to rendering, and the window moldings will be black. Two signs are proposed, one to the right of the door going into the retail space, and further to the right, a directory sign is proposed. The Board requested since the windows were removed from the "shed portion" of the building some other architectural detail should be added so it's not a blank brick wall. The Board requested a color rendering be done showing the materials and the details. Mr. Winkle went through the floor plan. The setback of the building was moved forward to be more pedestrian friendly so people walking along North Avenue will be able to go into the retail space. The retail space is 719 square feet and is on the left side of the building. To the right of the retail space is the exit out of the parking garage, and to the right of the exit is the shed building, which will have bicycle and motorcycle storage. The building is 73x128, and the first level only has the retail space, two stairwells, an elevator, and the elevator machine room. The second and third floors are the same area and configuration; the office space is 5,620 square feet, and wraps around the central core, which is 1,584 square feet. The core area has the elevator maintenance room and restrooms for the floor and there is a small breakroom, coat closet, and garbage area. Mr. Winkle described the proposed lighting, he stated underneath the building will be 16 fully recessed LED fixtures for the parking garage. On the exterior of the building will be architectural sconces. There will be 4 fixtures on the east side, and 4 fixtures on the west side, and 2 in the rear on the south side of the building. Chairman Newell stated he will work with Mr. Dec to revise some of the lighting.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Craig Peregoy (245 Main Street, Chester). The Board accepted Mr. Peregoy as a licensed traffic engineer.

The traffic report was marked As Exhibit A-4. Mr. Peregoy stated according to ITE the proposed project will generate 19 trips in the am and 20 trips in the pm. This will not be a major traffic generator. The proposed development will generate a similar magnitude of traffic as the prior diner use that occupied the site. The one-way ingress and egress is an improvement which is much more organized, and a better plan than what was there before. Thirty of the 40 spaces are 9x18 and there are 10 spaces that are 9x16, which will fit any vehicles on the road, but those 9x16 spaces should be signed as compact spaces. According to the ITE parking generation data, the average peak demand for an office building was found to be 2.39 spaces per 1,000 square feet, and the average peak demand for the retail use is reported as 2.61 spaces per 1,000 square feet. This project will have a peak demand of 38 parking spaces so the proposed parking supply will be sufficient to accommodate the maximum anticipated demand. The applicant's request for a parking variance is by use, they are proposing business and administrative offices. If an office type that has a greater parking requirement such as professional or medical offices are proposed in the future, the applicant will need to seek additional variance relief.

Open to public questions. None. Closed to public questions.

Open to public comments. None. Closed to public comments.

The Board agreed this project will be a great asset to have on North Avenue. The following conditions will be imposed upon approval: no medical use permitted in the building, up to 50 percent of the floor area can be may be used for professional offices, the 10 compact parking spaces should be marked for compact vehicles, the lighting is subject to review, and the applicant will return to the site plan review committee for review and approval of the revised architectural drawings and materials, and four street trees will be added with the type of tree to be selected.

Chairman Newell called for a motion. Anastasia Harrison made a motion to approve with proposed conditions; Ann Freedman seconded.

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

**PB 20-02 570 Westfield Avenue, LLC., 570 Westfield Avenue
 Block 3010 Lot 14**

2/06/2020

Applicant is seeking approval to renovate and make alterations to an existing medical office, approved in 2018, by improving the basement to allow for a conference room/break room, business manager's office and bathroom; the applicant is also looking to covert the second and third floors to two-bedroom apartments with no new variances being requested and the continuation of the existing bulk variances from Section 11.21E5, 11.21E11, 17.03B4, 17.03C4, 17.03C3, 17.02B2 of Land Use Ordinance. Ordinance requires a minimum front yard setback of 36.33 feet. Proposed and is existing is 38.10 feet. Ordinance allows a maximum coverage by improvements of 40%. Proposed and existing is 59.7%. Ordinance allows rear yard parking only. Proposed and existing is rear and side yard parking. Ordinance requires a parking setback of 5 feet. Proposed is 3 feet. Ordinance requires a setback of 10 feet from a residential district. Proposed and existing is 5 feet. Ordinance requires 22 off street parking spaces. Proposed and existing are 20 parking spaces. **Application deemed complete March 17, 2020. 120 day decision date is July 15, 2020.**

Stephen Hehl (370 Chestnut Street, Union) appeared on behalf of the applicant. He stated the applicant was before the Board in 2018. At that time, they received approval to convert the building into a medical and residential use. Currently, they are looking to create some additional space in the basement that will not impact the operation from a patient standpoint or use standpoint. They would like to have a separate office for the office manager and a break room for the staff. The second floor was originally going to be medical offices and residential, but they felt it would be better if it was all residential and abandon the medical use. Mr. Hehl stated there are not any exterior changes proposed to the building, and only a portion of the basement will be used so there is still space for storage.

Chairman Newell swore in Robert Panza. Dr. Panza stated we have been in the building since August 2019. We are proposing a separate office for the office manager so they would be able to discuss a patient's bill in private and to have a separate area for sending out our monthly bills, which takes up space and can be disruptive. There is also a need for a conference area for the doctors to meet and discuss care, and it would also be nice to have an area for the staff to meet comfortably, and the area would double as a break area for the staff. The current parking is adequate as there are usually 5 or 6 spaces free. Dr. Panza stated it was decided the 2nd floor will be all residential as there is not enough room to have a medical use on the second floor.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in Robert Algarin (225 Lenox Avenue). The Board accepted Mr. Algarin as a licensed architect.

Mr. Algarin stated there are not any proposed changes to the exterior, and the proposed basement use is allowed. Only 40% of the basement space will be used, and there is still a huge area for storage. The proposed changes will give the employees more space on the first floor. The basement floor plan consists of a bathroom, mechanicals, office manager/billing office, and conference room/breakroom.

Open to public questions. None. Closed to public questions.

Chairman Newell swore in James Watson (328 Park Avenue, Scotch Plains). The Board accepted Mr. Watson as a licensed planer.

Mr. Watson stated medical office uses are permitted within both the basement and first floors of a building in the P-2 Zone District. Also, a single residential use is permitted on the second and third floor. All the proposed uses in the building are compliant. The parking requirement is nearly identical between the approved and proposed, but is slightly less than originally required. There are not any new variances being requested so we can use the C2 criteria as we did last time. This a more efficient use of the space, and the application can be granted without any substantial detriment to the zoning ordinance and the master plan.

Open to public questions. None. Closed to public questions.

Open to public comments. None. Closed to public comments.

Chairman Newell called for a motion. Anastasia Harrison made a motion to approve; Ann Freedman seconded.

ALL IN FAVOR: Robert Newell, Mayor Brindle, Anastasia Harrison, Linda Habgood,
Michael Ash, Michael La Place, Matthew Ceberio, Kris McAloon,
Darielle Walsh

OPPOSED: None

ABSTAINED: Ross Goldstein & Ann Freedman

ABSENT: None

OTHER BUSINESS:

Resolution #92-2020-the proposed resolution was referred to the Planning Board for review by the Mayor and Council to designate the properties included within the Town's special improvement district as an "area in need of rehabilitation".

Don Sammet stated the process for designating a rehabilitation area is much different from that of a redevelopment area. The Planning Board need not prepare a "preliminary investigation report" and the Board need not hold a public hearing with specific noticing requirements. Rather, the Mayor and Council simply refer over a proposed resolution which designates a rehabilitation area for the Board's review. The Board is required to submit its recommendations to the Mayor and Council, including any proposed revisions. The Mayor and Council then designate by resolution. Although a "preliminary investigation report" is not required, the Town Engineer and I have

examined the proposed area for the Mayor and Council to see if it meets the statutory criteria necessary for a rehabilitation area designation. We have found that it in fact does.

The Board unanimously approved and recommended that the Town Council adopt the proposed resolution designating the properties located in the town's special improvement district as an "area in need of rehabilitation".

ALL IN FAVOR: Robert Newell, Mayor Brindle, Anastasia Harrison, Linda Habgood, Michael Ash, Michael La Place, Matthew Ceberio, Kris McAloon, Darielle Walsh

OPPOSED: None

ABSTAINED: Ross Goldstein & Ann Freedman

ABSENT: None

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 9:41 pm.

Respectfully Submitted,

Linda Jacus
Administrative Secretary