

BOROUGH of GARWOOD
PLANNING BOARD

MEETING of WEDNESDAY, March 9, 2016

Chair Stephen Greet called the meeting to order at 7:30 p.m. and stated the following:

Meeting Notice:

Pursuant to the Open Public Meeting Law, this is to state for the record that adequate notice of this meeting has been provided to the public by publication in the Westfield Leader and by filing of said notice in the office of the Municipal Clerk. This is a regular meeting of the Board.

MOMENT OF SILENCE AND SALUTE TO THE FLAG

ROLL CALL

Present: Mayor Charles Lombardo, Councilman James Mathieu, Stephen Greet, Kathleen Villaggio, William Nierstedt, Michael Vena, Robert Scherer, Gene Jannotti, Craig McCarrick (Alt I), Paul Tarantino, Steve Napolitano (Alt III), John Malcolm (Alt IV)

Absent: None

Excused: Paul Nieves (Alt II)

Also present were Board Attorney Donald Fraser, Planner/Engineer Victor Vinegra and Board Secretary Adele Lewis. Also present was Michael Mistretta, P.P. of Harbor Consultants.

MINUTES

- **MINUTES OF THE JANUARY 27, 2016 PLANNING BOARD MEETING**

On a motion by Kathleen Villaggio and seconded by Robert Scherer, the Board voted by general consent to adopt the minutes of the January 27, 2016 Planning Board meeting.

RESOLUTION

Case #PB15- 04 (S) **245 South Avenue Block 502 Lot 3** *General Business G/B Zone*

Applicant: R & P Holdings

Granting Site Plan approval to demolish an existing 2 ½ story dwelling and construct a new 3 story mixed use building in connection with a previously granted Use Variance

Board Attorney Donald Fraser stated that the transcript had not yet been received. If the transcript is received soon, the resolution will be prepared for the meeting of March 23rd.

DISCUSSION ITEMS:

Proposed language for amendment to Redevelopment Plan for Expansion of the North Avenue West Redevelopment Area Lot 1 Block 109- revision date 3/ 9/16.

To permit outdoor cooler in Redevelopment area- considered at 10/14/15 PB mtg.

The Board discussed the draft language prepared by Victor Vinegra which proposed language amendment to Redevelopment Plan for 700 North Avenue. Victor Vinegra stated that this amendment is specific to the Expansion portion of the Redevelopment site- Block 109- Lot 1. The Board reviewed the previous discussions regarding this amendment. Victor Vinegra stated that if a Redevelopment Plan does not expressly permit something, he denies it.

Victor Vinegra distributed a draft of a revision of Redevelopment Plan for Expansion of the North Avenue West Redevelopment Area Lot 1 Block 109- revision date March 9, 2016. The added language will read:

Restaurants located along North Avenue may contain a small outdoor refrigerator / freezer unit. These units must be located in the rear yard (parking lot) area. The maximum size of the units shall be sixty square feet. Maximum height shall be 7'6". No more than two units may be placed in the rear yard parking area for a single building. Permitting of these structures can be performed by the zoning officer and does NOT require a Planning Board application.

On a motion by Kathy Villaggio and seconded by Robert Scherer the Board voted Affirmative (9) Charles Lombardo, James Mathieu, William Nierstedt, Stephen Greet, Kathy Villaggio, Robert Scherer, Paul Tarantino, Gene Jannotti, Mike Vena, Negative (0) to recommend that the Governing Body amend the Redevelopment Plan for North Avenue. MOTION CARRIES 9-0

James Mathieu inquired what mechanism would inform Council of the recommendation. Donald Fraser will prepare a resolution for adoption at the next meeting of 3/23/16.

Continuation of presentation of South Ave. Redevelopment Plan– Draft Report from Planner Victor Vinegra dated November 2015

Victor Vinegra reported that the plan was initial distributed in November 2015 and the subject site has been the focus of many meetings.

Mr. Vinegra distributed the redline version of the Plan revised through March 9, 2016 and discussed the changes incorporated as a result of the subcommittee meetings and previous board input. He referenced the previous stakeholders which included the residents, the County of Union, and commuters for meetings dating back to 2010. He presented exhibit boards of the subject site and continued his review of the draft of the Plan prepared by Harbor Consultants dated November 2015 as Amended March 9, 2016. He reviewed the revisions incorporated and introduced Mr. Mistretta, P.P., from Harbor Consultants. Mr. Mistretta, who has prepared Plans for many municipalities, assisted Mr. Vinegra in preparing the plan.

Kathy Villaggio referenced the special public meeting of 2012 which informed the community of the results of the NJ Transit study. The previous study was a half day process seeking community and stakeholder input.

Mr. Vinegra stated that as the Zoning Officer he receives many inquiries on the site from prospective developers. The developer who is the contract purchaser of the subject site has listed themselves as an interested party with the Borough for affordable housing. Mr. Vinegra also referenced the affordable housing obligation which has been determined by the Courts “Special Master” to review the Borough’s affordable housing. He noted that Garwood’s obligation in approximately 60 units, which is a factor in the proposed density.

Board members asked questions of Mr. Vinegra. Kathy Villaggio stated that she does not want to see any market rate 3 bedrooms, unless the 3 bedrooms are required affordable housing units.

Mr. Vinegra opined that these types of developments do not generate many school age children however the number of children tends to be higher with the COAH units. He added that the amenities also dictate the number of school aged children.

Christopher Minks, Esq. of General Counsel for Russo Development was introduced and gave some background on Russo Developers. He noted that Russo owns the former Casale / Petro site and is in negotiations with the other property owners. He stated that Russo is looking forward to the opportunity to put forward a formal application at the appropriate time. Mr. Minks stated that there is pervasive and costly contamination on the site. He noted that they have worked with the Borough to allow the continued use of parking at the lot adjacent to the Fire House.

Victor Vinegra reiterated that this is not the application, it is an example of what the Borough’s vision or a guideline.

He spoke of the parking and traffic study which will take place prior to the site plan phase of the project which is a requirement noted in the Plan. He explained the applicants’ responsibility and obligation for their fair share of off-site improvements, such as a new traffic light.

The Board discussed the materials to be permitted such as vinyl and vinyl window. Mr. Vinegra stated that the windows, lintels, and sills should be approved by the Board. Mr. Vena recommended that the windows be required to be single hung. Mr. Vinegra stated that the proposal is attractive with aesthetically pleasing features.

Chair Greet asked for comments from subcommittee:

Bill Nierstedt requested that a fiscal impact study be prepared. He opined that the Borough should further retain their own experts to review the information provided by the applicant. He added that the language should be added to require this at the site plan stage. He also stated that the Borough should hire their own traffic expert. He noted the discrepancy in the number of units.

Victor Vinegra stated that the full fiscal impact will be done as will the traffic study, but the language will be clarified.

Paul Tarantino stated his concern regarding this Transit Oriented Development and NJ Transit. He wondered if this development will bring more train stops. He inquired if there should be more public parking for commuters. Kathy Villaggio stated that the number of train stops is dictated by ridership, not parking spaces.

Victor Vinegra stated that the traffic study could also look at feasibility of added commuter spaces.

Craig McCarrick stated that he initially struggled with the mass of the proposed building however it is not much different than the existing site. Additionally, it will clean up a contaminated site and will look much better. He cautioned the Board to disregard any indications of the cleanup costs as it is not pertinent to the discussion.

James Mathieu stated that he has no opinion on vinyl versus wood and he does not have the disdain for the current site. He does not feel comfortable getting involved in the planning of property belonging to someone else and he will not impose his personal opinion. He continued that the closer you move to the site, the more opposition. He added that the more ratables the town brings in, the more it seems costs the town.

Mr. Minks responded that the discussion is the appropriate scope of the Board and they respect the fact that this will represent a significant change to the Borough and are actively seeking the Boards input. He added that through the dialogue, it creates a better plan.

Victor Vinegra added that the only time a municipality can dictate this level of detail is in a redevelopment plan.

Robert Scherer recommended using the house as a part of the staging area for the construction site. Mr. Minks replied that Russo takes pride in their construction sites as part of the overall project and will consider the suggestion.

Kathy Villaggio stated that there is a large piece of property along the railroad tracks which has been studied and considered for the past 8 yrs. She stated that many residents approach her inquiring when this redevelopment will take place. The process has been on-going and open to the public.

The Board inquired about the timeline for completion of the Plan. Victor Vinegra stated that he can incorporate the Boards comment within the next few days and redistribute the report to the Board electronically. Board members were cautioned to not violate the Open Public Meeting Act by starting discussions via email. The Board will continue the discussion at the March 23, 2016 meeting. Mr. Vinegra will bring the exhibit Boards to the next meeting, if needed.

GENERAL COMMENTS FROM PUBLIC

Sandra Sep, Valley Road, Clark read a prepared report regarding her property at 304 Center Street.

Bruce Paterson 325 Willow Avenue inquired if a risk benefit analysis plan has been performed for the Redevelopment Plan. Chair Greet explained the process.

Sandro Villaraut Center Street stated that the benefits of the proposed Plan include revenue, the cleanup of an unsightly property. He added that for 28 yrs. he has owned the 6 apartments on Center Street which generated only one school aged child.

Ileen Cuccaro stated that the proposal will change the entire landscape of Garwood forever. She stated that it is too dense and the Borough cannot handle the high number of proposed units. She cited the number of houses sold the past year and the number of resident leaving the Borough. She asked for a compromise on the number of units and/or townhouses. She added some other use would be more desirable and appropriate.

Chair Greet stated that development of Garwood will require compromise as change is inevitable. The Borough must bring in new ratables to lessen the tax impact on residents.

Victor Vinegra stated that in his 20 yrs. with the Board not one inquiry has been received on this property for other than residential use.

EXECUTIVE SESSION 9:46 – 9:55

On a motion by Robert Scherer and seconded by Kathy Villaggio the Board voted by General consent to move into Executive Session to discuss a correspondence regarding Affordable Housing.

RETURN TO PUBLIC MEETING

CLAIMS

On a motion by Kathy Villaggio and seconded by Gene Jannotti the Board voted by general consent to approve payment for the following invoices to Victor Vinegra/Harbor Consultants: from the escrow accounts:

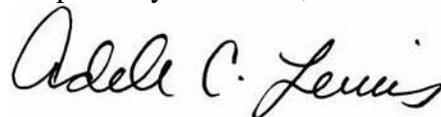
- *Inv. # 22649 for \$360.00 from escrow of 325 South Ave..*
- *Inv. # 22673 for \$1200.00 from escrow of 245 South Ave*
- *Invoices # 22654 for \$3262.50 – Inv # 22541 for \$8400.00 & Inv # 22757 for \$2030.00 for professional services for work on the South Avenue Redevelopment Plan.*

ADJOURNMENT

The next meeting of the Board will be March 23, 2016

There being no further business, the Board adjourned 10:05 p.m.

Respectfully Submitted,



Adele C. Lewis, Board Secretary