

**Town of Westfield  
Planning Board  
MINUTES  
August 3, 2020**

The Westfield Planning Board met on August 3, 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, Michael Ash, Darielle Walsh, Michael La Place, Kris McAloon, Linda Habgood, Ann Freedman, Anastasia Harrison, Matthew Ceberio, Ross Goldstein

**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 July 6, 2020, meeting. Michael Ash made a motion to adopt; Ann Freedman seconded.

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

**OPPOSED:** None

**ABSTAINED:** None

**ABSENT:** None

Motion carried.

**ADOPTION OF RESOLUTIONS:**

Resolution designating the following properties as an area in need of redevelopment:

Block 3701, Lot 1 to be designated as an area in need of redevelopment.  
Block 2502, Lot 14 & Block 2506, Lot 11 to be designated as areas in need of redevelopment.

Michael La Place made a motion to adopt the resolutions; Michael Ash seconded.

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

**PB 20-03 Alfa Realty Management, LLC., 414 Central Avenue  
Block 3006 Lot 3**

Applicant sought approval to construct an addition of 6,337 square feet to the rear portion of the existing building, which will contain a total of four, two-bedroom apartments, contrary to Section 11.26E2, 17.02/17.02A1 of the Land Use Ordinance to allow a side yard setback of 3.5 feet and 3.58 feet where the Ordinance requires a minimum of 10 feet; to allow 11 parking spaces where the Ordinance requires 33 parking spaces. Application approved with conditions.

Kris McAloon made a motion to adopt the resolution; Ann Freedman seconded.

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

Chairman Newell announced that the following application has been carried to the September 9, 2020, meeting:

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

**EXTENSION OF TIME:**

**PB 17-13 Andrew & Heather Stillufsen, 667 Fourth Avenue, Block 3303, Lot 6**

Applicants are requesting an extension of time to file the subdivision deed.

The applicants are requesting the extension of time to allow for the subdivision deed to be recorded. All other requirements of their approval have been met, and they are asking for an extension of 30 days.

Chairman Newell called for a motion. Ann Freedman to approve the extension; Darielle Walsh seconded.

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

ABSTAINED: Ann Freedman, Ross Goldstein  
 ABSENT: None

**NEW APPEALS:**

**PB 20-06 John A. Pinto Family Limited Partnership, 439 Central Avenue 5/29/2020  
 Block 3206, Lot 6**

Applicant proposes an expansion of the first floor permitted use to the basement contrary to Section 17.02C7e of the Land Use Ordinance. Ordinance requires 20 parking spaces. Proposed are 10 parking spaces. **Application deemed complete June 23, 2020. 120 day decision date is October 21, 2020.**

Darin Pinto, Esq. (376 South Avenue) appeared on behalf of the applicant. Mr. Pinto stated this is an application to allow the permitted use on the 1st floor to be expanded to the ground floor of the building. Variance relief is required for an on-site parking deficiency.

Chairman Newell swore in Thomas DiGiorgio (414 Central Avenue). The Board accepted Mr. DiGiorgio's credentials as a licensed architect.

Mr. DiGiorgio described the existing conditions. He stated the property is located in GB-1 zone. There is an existing two-story building on site which has a permitted residential tenant on the second floor and will remain unchanged, and the existing massage therapy center on the first floor will be expanded to the basement; the basement is currently used for storage. The existing footprint will not be expanded, and all site lighting and landscaping will remain the same. The existing first floor plan includes a reception area, open massage station area, and three separate therapy rooms. The new basement plan shows the addition of four separate therapy rooms with a utility area and a lunchroom. A variance is being requested for the parking deficiency, 20 parking spaces are required, and only 10 spaces are contained within the surface parking area. There is available on-street parking on Sussex Street.

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

Chairman Newell swore in Paul Grygiel (33-41 Newark Street, Hoboken). The Board accepted Mr. Grygiel as a licensed planner.

Mr. Grygiel stated this is an existing mixed-use building in the GB-1 zone in a built-up section of town. The property is close to South Avenue and within walking distance to the downtown and the train station. The applicant is looking to expand the first-floor use to the basement. The Land Use Ordinance was amended in 2017 to allow for use of basement spaces. An existing business looking to expanded their use is a positive in today's tough economy. A variance is being requested for the number of parking spaces required, 20 spaces are required, and only 10 spaces are proposed. The variance can be granted under the C-2 criteria, as the benefits outweigh any detriments. Having any parking on site for customers is a benefit as many locations in the zone do not have any parking. The site is close to public transportation, and appointments will be staggered so all ten parking spaces will not be used at once. All improvements are taking place in the interior of the building and there will not be any change to the façade or streetscape. Mr. Grygiel stated the application can be approved without detriment to the public good, and will not impair the master plan or the zoning ordinance.

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

Chairman Newell swore in Jong Li, manager of the spa. Mr. Li stated the appointments are scheduled so customers will not be arriving at the same time. Only three customers will be scheduled at one time so there will be enough parking on site. All employees are picked up for their shift so there will not be any employees parking on site.

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

The Board agreed it is a good utilization of the site, which is close to transit, and is great to see a business in town looking to expand.

Chairman Newell called for a motion. Michael La Place made a motion to approve; Michael Ash seconded.

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

Application approved.

**Lynn Mollick & Milton Spett, 904 Cranford Avenue  
 Block 3605, Lot 11**

7/1/2020

Applicant proposes to subdivide the property into two lots with the existing dwelling to remain on proposed lot 11.01, and create a new building lot on proposed lot 11.02 contrary to Section 11.07E1, 11.07E2, 11.07E4, 13.02C2, 12.04F of the Land Use Ordinance. Ordinance requires a minimum lot area of 10,000 square feet. Proposed is 8,000 square feet. Ordinance requires a minimum lot area of at least 10,000 square feet within 143 feet of the front lot line. Proposed is 8,000 square feet. Ordinance requires a minimum lot depth of 120 feet. Proposed is a lot depth of 100 feet. Ordinance requires a minimum rear yard setback of 25 feet. Proposed is a rear yard setback of 19.22 feet. Ordinance allows a maximum building coverage with a deck of 22%. Proposed is 23.02%. **Application deemed complete July 17, 2020. 120 day decision date is November 14, 2020.**

Stephen Hehl, Esq. (370 Chestnut Street, Union) appeared on behalf of the applicant. Mr. Hehl stated this is an application to subdivide the property into two lots. The existing single-family home and rear deck will be retained. The applicants are looking to create a buildable lot which will have frontage on Morris Avenue.

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

Mr. Dec went through the existing conditions on the site. The subject property is in the RS-10 zone, contains an existing single-family dwelling, and the lot size is 18,000 square feet. Proposed lot 11.01 will be 10,000 square feet and the existing single-family home and deck will remain, with its frontage along Cranford Avenue being retained. The deck will require a variance for the rear yard setback as 25 feet is required and 19.22 feet is proposed. Additional variances are required for the lot depth, 120 feet is required and 100 feet is proposed, and a variance for the building coverage with a deck is required, 22% is permitted and 23.03% is

proposed. Proposed lot 11.02 will be 8,000 square feet and will have frontage on Morris Avenue. Variances are required for lot depth, lot area, and lot area within 143 feet. The minimum lot area required is 10,000 square feet and 8,000 square feet is proposed. A minimum lot area of at least 10,000 square feet within 143 feet of the front lot line is required and 8,000 square feet is proposed, and a lot depth of 120 feet is required and 100 feet is proposed. The applicants have requested design waivers/exceptions from the Residential Site Improvement Standards for right-of-way width, cartway width, pedestrian sidewalks, curbing/gutters, and paving. Given the existing conditions and layout of Morris Avenue, widening the roadway and/or installing curbing and sidewalks would create a distinct change.

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

Chairman Newell swore in Nicholas Graviano (101 Crofts Corner Road, Holmdel). The Board accepted Mr. Graviano as licensed planner.

Mr. Graviano stated he reviewed the plans and visited the site. This application is for a minor subdivision with c variances. The property is located in the RS-10 zone where a minimum lot size of 10,000 square feet is required, and the subject property is 18,000 square feet. The proposed plan creates two lots that are keeping with the layout of neighborhood and helps retain the existing home. The applicant does require c variances. For lot 11.01 the applicant requires a lot depth variance, a rear yard setback variance for the existing deck, and a building coverage variance to retain the deck. As a result of the newly created lot, a minimum lot depth of 120 feet is required and 100 feet is proposed. A rear setback deficiency is being created for the existing deck, as a 25-foot rear yard setback is required, and a 19.22-foot setback is proposed. The reduction of the size of the lot containing the existing home results in the necessity for the building coverage variance. The maximum building coverage allowed with a deck is 22% and a coverage of 23.03% is proposed. The Board should note there is not any additional construction proposed on this lot, it is simply the reduction of the size of the lot that is triggering the building coverage variance. For the newly created lot, lot 11.02, variances are being requested for the lot area, lot area within 143 feet, and lot depth. The minimum lot size required for the zone is 10,000 square feet and 8,000 square feet is proposed. The lot is also short on lot depth, 120 feet is required and 100 feet is proposed, and the minimum lot area within 143 feet required is 10,000 square feet and 8,000 square feet is proposed. Mr. Graviano stated these variances can be granted under the C-2 criteria, as the benefits outweigh any detriments. This is an oversized lot, and the master plan goals and objectives are being advanced by protecting the existing character of an existing neighborhood. The master plan discourages demolition of older housing units which contribute to town character when feasible. The proposed subdivision provides new housing, promotes a desirable visual environment, and the keeps an existing home which helps promote good civic design and arrangement. The variances and subdivision can be granted without any substantial detriment to the public good, and does not impair the intent and purpose of the zone plan and zoning ordinance.

Open to public questions and comments.

Marjorie Scariati (840 Cranford Avenue) asked about the trees on the property.

Closed to public questions and comments.

The Board thought the lot lines being proposed are consistent with the neighborhood. There

was some concern about the visibility of the deck with proposed rear yard setback. It was recommended that applicants add some additional buffering between the deck and the rear property line.

Chairman Newell called for a motion. Kris McAloon made a motion to approve; Ann Freeman seconded.

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

OPPOSED: None

ABSTAINED: Ann Freedman, Ross Goldstein

ABSENT: None

Application approved.

**OTHER BUSINESS:**

General Ordinance #2186-An ordinance amending the Land Use Ordinance as it relates to PODS.

General Ordinance #2187-An ordinance to amend the Land Use Ordinance by defining pet care facilities and establishing them as a principle use in certain zone districts.

Don Sammet stated Ordinance #2186 amends the existing regulations pertaining to portable on-demand storage structures, referred to as PODS. The existing ordinance permits PODS in all residential zone districts provided that their placement is registered with the Town, which also includes payment of a registration fee. The amendment proposed allows for a 30-day extension for the POD's placement provided an additional registration fee is paid. The ordinance also shifts the administration of the PODS from the Construction Official to the Zoning Official.

Ordinance #2187 defines the term "pet care facilities" and allows for them as a principal permitted use within the CBD, GB-1, and GB-2 Zone districts.

Chairman Newell called for a motion. Darielle Walsh made a motion that ordinances #2186 and #2187 are consistent with the master plan and should be adopted by the town council; Ann Freedman seconded.

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

OPPOSED: None

ABSTAINED: Ann Freedman, Ross Goldstein

ABSENT: None

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 9:50 pm.

Respectfully Submitted,

Linda Jacus  
Administrative Secretary