

**Town of Westfield  
Planning Board  
MINUTES  
April 6, 2020**

The Westfield Planning Board met on April 6, 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, Linda Habgood, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman

**ABSENT:** Michael La Place

**ALSO PRESENT:** Alan Trembulak, Planning Board Attorney, and Linda Jacus, Administrative Secretary

**ADOPTIONS OF MINUTES:**

Chairman Newell called for a motion to adopt the minutes of the March 2, 2020, meeting. Ann Freedman made a motion to adopt; Michael Ash seconded.

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

**OPPOSED:** None

**ABSTAINED:** None

**ABSENT:** Michael La Place

Motion carried.

**ADOPTION OF RESOLUTIONS:**

Chairman Newell called for a motion to adopt the following resolution for the application acted upon at the March 2, 2020, meeting.

**PB 19-14 Michael & Roseann Hennessey, 444 Mountain Avenue  
Block 1208 Lot 1**

Applicants sought approval to subdivide the property and retain the existing single-family home on proposed lot 1.02, and construct a new single-family dwelling on proposed lot 1.01 using the existing detached garage and driveway contrary to Section 11.08E5, 11.08E4, 17.05A, 13.0211 of the Land Use Ordinance. Ordinance requires a minimum front yard setback of 40 feet. Proposed is 9.42 feet for lot 1.02. Ordinance requires a minimum lot depth of 120 feet. Proposed is 78.52 feet for lot 1.02. Ordinance allows a maximum driveway width of 24 feet. Proposed is 26 feet for lot 1.01 and 30 feet for lot 1.02. Ordinance requires a minimum setback for a patio of 5 feet. Proposed is 1.36 feet. Application approved with conditions.

Ann Freedman made a motion to adopt the resolution; Michael Ash seconded.

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

OPPOSED: None

ABSTAINED: None

ABSENT: Michael La Place

Motion carried.

**Resolution incorporating the 2019 Parks and Recreation Master Plan as an appendix to the 2019 Master Plan Reexamination Report.**

Ann Freedman made a motion to adopt the resolution; Michael Ash seconded.

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

OPPOSED: None

ABSTAINED: None

ABSENT: Michael La Place

Motion carried.

**Resolution amending the Town Master Plan**

Ann Freedman made a motion to adopt the resolution; Michael Ash seconded.

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

OPPOSED: None

ABSTAINED: None

ABSENT: Michael La Place

Motion carried.

Chairman Newell announced that the following applications have been carried to the May 4, 2020, meeting:

**PB 19-10 923 Central Avenue, LLC., 923 Central Avenue**  
**PB 19-09 440 North Avenue East, LLC., 440 North Avenue East**  
**PB 20-02 570 Westfield Avenue, LLC., 570 Westfield Avenue**

**OTHER BUSINESS:**

General Ordinance #2162-An Ordinance to amend the Land Use Ordinance regarding ground mounted air conditioning equipment.

General Ordinance #2163-An Ordinance to amend the Land Use Ordinance regarding power generators.

General Ordinance #2164-An Ordinance to amend the Land Use Ordinance pertaining to permitted yard encroachments.

General Ordinance #2165-An Ordinance to amend the Land Use Ordinance revising the submission requirements for preliminary and final site plan and subdivision applications.

General Ordinance #2166-An Ordinance to amend the Land Use Ordinance listing all zone districts.

General Ordinance #2167-An Ordinance to amend the Land Use Ordinance regarding notice of hearings.

Don Sammet stated the Town has begun preparation of amendments to the Land Use Ordinance as recommended in the Master Plan Reexamination Report, and the Mayor and Council have introduced the first set here. Regarding ground mounted air conditioning equipment, one section of the ordinance exempts ground mounted condensers from setback requirements, and the other establishes setback standards. Ordinance 2162 removes the setback exemption. We currently do not have any regulations in the land use ordinance for power generators. Ordinance 2163 codifies regulations for power generators which are now common installations. Ordinance 2164 clarifies that a total allowable encroachment into a yard of 12 square feet in the aggregate is permitted for certain structural elements. It clarifies that a 12 square foot allowable encroachment does not pertain to each individual structural element proposed, which would result in numerous and potentially unlimited encroachments into a required yard. Ordinance 2165 states that a table indicating the number and size of affordable units must be placed on development plans. However, this requirement needs to be placed in the completeness checklist, and this ordinance does just that. Ordinance 2166 updates all of the affordable housing zones in the list of zone districts found in the Land Use Ordinance. Ordinance 2177 is requiring public notice for minor subdivisions and conditional uses.

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

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

ABSTAINED: None  
 ABSENT: Michael La Place  
 Motion carried.

Resolution #77-2020-Authorizing the Planning Board to undertake a preliminary investigation of the properties known as Block 2405, Lot 15; Block 2405, Lot 12.01; Block 3001, 5; Block 3101, Lot 5; Block 3103, Lot 7; Block 3107, Lot 2; qualify as non-condemnation areas in need of redevelopment.

Resolution #78-2020-Authorizing the Planning Board to undertake a preliminary investigation of the properties known as Block 2502, Lot 14; Block 2506, Lot 1; Block 2508, Lot 11; qualify as non-condemnation areas in need of redevelopment.

Resolution #79-2020-Authorizing the Planning Board to undertake a preliminary investigation of the properties known as Block 3107, Lot 1; qualify as a non-condemnation area in need of redevelopment.

Don Sammet stated the Mayor and Council have referred these three resolutions to direct the Board to prepare preliminary investigation reports to see if these properties qualify as areas in need of redevelopment. Resolution #77-2020 refers all municipally owned surface parking lots in the downtown area as areas to be examined. Resolution #78-2020 refers the Lord and Taylor building and the two surface parking lots to be examined. Resolution #79-2020 refers the Rialto Theater to be examined. Mr. Sammet stated the Mayor and Council put out an RFP to prepare these reports and chose the firm Topology. Phil Abramson and Chris Colley from Topology introduced themselves to the Board. Mr. Abramson stated a safe assumption for the preliminary investigation report for the parking lots would be June, and the preliminary reports for the Rialto and Lord and Taylor would be ready by July.

Chairman Newell called for a motion. Michael Ash made a motion to direct topology to prepare the preliminary investigation reports for the properties referred to in the resolutions of referral from the Town Council; Anastasia Harrison seconded.

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

OPPOSED: None

ABSTAINED: None

ABSENT: Michael La Place

Motion carried.

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 8:21 pm.

Respectfully Submitted,

Linda Jacus  
 Administrative Secretary