

**BOROUGH of GARWOOD**  
**PLANNING BOARD**

**MEETING of WEDNESDAY, March 23, 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.

**Chair Greet announced that he was aware of the large number of members from the public present. He stated that it would be addressed immediately after the MOMENT OF SILENCE AND SALUTE TO THE FLAG.**

**MOMENT OF SILENCE AND SALUTE TO THE FLAG**

**APPLICATION**

Board Attorney Fraser announced that the Villaraut case would **not be heard** this evening.

**Case #PB16- 01**      **484 Fourth Avenue** - Block 102 Lot 10

**Applicant: Angela & Sandro Villaraut**

*Use Variance & Site Plan Approval for an age-restricted multi-family development consisting of nine townhouses with required variances & waivers*

Mr. Fraser announced that a letter dated 3/22/16 had been received from Stephen Hehl, Esq. requesting a postponement until the April 27<sup>th</sup> meeting due to a conflict for the applicant's Planner. Additionally, Mr. Fraser spoke with Mr. Hehl and advised that it was unlikely that the application would be reached given the Redevelopment discussion. Stephen Hehl was present and requested that the Board carry notice without the requirement to provide any further notice.

The Board also discussed the high number of public present and discussed an alternate location for the meeting if April 27<sup>th</sup>. It was decided that the School would be the first choice with the Knight of Columbus and the Westwood as potential alternate locations.

*On a motion by Robert Scherer and seconded by Kathy Villaggio the Board voted by General consent to carry the 484 4<sup>th</sup> Avenue application to the April 27<sup>th</sup> meeting without the requirement of further notice.*

**Recess 7:45-7:50 p.m.**

**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, Paul Nieves, (Alt II), John Malcolm (Alt IV)

**Absent:** None

**Excused:** Steve Napolitano (Alt III)

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.

### **DISCUSSION ITEMS:**

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

Plan prepared by Harbor Consultants dated November 2015 Amended March 9, 2016 and March 23, 2016.

Chair Greet noted that there were still a large number of members from the public present as well as others in the hallway and parking lot. He stated that the Board welcomed and encouraged participation from the public and in order to accommodate all wishing to participate a special meeting would be scheduled at a larger facility. It was suggested that the school be an alternate site. If the school is not available, the Knights of Columbus or the Westwood were suggested as possible sites, although it was noted that might incur an expense. The Board selected Monday, April 18<sup>th</sup> as the special meeting date for the Redevelopment Plan discussion. As an alternate date, the Board selected Monday, April 25<sup>th</sup>. The meeting will begin at 7:30 p.m.

*On a motion by Kathy Villaggio and seconded by Robert Scherer, the Board voted by general consent to hold a special meeting on Monday, April 18, 2016 at 7:30 pm at Lincoln School pending confirmation of availability of the facility, with an alternate date of Monday, April 25<sup>th</sup> and alternate sites of The Knights of Columbus and the Westwood.*

The Board directed Board Secretary Lewis to publish the meeting notice once the details were finalized. It was also noted that the information would be on the Borough website and on the reader board in front of Borough Hall.

Chair Greet announced that no further discussion on the Redevelopment Plan would take place this evening and the Board would be proceeding with administrative duties.

### **MINUTES**

- **MINUTES OF THE MARCH 9, 2016 PLANNING BOARD MEETING**

On a motion by Gene Jannotti and seconded by Robert Scherer, the Board voted by general consent to adopt the minutes of the March 9, 2016 Planning Board meeting.

### **RESOLUTIONS**

BOARD ATTORNEY FRASER DISTRIBUTED THE RESOLUTION HE PREPARED.

**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*

*Motion by Kathy Villaggio and seconded by Robert Scherer, the Board voted Affirmative (5) William Nierstedt, Kathy Villaggio, Robert Scherer, Paul Tarantino, Gene Jannotti, to memorialize the wording of the resolution granting preliminary and final site plan approval and variances for Minimum building coverage and Side yard buffer Conditioned upon Mr. Vinegra 's review letter of 12/9/15, installation of a Fence east side. The applicant agrees to work with engineer on landscaping on east and rear of property **MOTION CARRIES 5-0***

**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.*

Donald Fraser stated that he had a conversation with the Borough Attorney Robert Renaud. Mr. Renaud questioned the need to amend the redevelopment plan versus a variance request.

Victor Vinegra stated that it is not advisable to grant a large deviation from a Redevelopment Plan and questionable to grant a deviation from a permitted use. He reiterated that if a use is not expressly permitted in the Plan, he denies the request.

Mr. Vinegra will discuss with Mr. Renaud the amendment for The Redevelopment Plan for Expansion of the North Avenue West Redevelopment Area Lot 1 Block 109 which would have a revision date of March 9, 2016 with the added language:

*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.*

The consensus of the Board was that the Redevelopment Plan should be amended. The applicant appeared before the Board in October 14, 2015 to make the request and the Board recommended the amendment to the Plan.

*On a motion by Kathy Villaggio and seconded by Robert Scherer the Board voted by general consent to direct the Board Attorney to prepare the resolution recommending that the Governing Body amend the Redevelopment Plan for North Avenue.*

Chair Greet announced that there were minor changes to the previously appointed subcommittees. The committees will now consist of:

Development review committee

- Stephen Greet, *Chair*
- Paul Tarantino
- Gene Jannotti
- Mike Vena

Redevelopment Committee

- Kathy Villaggio, *Chair*
- William Nierstedt
- James Mathieu
- Craig McCarrick

**GENERAL COMMENTS FROM PUBLIC**

Sandra Sep, Valley Road, Clark inquired about conflicting surveys and which would take precedent. Donald Fraser stated it is not the boards' purview to render a legal or advisory opinion regarding her property at 304 Center Street and she should seek legal guidance.

**CLAIMS**

*On a motion by Mike Vena 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. # 22960 for \$280.00 from escrow of 651 South Ave..*
- *Inv. # 22961 for \$840.00 from escrow of 224 South Ave*
- *Inv # 22952 for \$2240.00 for professional services for work on the South Avenue Redevelopment Plan (Russo)*

**ADJOURNMENT**

The next meeting of the Board will be a special meeting on April 18, 2016 at 7:30 pm at Lincoln School pending confirmation of the availability of school.

There being no further business, the Board adjourned 8:15 p.m.

Respectfully Submitted,



Adele C. Lewis, Board Secretary