

~~Byes~~  
~~2/10/20~~  
~~APC nu~~

PB 20-03  
TOWN OF WESTFIELD  
APPLICATION

45 day  
will 6/5/20  
120 day decision  
date 10/13/20

**I. Identification:**

This appeal is from (applicant's name) Alfa Realty Management, LLC

street address 414 Central Avenue telephone 908-232-8011

e-mail Frank@fuscon.com fax 908-232-0050

for property in Westfield, NJ located at (street address) 414 Central Avenue (Block 3006, Lot 3)

**II. To:** (check one)

Planning Board  Board of Adjustment  
Board Secretary: Ms. Linda Jacus 908-789-4100 extension 4602  
Both Boards: 959 North Avenue West, Westfield, NJ 07090: FAX 908-789-4113

**III. For a Hearing For:** (Check all applicable)

**Specific Applicable Sections of the Westfield L.U.O. for:**  
**Submission Requirements Checklists**      **Procedures**

<input checked="" type="checkbox"/> *C variances	4.03A, 9.02, 9.03, 9.11	4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *D variances	4.03A, 9.02, 9.03, 9.11	4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> Conceptual Site Plans & Subdivisions	9.04	8.07
<input type="checkbox"/> Minor Site Plan	9.02, 9.03, 9.08	8.06, 8.08, 8.13, 8.14, 8.23
<input checked="" type="checkbox"/> *Preliminary Major Site Plan	4.03C, 9.02, 9.03, 9.09	4.04, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23
<input checked="" type="checkbox"/> Final Major Site Plan	9.02, 9.03, 9.10	8.06, 8.11
<input type="checkbox"/> Minor Subdivision	9.02, 9.03, 9.05	8.01, 8.06, 8.09, 8.13, 8.14, 8.23
<input type="checkbox"/> *Preliminary Major Subdivision	4.03D, 9.02, 9.03, 9.06	4.04, 8.01, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23
<input type="checkbox"/> Final Major Subdivision	9.02, 9.03, 9.07	8.06, 8.11
<input type="checkbox"/> **Conditional Use	9.02, 9.03	4.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Structure in street, drainage way, flood basin, reserved area	4.03F, 7.01E2	4.04, 7.01E, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Structure on lot not abutting street	7.01F2	4.04, 7.01F, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Board of Adjustment "a" appeal/ administrative officer error	7.02B2 & 3	7.02A & B, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> *Board of Adjustment "b" appeal/ interpretation ordinance/map	4.03B, 7.02C1 & 2 & 3	4.04, 7.02A & C, 8.04, 8.06, 8.13, 8.14
<input type="checkbox"/> Residential cluster	9.02, 9.03, 9.06, 8.12, 11.03F	8.13, 8.14

4/21/20

\*Public noticing is required pursuant to Section 4.03 & 4.04 \*\* A major site plan review is also required with a conditional use application

**IV. Application Description:** Briefly describe the nature and scope of this application, including proposed uses and improvements. All subdivision appeals must state the present and proposed number of lots.

See attached Statement of Principal Points

**V. Reasons:** Briefly summarize the reasons why you believe this appeal should be granted.

See attached Statement of Principal Points

**VI. Property Description:** Please provide the following information about the property, which is the subject of this appeal.

•Enclose a scaleable (full size) copy of a location survey of the property: showing the surveyors name and license number, and date of survey, if this information is not otherwise provided on a site plan or subdivision plat. Survey can be no more than 2 years old.

•Street address 414 Central Avenue

Zone district GB-1 Block No. 3006 Lot No. 3  
(General Business)

•Dimensions of lot 60 feet x 150 feet Area of lot 9,250 sq. ft.

•Use of premises present Professional and business / administrative offices  
proposed Existing office uses to remain; Proposed addition with four (4), two (2)-bedroom apartment dwelling units

The proposed use is:  permitted by ordinance  a conditional use which has been granted by the Planning Board or Zoning Board of Adjustment

a use permitted by variance  a nonconforming (i.e. "grandfathered") use  not a permitted use

Name of Owner Alfa Realty Management, LLC Telephone No. 908-232-8011  
Street address of Owner 414 Central Avenue Fax No. 908-232-0050

•Does the above owner also own any property that abuts the subject property?

No  Yes If yes, address: \_\_\_\_\_

N/A If yes, is the abutting property subject to the Loechner-Campoli rule of merger?  No  Yes (If you don't know, check with the Tax Assessor in the Municipal Building.)

•Are there any present deed restriction(s) which affect this property?  No  Yes If yes, attach copy of deed, including language of restriction(s).

•Are there any pending proceedings, concerning the property which is the subject of this application, before any federal, state, or local board of authority?  No  Yes If yes, list here and attach a brief description of each.

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4/21/20

**VII. Attorney Identification:** Private individuals, or sole proprietors may represent themselves (i.e. present the application) before the Board. All other categories of applicants must be represented by an attorney. (reference: 1998 Cox - pages 477 & 478)

If applicant (or owner) is to be represented by an attorney, please furnish the following information:

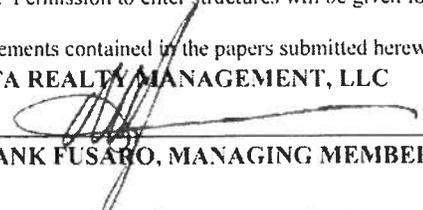
Attorney's name Stephen F. Hehl, Esq. Telephone No. 908-687-7000  
Attorney's firm Hehl Offices of Javerbaum Wurgaft Fax No. 908-687-7028  
Hicks Kahn Wikstrom & Sinins, P.C.  
Street address 370 Chestnut Street, Union, New Jersey 07083

**VIII. Notarization:**

I/We, the undersigned applicant(s) do hereby grant permission for the members of the Planning Board, and the Zoning Board of Adjustment, their Attorney and the Zoning Officer of the Town of Westfield, NJ to enter upon the property which is the subject of this application, during all daylight hours during the pendency of this application. Permission to enter structures will be given for a mutually agreeable time.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

**ALFA REALTY MANAGEMENT, LLC**



**FRANK FUSARO, MANAGING MEMBER**

Print Name : Frank Fusaro, Managing Member

Address: 414 Central Avenue

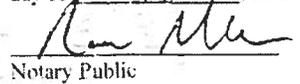
Westfield, New Jersey 07090

Home phone \_\_\_\_\_

Business phone 908-232-8011

**ROSANN MONDON**  
**NOTARY PUBLIC OF NEW JERSEY**  
**I.D. # 2401193**  
**My Commission Expires 10/7/2020**

Sworn and Subscribed to  
before me this 17<sup>TH</sup>  
day of April, 2020

  
Notary Public

**IX. Do not write in the following spaces:**

**TO BE COMPLETED BY THE ZONING OFFICER:**

- To the best of my knowledge and belief, this application is complete and correct.
- This application is currently the subject of a:
  - \_\_\_\_\_ Zoning violation notice, No. \_\_\_\_\_, copy enclosed.
  - \_\_\_\_\_ Municipal Court complaint, docket No. \_\_\_\_\_, copy enclosed.
  - \_\_\_\_\_ Other pending action. (describe) \_\_\_\_\_
  - \_\_\_\_\_ None of the above

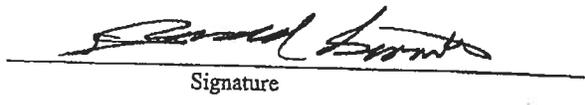
\_\_\_\_\_  
Signature

**TO BE COMPLETED BY THE BOARD SECRETARY:**

Has there been any ~~previous~~ appeals(s) involving these premises?  
 No  Yes If yes, attach copies of resolution(s)

**TO BE COMPLETED BY THE COMPLETENESS DESIGNEE:**

Application accepted as complete on 6/15/20

  
Signature

*[Handwritten initials]*  
4/21/20

TOWN OF WESTFIELD

LIST OF EXISTING NON-CONFORMING ZONING CONDITIONS

Section 7.01B Review of existing non-conforming conditions in connection with applications for variances or for the direction of the issuance of certain permits.

In reviewing applications for variances or for the direction of the issuance of certain permits, the Board shall determine whether any existing non-conforming conditions involving the subject property will exacerbate, intensify, alter, affect or in some way result in a significant impact on the proposed use, structure or land. If the Board finds that no substantial impact or detriment will result, the Board shall so state in its findings of fact in the resolution for the application, without the need for such existing non-conforming conditions to meet the criteria established by N.J.S.A. 40:55D-34, 36, 51a, 51b, 70c and 70d and this ordinance for variances or exceptions. If the Board finds that substantial impacts or detriments will result, however, the application shall not be approved unless and until the applicant agrees to mitigate or eliminate such impacts or detriments to the maximum extent feasible.

The above shall not be construed to alter the review procedures not the criteria for granting variances or exceptions for violations proposed by the development or existing illegally on the subject property.

Note: This list must be consistent with the Variance Table, if otherwise required.

1.	Section: 17.02	Nature of Deficiency: Minimum Number of Off-Street Parking Spaces		
	Permitted: 17 spaces	Present: 13 spaces	Proposed: 11 spaces (Including 1 ADA space)	
2.	Section:	Nature of Deficiency:		
	Permitted:	Present:	Proposed:	
3.	Section:	Nature of Deficiency:		
	Permitted:	Present:	Proposed:	
4.	Section:	Nature of Deficiency:		
	Permitted:	Present:	Proposed:	
5.	Section:	Nature of Deficiency:		
	Permitted:	Present:	Proposed:	
6.	Section:	Nature of Deficiency:		
	Permitted:	Present:	Proposed:	

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**TOWN OF WESTFIELD**

**LIST OF NEW C.40:55D-70 c AND d VARIANCES REQUESTED**

**SECTION 9.02: GENERAL REQUIREMENTS; SUPPORTING DOCUMENTATION**

In addition to the submission requirements for the individual categories of applications in the following sections, all categories of applications, except for conceptual site plans and conceptual subdivisions, shall be required to submit a statement indicating all of the provisions of the Land Use Ordinance from which a waiver or variance is sought.

Note: This list must be consistent with the Variance Table, if otherwise required.

1.	Section: 17.02.B.4; 17.02.C.1.g; 17.02.C.1.d; 17.02.C.5.b	Nature of Deficiency: Minimum Number of Off-Street Parking Spaces	
	Permitted: 33 spaces	Present: 13 spaces	Proposed: 11 spaces (including 1 ADA space)
2.	Section: 11.26.E.2	Nature of Deficiency: Minimum Side Yard Setback	
	Permitted: 0 FT / 10 FT if provided	Present: 0.1 FT / 0.7 FT	Proposed: 3.5 FT / 3.58 FT (1 FT 4 IN to the columns)
3.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
4.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
5.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
6.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
7.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:
8.	Section:	Nature of Deficiency:	
	Permitted:	Present:	Proposed:

**TOWN OF WESTFIELD  
REQUIREMENTS AND VARIANCES SUMMARY TABLE PER SECTION 911 B.7.**

**THIS TABLE MUST BE INCLUDED WITH ALL APPLICATIONS FOR "C" AND "D" VARIANCES,  
AND MUST BE SHOWN ON ALL REQUIRED SITE PLANS, SUBDIVISION PLANS, AND PLOT PLANS,  
The below regulations are for all RS, RM and P zones applications. All RA, O, CBD and GB zone applications use the "Bulk and Lot Regulations" for the zone.**

**ZONE:** GB-1 (General Business) **APPLICANT:** Alfa Realty Management, LLC **STREET ADDRESS:** 414 Central Avenue (Block 3006, Lot 3)

REG. NO.	REGULATION	UNITS	REQUIRED	USE SEPARATE COLUMN FOR EACH LOT			
				LOT No.	VARIANCE?*	LOT No.	VARIANCE?*
N/A	Minimum gross area	sq. ft.	---	Existing / Proposed: 9,250 SF			
N/A	Minimum area within first ft. of depth	ft.	---	Existing / Proposed: 60 FT			
N/A	Minimum width	ft.	---	Existing / Proposed: 150 FT			
N/A	Minimum frontage	ft.	---	Existing / Proposed: 4.95 FT			
N/A	Minimum depth	ft.	---	Existing: 0.1 FT / 0.7 FT; Proposed: 3.5 FT / 3.58 FT			
11.26.E.1	Minimum front yard (per Sections 12.03C & D & E)	ft.	0 FT	Existing: +/- 105 FT; Proposed +/- 49.92 FT			Variance*
11.26.E.2	Minimum Sideyard	ft.	0 FT / 10 FT if provided	Existing: 13 spaces; Proposed: 11 spaces (1 ADA)			Variance*
11.26.E.3.a	Minimum rear yard	ft.	---				
N/A	Maximum building coverage (without deck)	ft.	35 FT				
N/A	Maximum building coverage (with deck)	%	---				
N/A	Maximum FAR or total habitable floor area	%	---				
11.26.4	Maximum building height	ft.	3 Stories / 40 FT				
N/A	Maximum all improvements coverage	%	---				
17.02	Other: Min. Number of Off-Street Parking Spaces	%	33 spaces				
	Other:						
	Other:						
	Other:						
	Other:						
	Other:						
	Other:						
	Other:						

NOTE: This table must be consistent with the two variance lists, if they are included in the application.  
\* Single star all variances which are new variances; i.e. are not pre-existing, non-conforming conditions which will continue.

**APPLICANT:** ALFA REALTY MANAGEMENT, LLC  
**PROPERTY:** 414 CENTRAL AVENUE  
BLOCK 3006, LOT 3  
**ZONE DISTRICT:** GB-1 (GENERAL BUSINESS)

**STATEMENT OF PRINCIPAL POINTS**

The property owner / applicant, Alfa Realty Management, LLC (the "Applicant"), submits the subject application seeking Preliminary and Final Major Site Plan and Bulk ("c") Variance approvals in connection with the property located at 414 Central Avenue, Westfield, New Jersey 07090, further identified as Block 3006, Lot 3 on the Tax Maps of the Town of Westfield (the "Property" or the "Site"). The 9,250 square foot Property is situated within the Town's GB-1 (General Business) Zone District (the "GB-1 Zone") and is improved with a two (2)-story brick and frame building (the "Existing Building"), which will remain, and an accessory off-street motor vehicle parking area. The Existing Building is currently occupied by four (4) professional and/or business / administration office.

The Applicant proposes to construct a three (3)-story, approximately 6,337 square foot addition to the rear portion of the Existing Building (the "Proposed Addition"). The Proposed Addition will contain a total of four (4), two (2)-bedroom residential apartment units. As is depicted on the Architectural Floor Plans, the Proposed Addition will be configured as follows: Proposed first story: eleven (11) space off-street parking area (including one (1) ADA accessible parking space); Proposed second and third stories: two (2), two (2)-bedroom, residential apartment units on each floor. The existing professional and/or business / administration office spaces will be retained. Mixed-use (professional office and residential units on upper floors) buildings, as proposed in this Application, are principally permitted land uses in the GB-1 Zone. See Town of Westfield Land Use Regulations ("LUL"), § 11-26.A.

The Application requires bulk ("c") variance relief from the following LUL provisions: (1) Side Yard Setback (LUL, § 11.26.E.2): Required, 0 feet or minimum of 10 feet if side yard setback

is provided; Existing, 0.1 feet and 0.7 feet; Proposed, 3.5 feet and 3.58 feet (1 foot 4 inches to the columns); and (2) Number of Off-Street Parking Spaces (LUL, § 17.02): Required, 33 spaces; Existing, 13 spaces; Proposed, 11 spaces. Please note, the calculated parking demand is based on building the proposed building ground floor area; the parking demand based on the proposed use of the Property requires twenty-two (22) parking spaces. See LUL, § 17.02.A.1. Despite the requested bulk ("c") variances, the Proposed Addition is in character with other developments in the surrounding area and the GB-1 Zone. The proposed side yard setbacks will not encroach upon or negatively impact the adjoining properties' light, air or open space. While the proposed number of off-street parking spaces does not meet the LUL's technical requirements, the Applicant will offer the necessary expert and operational testimony to demonstrate that the proposed parking supply will meet the actual anticipated on-site parking demand. This is particularly true, considering that the existing and proposed uses – low intensity and relatively small professional and/or business / administration offices and residential apartments – complement one another (professional and/or business / administration office peak parking demand is during normal business hours; residential apartment peak parking demand is during the early morning and evening hours when the professional offices are closed). Additionally, the Site's proximity to the Westfield Train Station and existing public transportation infrastructure will attract commuters, who are less likely to own personal vehicles. The well-designed project otherwise complies with or exceeds the GB-1 Zone's bulk requirements; including, but not limited to front yard setback, rear yard setback and maximum building height.

Additional proposed Site improvements include arborvitae plantings along a portion of the rear Property line and shielded Site lighting. Unlike the Applicant's 2018 development application, which proposed the construction of a rear building addition containing three (3) residential

apartment units (two (2), two (2)-bedroom apartment units; one (1), three (3)-bedroom apartment unit), the current Application meets LUL Section 11.26.E.3's rear yard setback requirement (required, 35 feet; proposed, 49.92 feet). For reference, a copy of the Planning Board's prior Resolution of Denial is attached hereto as Exhibit A. This is particularly important considering the neighboring property to the rear is an existing residential dwelling. The Applicant's proposal – retaining the existing fencing and planting seven (7)- to eight (8)-foot tall green giant arborvitae along a portion of the rear property line - meets LUL Section 11.26.E.'s buffering requirements and will adequately shield the Proposed Addition. In addition, the Applicant has eliminated the need for an access aisle width variance.

The Applicant's new proposal represents an opportunity to introduce a high-quality, in-demand apartment style housing project in the GB-1 Zone that is in within walking distance to public transportation. The proposed mixed-use building is principally permitted in the GB-1 Zone and is consistent with the goals and objectives of the Master Plan. The Proposed Addition will be aesthetically pleasing and functional. Unlike the Applicant's 2018 Application, the current proposal complies with the LUL's rear yard setback requirement and proposes evergreen plantings along the rear property line, which will visually screen and minimize the visual impact of the Proposed Addition on the neighboring residential property. In addition, the Applicant eliminated the need for an access aisle width variance. The benefits to granting this Application outweigh any perceived detriments. The bulk ("c") variance relief sought in connection with this Application may be granted without substantial detriment to the neighboring properties, GB-1 Zone, Master Plan or public good. For the above reasons, as well as those the Applicant will introduce through testimony and other evidence at the public hearing, the Applicant respectfully requests that the Planning Board approve the Application.

TOWN OF WESTFIELD  
UNION COUNTY NEW JERSEY

AFFIDAVIT OF OWNERSHIP

I, Frank Fusaro, Managing Member / Alfa Realty Management, LLC, of full age, being duly sworn  
(Print Name)

according to law, do hereby certify that I am the (check one)  owner or  duly authorized officer  
of the owner (as listed on the application form), of the following property which is the subject of the  
within application to the Westfield Planning Board or Zoning Board of Adjustment:

Block & Lot (s) Block 3006, Lot 3

Street Address(es) 414 Central Central Avenue

Check one:

1.  As the owner (or officer of), I am the Applicant in the within application.
2. \_\_\_\_\_ As the owner (or officer of), I am not the Applicant. I certify that I have reviewed and  
consent to the within application and that the information contained herein is true and correct to the  
best of my knowledge. I authorize the following entity/individual to act as the Applicant in making  
this application:

a. Authorized Individual/Entity: \_\_\_\_\_

b. Authorized Individual/Entity Interest in Property (i.e., Tenant, Contract Purchaser): \_\_\_\_\_

ALFA REALTY MANAGEMENT, LLC

FRANK FUSARO, MANAGING MEMBER

Sworn and subscribed to  
before me on this 17<sup>TH</sup>  
day of April, 2020.

Rosann Mondon  
Notary Public

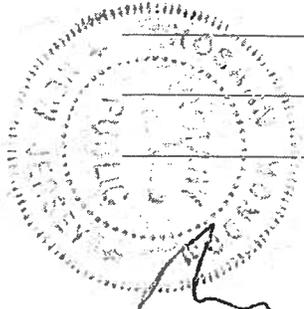
ROSANN MONDON  
NOTARY PUBLIC OF NEW JERSEY  
I.D. # 2401193  
My Commission Expires 10/7/2020

4/21/20

**CORPORATION DISCLOSURE AFFIDAVIT**

PURSUANT TO THE REQUIREMENTS OF N.J.S.A. 40:55D-48.1 ET SEQ., I, **FRANK FUSARO, Managing Member**, HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND COMPLETE LIST OF THE NAMES AND ADDRESSES OF ALL INDIVIDUALS WHO OWN TEN PERCENT (10%) OR MORE STOCK OR OTHER INTEREST IN **ALFA REALTY MANAGEMENT, LLC**, WHICH IS A LIMITED LIABILITY CORPORATION WITH OWNERSHIP INTERESTS IN THE PROPERTY LOCATED AT **414 CENTRAL AVENUE, WESTFIELD, NEW JERSEY, BLOCK 3006, LOT 3** FOR WHICH A PRELIMINARY AND FINAL SITE PLAN APPLICATION HAS BEEN FILED WITH THE TOWN OF WESTFIELD PLANNING BOARD. I FULLY UNDERSTAND THAT FAILURE TO DISCLOSE ANY AND/OR ALL OWNERSHIP PARTIES WITH TEN PERCENT (10%) OR MORE INTEREST IN THE CORPORATION / PARTNERSHIP OR DELIBERATELY MISREPRESENTING ANY FACTS THEREON IS SUFFICIENT GROUNDS FOR DISAPPROVAL OF THE APPLICATION BY THE ENGINEERING DEPARTMENT AND CAN RESULT IN A FINE AS PROVIDED FOR BY THE STATUTE.

<u>NAME &amp; TITLE</u>	<u>ADDRESS</u>	<u>% OF STOCK OR OTHER OWNERSHIP INTEREST</u>
Frank Fusaro, Managing Member	422 Stanley Ave., Westfield, NJ 07090	50%
Janice R. Fusaro, Member	422 Stanley Ave., Westfield, NJ 07090	50%



[Signature]  
NOTARY PUBLIC

DATE: 4/15/2020

ALFA REALTY MANAGEMENT, LLC  
[Signature]  
BY: FRANK FUSARO, Managing Member

DATE: 04-15-2020

**ROSANN MONDON**  
NOTARY PUBLIC OF NEW JERSEY  
I.D. # 2401193  
My Commission Expires 10/7/2020

4/21/20

# Westfield, New Jersey



<b>Block/Lot/Qual:</b> 3006. 3.	<b>Tax Account Id:</b> 4873
<b>Property Location:</b> 414 CENTRAL AVE	<b>Property Class:</b> 4A - Commercial
<b>Owner Name/Address:</b> ALFA REALTY MANAGEMENT, LLC	<b>Land Value:</b> 469,600
414 CENTRAL AVE	<b>Improvement Value:</b> 355,500
WESTFIELD NJ 07090	<b>Exempt Value:</b> 0
	<b>Total Assessed Value:</b> 825,100
	<b>Additional Lots:</b> None
<b>Special Taxing Districts:</b>	<b>Deductions:</b>

**Balance Includes any Adjustments to Your Account**

Taxes Utilities

		<a href="#">Make a Payment</a>	<a href="#">View Tax Rates</a>	<a href="#">View Current Bill</a>	<a href="#">Project Interest</a>			
Year	Due Date	Type	Orig Billed	Adj Billed	Balance	Interest	Total Due	Status
2020	02/01/2020	Tax	4,434.92	0.00	0.00	0.00	0.00	PAID
2020	05/01/2020	Tax	4,434.91	0.00	4,434.91	0.00	4,434.91	OPEN
Total 2020			8,869.83	0.00	4,434.91	0.00	4,434.91	
2019	02/01/2019	Tax	5,113.35	-1,162.13	0.00	0.00	0.00	PAID
2019	05/01/2019	Tax	5,113.35	-1,162.12	0.00	0.00	0.00	PAID
2019	08/01/2019	Tax	4,914.48	0.00	0.00	0.00	0.00	PAID
2019	11/01/2019	Tax	4,922.72	0.00	0.00	0.00	0.00	PAID
Total 2019			20,063.90	-2,324.25	0.00	0.00	0.00	
2018	02/01/2018	Tax	5,085.30	0.00	0.00	0.00	0.00	PAID
2018	05/01/2018	Tax	5,085.30	0.00	0.00	0.00	0.00	PAID
2018	08/01/2018	Tax	5,141.40	0.00	0.00	0.00	0.00	PAID
2018	11/01/2018	Tax	5,141.40	-4,648.50	0.00	0.00	0.00	PAID
Total 2018			20,453.40	-4,648.50	0.00	0.00	0.00	
Last Payment: 02/05/20								

[Return to Home](#)

*Received  
4/21/20*

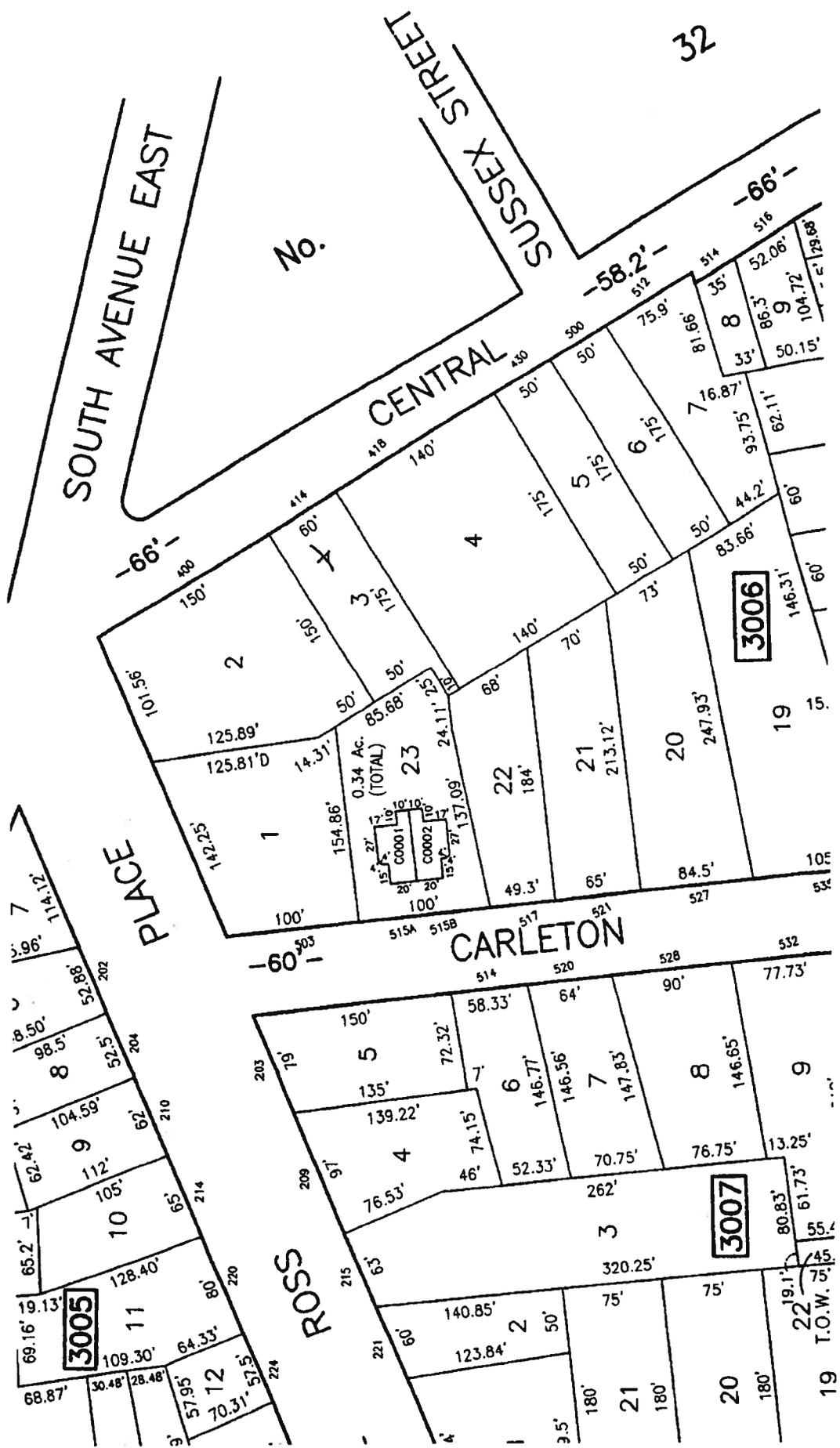
OWNER & ADDRESS REPORT

WESTFIELD

414 CENTRAL AVE

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BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
3006	1		4C	WEIL FMLY PRTRNSHIP % WCHESTER BUS 220 FRANK AVENUE MAMARONECK, NY 10543	503 CARLETON RD	
3006	2		4A	RACEWAY PROPERTIES LLC 1411 STELTON RD PISCATAWAY, NJ 08854	400 CENTRAL AVE	
3006	3		4A	ALFA REALTY MANAGEMENT, LLC 414 CENTRAL AVE WESTFIELD NJ 07090	414 CENTRAL AVE	
3006	4		4A	RUKH WESTFIELD PROPERTIES 28 AMBROSE VALLEY LANE PISCATAWAY, NJ 08854	422 CENTRAL AVE	
3006	5		1	CFGR, LLC 525 CENTRAL AVE SUITE B WESTFIELD, NJ 07090	430 CENTRAL AVE	6 & 7
3006	19		2	TETERIN, MIKHAIL & GARBER, IRENE 535 CARLETON ROAD WESTFIELD, NJ 07090	535 CARLETON RD	
3006	20		2	MUSELLI, MARGARET J 527 CARLETON RD WESTFIELD, NJ 07090	527 CARLETON RD	
3006	21		2	GIBBEMEYER, ALAN & LARISA 521 CARLETON RD WESTFIELD, NJ 07090	521 CARLETON RD	
3006	22		2	HOERNLEIN, ROBERT & EILEEN 140 BURGUNDY CIR BLUE BELL, PA 19422	517 CARLETON RD	
3006	23		15F	CONDO MOTHERLOT CARLETON RD CONDO WESTFIELD, NJ 07090	CARLETON RD CONDO	
3006	23	C0001	2	HEFFERNAN, GERARD & CAROLE 515A CARLETON RD WESTFIELD, NJ 07090	515A CARLETON RD	
3006	23	C0002	2	SU, HENRY & JENNIFER 515B CARLETON RD WESTFIELD, NJ 07090	515B CARLETON RD	
3206	1		4A	RAY EQUIPMENT, CORP 6 EMERY AVE SUITE 1 RANDOLPH, NJ 07869	421 CENTRAL AVE	2, 8
3206	6		4A	JOHN A PINTO FAMILY LTD PARTNERSHIP 376 SOUTH AVE E WESTFIELD, NJ 07090	439 CENTRAL AVE	
3206	7		4A	THORACIC HOLDINGS, LLC 433 CENTRAL AVE WESTFIELD, NJ 07090	433 CENTRAL AVE	
3207	1.01		4C	HC WESTFIELD 2015 LLC 1735 MARKET ST, S-A-400 PHILADELPHIA, PA 19103	333 CENTRAL AVE	



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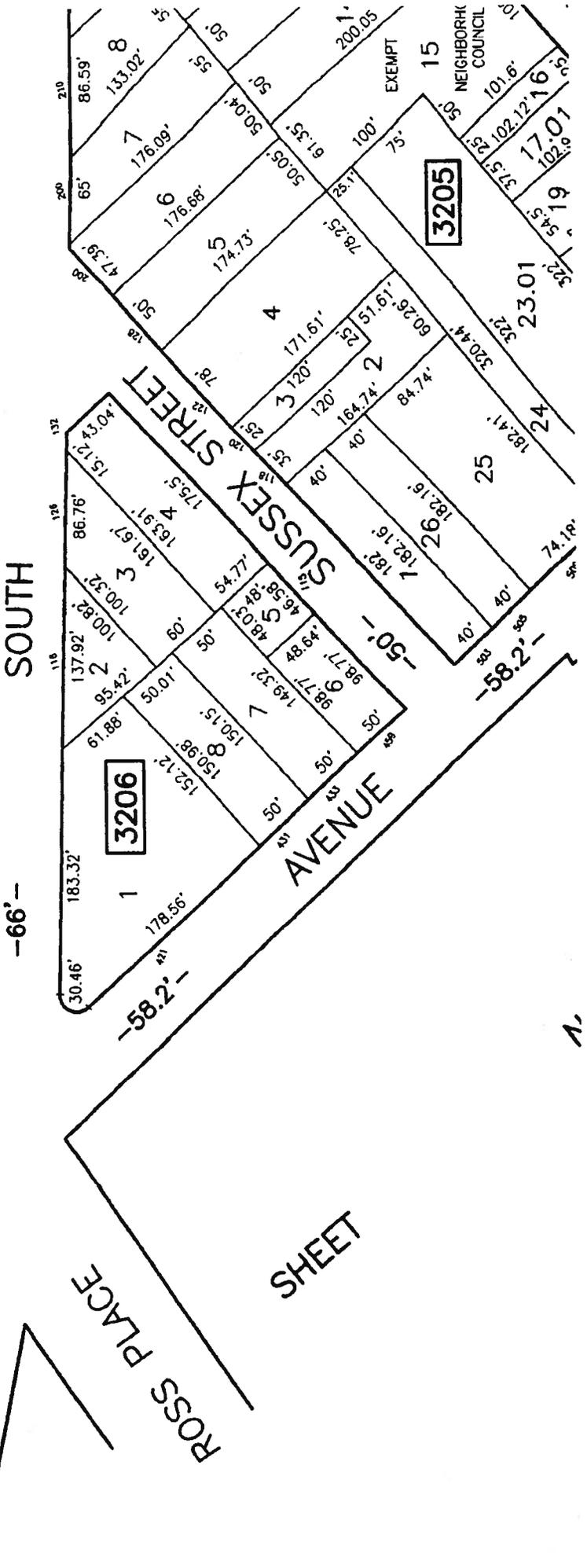
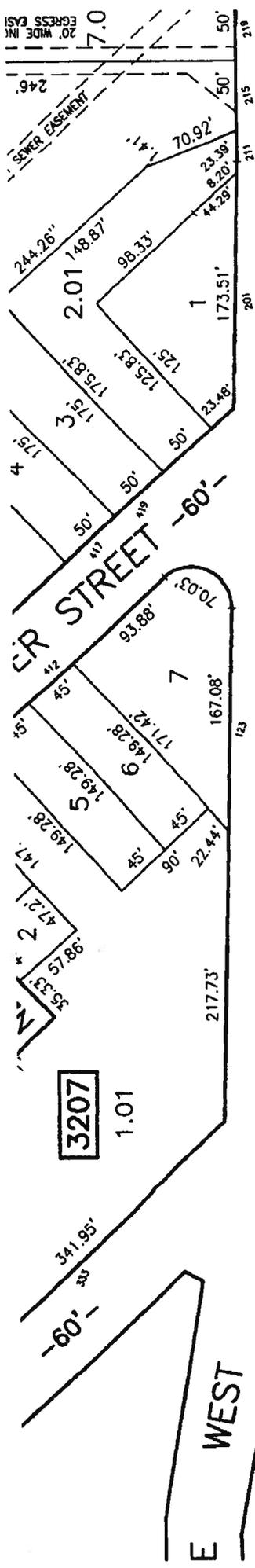
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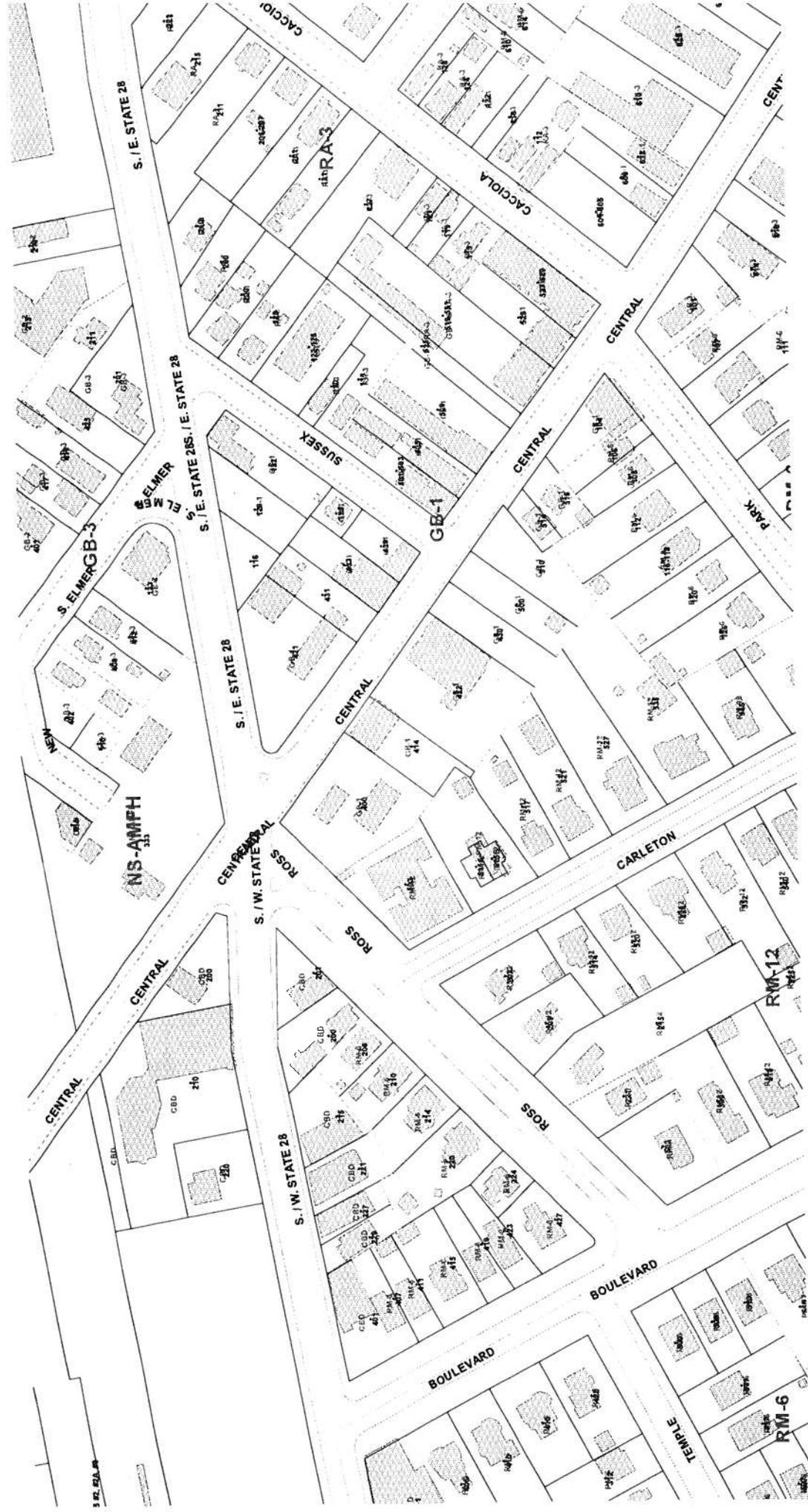
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BOULEVARD

CARLETON

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RM-6

RM-12

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**RESOLUTION**  
**PLANNING BOARD TOWN OF WESTFIELD**  
**APPLICATION NO. PB 17-12**  
**APPLICATION OF ALFA REALTY MANAGEMENT, LLC**  
**414 CENTRAL AVENUE**

WHEREAS, ALFA REALTY MANAGEMENT, LLC (the "Applicant") applied to the Planning Board of the Town of Westfield for preliminary and final site plan approval to construct an addition to the rear of a two-story office building located on property known as 414 Central Avenue and designated as Lot 3 in Block 3006 on the Tax Map of the Town of Westfield (the "Property"); and

WHEREAS, in connection with the proposed site plan, the Applicant also applied for the following variances:

(a) a variance from Section 11.26E.3 of the Land Use Ordinance to permit a rear yard setback of 17.58 feet whereas the Ordinance requires a minimum rear yard setback of 35 feet; and

(b) a variance from Section 17.02.B.4 of the Land Use Ordinance to permit a total of 12 on-site parking spaces whereas the Ordinance requires 21 parking spaces; and

(c) a variance from Section 17.05.C of the Land Use Ordinance to permit an access aisle width of approximately 18 feet whereas the Ordinance requires a 24-foot access aisle; and

WHEREAS, the Applicant submitted floor plans, elevation drawings and site plans prepared by Thomas DiGiorgio, Architect, dated November 6, 2017, last revised on February 13, 2018; and

WHEREAS, the Planning Board held a public hearing on this application on January 3, 2018 and March 5, 2018 at which time it was established that notice of the application was properly published and that property owners within 200 feet of the Property were properly served with notice; and

WHEREAS, after carefully considering all of the evidence presented by the Applicant and members of the public, the Planning Board made the following findings of fact and conclusions of law:

1. The Property is located on the westerly side of Central Avenue to the south of the intersection of Central Avenue and South Avenue. The Property consists of 9,250 square feet of

lot area and contains a two-story commercial building which is currently occupied by office uses. The Property also contains a surface parking area in the rear yard of the Property containing 13 parking spaces.

2. The Applicant proposes to construct an addition to the rear of the building containing three dwelling units (two one-bedroom units and one three-bedroom unit). The dwelling units would be located on the second and third floors of the addition and the ground would remain open to provide on-site parking spaces. The existing building would continue to be used for commercial office space.

3. The Property is located in the GB-1 General Business District which permits mixed uses, including residential uses on upper floors. Accordingly, the proposed residential units are permitted uses.

4. Thomas DiGiorgio, AIA testified regarding the site plan and architectural plans submitted in connection with this application. Among other things, he confirmed that variances were required for the proposed rear yard setback, access aisle width and the number of on-site parking spaces. He also testified regarding the revised site plan which provides for a reduction in the length of the addition, thereby increasing the rear yard setback from 10.58 feet to 17.58, and an increase in the setback for the third floor of the addition from 16.50 feet to 22 feet.

5. Kevin O'Brien, P.P., a licensed professional planner, testified in support of the variances requested by the Applicant. Mr. O'Brien testified that, in his professional opinion, the number of on-site parking spaces was adequate for the proposed use given the opportunity for shared parking between the residential and commercial uses, the proximity to public transportation and the availability of on-street parking in the vicinity of the property. He also testified that there the Property had no unique or unusual features which would justify granting the variances pursuant to N.J.S.A. 40:55D-70c(1), but that, in his opinion, the variances could be granted pursuant to N.J.S.A. 40:55D-70c(2) because the benefits of granting the variances substantially outweighed any detriments.

6. After considering the testimony presented by the Applicant, as well as the testimony of objecting neighbors and other members of the public, the Board concluded that the Applicant had failed to provide adequate justification for the rear yard setback variance and the parking deficiency variance. The Board determined that, notwithstanding the opinion of the Applicant's expert witnesses, the size and massing of the proposed addition was too large for the subject property and would substantially encroach into the required rear yard. The fact that the Applicant cannot provide adequate parking for the additional uses also confirms that the proposal constitutes an over-intensification of uses on the subject Property. The Board also determined that the size, massing and appearance of the proposed addition, did not promote a desirable visual environment and was not consistent with the goals of the Town Master Plan. Also, while granting the variances would undoubtedly benefit the property owner, there would be little, if any, benefit to the public, and any such benefits would not outweigh the detrimental impacts of granting the variances for deficient on-site parking and rear yard setback area.

7. Based on the foregoing findings, the Board concluded that the Applicant had failed to prove by a preponderance of the evidence that the purposes of the Municipal Land Use Law would be advanced by allowing the requested deviations from the Land Use Ordinance, or that the benefits of such deviations would substantially outweigh any detriments and would not cause substantial detriment to the public good and not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of N.J.S.A. 40:55D-70c(2).

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Town of Westfield on this 16th day of April, 2018, that the application of Alfa Realty Management, LLC for preliminary and final site plan approval and variances is hereby denied.

  
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KRIS McALOON, Secretary

Dated: April 16, 2018



