

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

**MEETING of December 10, 2014**

*Chair Steve 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 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:** Stephen Greet, Bruce Paterson, William Nierstedt, Robert Scherer, Kathleen Villaggio, Gene Jannotti, Albert DelConte, Michael Vena, Craig McCarrick (Alt II), Ileen Cuccaro (Alt III), Paul Tarantino (Alt IV)

**Absent:** None

**Excused:** Mayor Patricia Quattrochi, Timothy Hak (Alt 1)

Also present were Board Attorney Donald Fraser and Anthony Gallerano, P.E., on behalf of Victor Vinegra. Board Secretary Adele Lewis and Board Planner/Engineer Victor Vinegra were excused.

**MINUTES**

• **MINUTES OF THE NOVEMBER 12, 2014 REGULAR MEETING**

*On a motion by Kathy Villaggio and seconded by Gene Jannotti, the Board voted by general consent to adopt the minutes of the November 12, 2014 Planning Board meeting.*

**RESOLUTIONS**

**Case #PB 14-02**    **336 North Avenue**    Block 111    Lot 21

*Applicant: 336 NORTH AVE., LLC*

*Granting Site Plan Approval with variances for parking*

*On a motion by William Nierstedt and seconded by Mike Vena, the Board voted Affirmative (8) Stephen Greet, Bruce Paterson, William Nierstedt, Robert Scherer, Albert DelConte, Kathleen Villaggio, Gene Jannotti, Mike Vena, Negative (0) to memorialize the wording of the Resolution granting Site Plan Approval with variance for parking conditioned upon the complying with the recommendations of the Fire Dept., the planting of a street tree and conformity with the Borough's sign ordinance and lighting per the Borough ordinance.*

The adoption of the other two resolutions was deferred to after the application.

## **APPLICATION**

A court reporter was present as required by ordinance.

William Nierstedt stated he could not hear the D Variance as the Class III planning board member and left the meeting. Craig McCarrick stated he had a professional relationship with the planner and he recused himself. Prior to his leaving the meeting, Mr. Nierstedt requested that a letter be sent to the Board of Education inquiring about the Long Range Facilities Plan.

Craig McCarrick also recused himself due to a working relationship with the applicants professional.

**Case #PB 14-05**    **209 South Avenue**    Block 502    Lot 9    *General Business Zone*  
*Applicant: 201 SOUTH AVE., LLC*  
*Use Variance to permit a Used Car lot in the General Business Zone*

<p><b>ATTACHMENT # 1</b> <b>TRANSCRIPT FROM CASE # PB 14-05</b> <b>209 SOUTH AVENUE- *NOT YET RECEIVED/WILL BE PLACED IN CASE FILE</b></p>
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**Dave Singer, Esq.** represented the applicant. It was noted that the escrow and required legal notice were in order.

**Ralph Marano**, Westfield, NJ, owner was sworn in and explained the intended use of the subject property. He would like to make it an antique car lot for internet sales. He stated that it would be unmanned and would serve as auxiliary storage. He explained the interplay between his various sites, 507 -515 South Ave. sells used cars and trucks, 150 South Ave, also sells used cars and trucks, 40 South Ave which is for antique storage and 209 South Ave., the subject site. Don Fraser inquired as to the request for a stand alone dealership or if it will be ancillary site. The Board discussed if this would be an auxiliary parking lot which is tied to the other sites and this is restricted to internet sales. The Board asked questions of Mr. Marano.

QUESTIONS FROM THE PUBLIC: There were no questions.

**Wayne Ingram, P.E., P.P.**, was sworn and qualified. He presented an **exhibit marked A-1** Colorized version of the site plan. He reviewed the current conditions and the intent of the project. He reiterated that there are no site changes proposed. He reviewed the history of the property, including the auto glass use and stated that the proposed use is a very low use. He reviewed parking and traffic generation and stated that any other use would generate more volume. He added this use is well suited for this lot in the General Business zone, which has many similar uses. He reviewed the hardship criteria and particular suitability of the site. Additionally, since he has occupied the property, it has benefitted the abutting of a residential zone by less graffiti and the installation of a 6 ft. fence for screening. He opined that this is a low-intensity use more desirable than most of the permitted uses. He reviewed the bulk requirements and variances needed, all preexisting condition. Donald Fraser inquired if it was necessary to grant a variance for pre-existing conditions. Mr. Ingram referenced the letter from Victor Vinegra dated 12/8/14 and addressed each of the 11 comments. The Board asked questions of Mr. Ingram. The waiver requests were also identified. Mr. Ingram also stated that they were technically seeking Preliminary and Final Site Plan Approval even though there are no site changes.

**MARKED INTO EVIDENCE**

**A-2 & A-3 photos of site.**

The Chair called for questions from the members of the public.  
There were no questions.

Chair Greet asked Mr. Gallerano is he had any comments or questions. Mr. Gallerano stated that he was satisfied with Mr. Ingram's response to Mr. Vinegra's comments and they have been adequately addressed.

***COMMENTS FROM THE PUBLIC- there were no comments.***

*Mr. Singer waived his right to sum up.*

On a motion by Kathy Villaggio and seconded by Gene Jannotti the Board voted Affirmative (7) Steve Greet, Kathy Villaggio, Mike Vena, Robert Scherer, Gene Jannotti, Al DelConte, Bruce Paterson Negative (0) to grant a Use Variance to permit a Used Car lot in the General Business Zone, the granting of preliminary and final site plan approval, Subject to the conditions in Victor Vinegra's review letter dated 12/8/14 as modified by the applicants engineer through testimony, the approval for this use is ancillary to the other lots at 507 -515 South Ave., 150 South Ave. and the planting of two trees somewhere in the borough, the acceptance of the waiver requests. The site will be unmanned except for scheduled appointments.

**MOTION CARRIES 7-0**

Donald Fraser requested that the transcript be sent to him electronically to assist in the preparation of the resolution.

**RECESS 8:30- 8:35 pm**

The adoption of the two following resolutions was deferred to after the application.

**Case # PB 14-03 304 Center Street- Block 407 Lot 13**

*Applicant: Sandra Sep*

*Granting Request for Certificate of Non-Conformity for a two-family house*

*On a motion by Robert Scherer and seconded by Kathy Villaggio, the Board voted Affirmative (7) Stephen Greet, Bruce Paterson, Al DelConte, Robert Scherer, Kathleen Villaggio, Mike Vena, Craig McCarrick, to memorialize the wording of the Resolution granting a certificate of Non-conformity with the requirement to construct a one car garage and provide an additional required parking space at the rear of the property as revised.*

*\*It was noted that there was a type-o in the date of the fire which destroyed the house to reflect the correct year of 2012.*

**Case # PB 14-04 92 Third Avenue Block 204 Lot 29**

*Applicant: Dominic & Lucille Cepparulo*

*Granting Certificate of Non-Conformity for a two-family house*

*On a motion by Kathy Villaggio and seconded by Gene Jannotti, the Board voted Affirmative (9) Stephen Greet, Bruce Paterson, Robert Scherer, Albert DelConte, Kathleen Villaggio, Gene Jannotti, Mike Vena, to memorialize the wording of the Resolution granting the Certificate of Non-Conformity.*

## **NEW BUSINESS**

The Board reviewed the 2015 tentative meeting date schedule prepared by Board Secretary Lewis and it noted that November 12<sup>th</sup> was a **Thursday meeting** due to Veteran's Day.

## **CLAIMS**

*On a motion by Mike Vena and seconded by Gene Jannotti the Board voted to approve the following payments to Victor Vinegra/Harbor Consultants:*

- *from Westfield Senior Housing- 2<sup>nd</sup> Ave escrow account in the amount of \$1515.00- Inv # 20811*
- *Inv # 20821 from the escrow account of Villaraud/484 4<sup>th</sup> Ave- the amount of \$300.00 \**
- *Inv # 20822 from the escrow of 325 South Ave- in the amount of \$350.00*

\*Mr. Paterson abstained on the Villaraud escrow invoice.

**Invitation to Address the Board-** There were no comments from the public.

Chair Greet wished Board members a Happy Holiday and thanked them for their service to the Planning Board.

The next meeting of the Board is January 14, 2015.

## **ADJOURNMENT**

There being no further business, the Board adjourned 9:05 p.m.

Respectfully Submitted,

Adele C. Lewis, Board Secretary

(prepared by listening to the verbatim recording)