

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

**MEETING of August 26, 2015**

*Vice-Chair Kathy Villaggio 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 Cranford Chronicle and by filing of said notice in the office of the Municipal Clerk. This is a regularly scheduled meeting of the Board.

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

**ROLL CALL**

**Present:** Mayor Charles Lombardo, William Nierstedt, Michael Vena, Robert Scherer, Kathleen Villaggio, Gene Jannotti, Paul Tarantino, Craig McCarrick (Alt I), Patricia Quattrocchi, (Alt II), Steve Napolitano (Alt III), Timothy Hak, (Alt IV)

**Absent:** None

**Excused:** Stephen Greet, Bruce Paterson,

Also present were Board Attorney Donald Fraser, Planner/Engineer Victor Vinegra from Harbor Consultants and Board Secretary Adele Lewis.

**MINUTES**

• **MINUTES OF THE JULY 22, 2015 MEETING**

On a motion by Gene Jannotti and seconded by Robert Scherer, the Board voted by general consent to adopt the minutes of the July 22, 2015 Planning Board meeting. *\*The four board members who were not present for that meeting abstained.*

**RESOLUTIONS**

**Case #PB15- 02**

**325 Second Ave.** Block 111 Lots 10 & 18 *General Business Zone*

**Applicant: Church of St. Anne**

*Granting of Site Plan Approval for an addition and parking lot modifications*

*On a motion by Robert Scherer and seconded by Gene Jannotti, the Board voted Affirmative (6) Mayor Lombardo, Michael Vena, Kathleen Villaggio, Robert Scherer, Gene Jannotti, Steve Napolitano to memorialize the wording of the Resolution Granting of Site Plan Approval for an addition and parking lot modifications*

**Case #PB15-05**      **264 Myrtle Avenue**    Block 505 Lot 25    R/A Zone  
**Applicant: KJJ Myrtle LLC**  
*Granting a Certificate of Non-Conformity for a two-family*

*On a motion by Mike Vena and seconded by Robert Scherer, the Board voted Affirmative (6) Mayor Lombardo, Michael Vena, Kathleen Villaggio, Robert Scherer, Gene Jannotti, Steve Napolitano to memorialize the wording of the Resolution Granting a Certificate of Non-Conformity for a two-family*

### **APPLICATIONS**

The Board discussed **Case #PB15- 04**      **245 South Ave.**  
**Applicant: R & P Holdings**    *Preliminary and Final Site Plan & Use Variance*

And the request for a postponement due to a conflict for the applicant's professionals, however it was noted that the applicant had notified some of the neighbors as they were present. The consensus of the Board was that the applicant be required to re-notice as the exact date for their appearance was uncertain at this point. Additionally Mr. Fraser had not reviewed the notice and it was unclear if proper notice had been given.

*On a motion by Mike Vena and seconded by Gene Jannotti, the Board voted Affirmative (7) Michael Vena, Kathleen Villaggio, Robert Scherer, Paul Tarantino, Gene Jannotti, Craig McCarrick, Patricia Quattrocchi, to require the applicant to renotice prior to being heard at a future date. Abstention (2) Mayor Charles Lombardo, William Nierstedt*

**Case #PB15- 08**      **208 Spruce Ave.**    Block 508 Lot 14      R/A zone  
**Applicant: James Guerriero**  
*Requesting relief from Section 106-91 (C) requiring a 5 ft. sideyard to permit the intensification of an existing 3.65 sideyard for an addition over a garage*

Thomas DiGiorgio, R.A., Westfield N.J., was sworn and qualified. He reviewed the site plan he prepared with the zone chart. He stated the footprint of the house remains unchanged. He stated that they will maintain the pre-existing non-conforming side yard which varies from 3.65 to 3.66 ft. He noted the second floor addition will provide a master bedroom and master bath. He continued that the details of the existing house will be matched and the gutters and leaders will be tied in and directed to the street. He described the current layout and stated that the applicant has three children. And requires the additional space. He reviewed the front elevations sheet. The Board discussed if a variance was needed for the projection into the front yard which appears to encroach by 1 inch. Mr. Vinegra stated that roofs are permitted to project into front yards. Mr. Fraser stated the property owner nearest is 9 ½ ft. apart.

Mr. Nierstedt inquired why the applicant could not comply with the ordinance and reduce the addition to comply with the setback. Mr. DiGiorgio stated that esthetically, this proposal is more pleasing and stepping in the addition would provide an awkward roof line. Also it provides the applicant with the required room.

**Questions from the public-** there were no questions.

James Guerriero was sworn in and testified that the addition will only add 13 ft. and reducing the addition will not be feasible or cost effective. Additionally it would not conform to the neighborhood.

Mr. Nierstedt added that he was eliciting testimony from the applicant and he noted other homes in the area with similar additions.

**Comments from the Public**

Irma Gaham, 224 Spruce Avenue was sworn and testified that she is in favor of the application. The applicant is a helpful neighbor.

*On a motion by Mike Vena and seconded by Gene Jannotti, the Board voted Affirmative (9) Mayor Charles Lombardo, William Nierstedt, Michael Vena, Kathleen Villaggio, Robert Scherer, Paul Tarantino, Gene Jannotti, Craig McCarrick, Patricia Quattrocchi,*

**RECESS 8:10-8:15 pm**

**Case #PB15- 06**      **224 South Ave.** Block 501 Lot 1.05 *in the C/C Zone*  
**Applicant: Home Depot USA, Inc./ Garwood LLC**  
*Amended Preliminary and Final Site Plan & Use Variance to permit temporary & seasonal outdoor sales*

*Mayor Charles Lombardo, William Nierstedt recused themselves as this is a Use Variance and left the dais. Pat Quattrocchi recused herself as she has a family member employed by Home Depot*

**ATTACHMENT #1**  
**TRANSCRIPT FROM CASE # PB 15-06**  
**224 SOUTH AVENUE**

John Guinco, Esq. represented the applicant.

**WITNESSES:**

Alfred Coco, P.E.

John Rea, P.E., Traffic Engineer

Justin Auciello , Professional Planner

Tariz Lavergne, Home Depot of Garwood Store Manager

## **EXHIBITS**

A-1 Original site plan

A-2 Revised site plan

**Questions/Comments from the Public**- there were no questions or comments.

The Board discussed extending the time requested from April 1st to December 31st, with the provision that the applicant work with the engineer on the lighting and stormwater recommendations, and come to an agreement for what the proper lighting would be; that there would be additional trees replaced at a one to one ratio, that there be additional employee parking spaces in the rear; and that the fence along the back be replaced assuming it's not a New Jersey Transit fence, to the satisfaction of Mr. Vinegra.

*On a motion by Gene Janotti, and seconded by Robert Scherer, the Board voted Affirmative (7) Michael Vena, Kathleen Villaggio, Robert Scherer, Gene Jannotti, Paul Tarantino, Craig McCarrick, Steve Napolitano, the Planning Board granted Amended Preliminary and Final Site Plan & Use Variance to permit temporary & seasonal outdoor sales*

## **Invitation to the Public to Address the Board**

Kathy Villaggio asked if anyone would like to address the Board- there were no comments.

## **CLAIMS**

*On a motion by Mike Vena and seconded by Gene Jannotti, the Board voted by general consent to approve the following vouchers for Harbor Consultants from the escrow of:*

- *Inv # 21673 for \$1800.00 from the escrow of St. Anne's*
- *Inv # 21535 for \$402.50 from escrow of 325 South Ave.*
- *Inv # 21758 for \$1172.50 from escrow of 325 South Ave.*
- *Inv# 21564 for \$300.00 from Home Depot escrow*

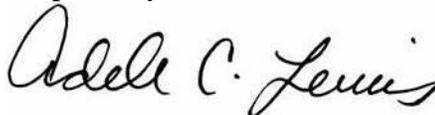
## **NEW BUSINESS**

Kathy Villaggio announced that it was Patricia Quattrocchi's last meeting as she was moving out of town. Ms. Villaggio thank Ms. Quattrocchi for her service to the Board and Borough.

## **ADJOURNMENT**

There being no further business, the Board adjourned 9:25 p.m.

Respectfully Submitted,



Adele C. Lewis, Board Secretary