

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

**MEETING of October 10, 2018**

*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 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, Kathleen Villaggio, Paul Tarantino, Steve Napolitano, William Nierstedt, Michael Vena, John Malcolm, Denise Ridente

**Absent:** None

**Excused:** Councilwoman Sara Todisco, Stephen Greet, Gene Jannotti, Lou Petruzzelli

Also present were Board Attorney Donald Fraser, Borough Engineer Michael Disko, P.E. (*filling in for Mr. Vinegra due to a conflict with the applicant*) and Board Secretary Adele Lewis.

**APPLICATION**

As required by ordinance, a court reporter was present.

It was noted that there were 6 Board members present and the applicant is entitled to 7 voting members as 5 affirmative votes are needed for approval. The applicant elected to proceed.

Mayor Charles Lombardo recused himself as this is a D Variance. Steve Napolitano recused himself as he is Mr. Villaraut's accountant.

Board Attorney Fraser noted that he had retained the services of one of the applicant's professionals, Mr. Waga, but that he did not feel it was a conflict.

Mr. Nierstedt noted for the record that he had worked with many of the professionals in his capacity as a professional planner but did not feel it was a conflict.

***ATTACHMENT # 1***  
***TRANSCRIPT FROM CASE # PB 18-04***  
***QUICK COPPER HOLDINGS, LLC***

**Case #PB18-04**

**55 South Avenue (and Willow Ave.)**

Block 504 Lots 2 & 13

Applicant: Quick Copper Holding, LLC

*Use Variance with preliminary and final Site plan for  
Building modifications, parking as principal use and lot  
consolidation*

**Stephen Hehl, Esq.** represented the Applicant, Quick Copper Holdings, LLC, for the properties located at 55 South Avenue and 54 Willow Avenue and designated as Block 504, Lots 2 and 13 on the Tax Map of the Borough. He stated the property is owned by the Applicant and is located in the GB (General Business District) and RB (Residents B, Two-Family) Zones.

Mr. Hehl stated the Applicant is proposing to add a second story to an existing office building and have the first floor occupied by a professional office or retail and the second story will be for the applicants' office use. The Applicant also proposes to replace the existing garage on Lot 13 with a smaller garage totaling 440 square feet as well as improvements to the property including installation of a parking lot on Lot 13 together with plantings, curbing, side-walks and signage

Mr. Hehl stated they are seeking preliminary and final site plan, a use variance, bulk variances and waivers from design requirements and lot consolidation.

**Thomas Quinn, P.E.**, of EKA Associates reviewed the plans he prepared dated 6/27/18. He reviewed the variances being sought:

Variances: for Lot 2:

§106-96(C)2a Minimum front yard setback, 10 feet required, 4.79 feet existing, 1.79 feet proposed;

§106-96(C)4 Minimum lot width, 70 feet required, 50 feet existing and proposed;

§106-96(C)2b Minimum rear setback, 10 feet required, 4.79 feet existing and proposed;

§106-96(C)2c Minimum side yard setback, 3 feet required, 2.83 feet existing and proposed;

§106-96(C)7 Maximum building coverage, 30% allowed, 67.4% existing and proposed;

Variances for Lot 13:

§10693(B) Use in R-B Zone, Residential (2family) required, parking lot for the commercial use with 2-car garage existing, parking lot with 1-car garage proposed;

§106-93(C)9 Maximum impervious coverage, 60% allowed, 97.4% existing, 80.1% proposed;

§106-114.A Off-street parking, 19 spaces required, 16 spaces proposed;

Waivers: §106-126(D)(1) Curbing, 6 inch depth required, 4 inch depth proposed;

§106-129(A) Driveways, one-way driveway circulation required, two-way driveway circulation proposed;

§106-130D(3) Sidewalk width, 4 feet unobstructed required, 3.7 feet proposed;

Mr. Quinn addressed the comments in the review letter prepared by Michael Disko dated 10/2/18. He stated that the applicant is prepared to comply with all the comments. Mr. Quinn noted that they are reducing the impervious coverage.

The Board asked questions of Mr. Quinn.

QUESTIONS FROM THE PUBLIC- there were no questions from the public

**Gregory Waga, R.A.**, of Waga Architects was sworn and qualified.

Mr. Waga reviewed the plans he prepared dated 7/15/18. He described the floor plan and presented elevations. He addressed the lighting and landscaping.

**MARKED INTO EVIDENCE:**

- A-1 Proposed Floor plans
- A-2 front elevations
- A-3 side elevations
- A-4 Color rendering

Mr. Waga stated that the building is attractive and uses Hardy Board and architectural details to appear more residential in nature.

QUESTIONS FROM THE PUBLIC- there were no questions from the public

**Craig Peragoy, P.E.** Chester, NJ was sworn and qualified and provided traffic and parking testimony. He noted that this use is a minimal traffic generator and the presented plan offers maximized use of parking. He noted they explored various options for the parking layout and this provided the best parking and circulation of the site. He stated the proposed parking is sufficient for the site and proposed uses.

QUESTIONS FROM THE PUBLIC- there were no questions from the public

**Sandro Villaraut** 401 Center Street, Garwood was sworn in and stated that he purchased the property with his business associates, Maria DeSantis and Salvatore Schifano. He explained his business operations and stated that the new building will better suit his needs than his current third floor operations. He stated that he has 3 full time employees and 10 employees in total, noting that several of the employees are technicians out on the road. His business hours are 8:30 am- 5:00 p.m. Mr. Villaraut noted that he currently doesn't have a tenant for the retail space and in the future, if retail is not viable at this site, he will convert to an office use, which requires less parking. He described the sites current conditions and noted that the various trucks and equipment in the parking lot will be removed. Mr. Villaraut stated that the building as constructed will look like the rendering presented.

QUESTIONS FROM THE PUBLIC- there were no questions from the public

**John McDonough, P.P.** Morris Plains, NJ was sworn and qualified. He provided planning testimony and justification for the requested variances. He noted this building was constructed in 1939 and this proposal will enhance the surrounding neighborhood and function safely with no impact on the school district of the zone plan. He concluded that the Borough's Master Plan encourages the rehabilitation of buildings and lot consolidation when feasible. He noted that the Willow Ave. lot is unlikely to be utilized as a residential use and this is a better zoning alternative.

QUESTIONS FROM THE PUBLIC- there were no questions from the public

COMMENTS FROM THE PUBLIC- there were no comments from the public

Michael Disko stated that he was satisfied with the applicants' responses to his review letter.

The Board agreed that the applicant had provided the justification for the granting of the variances and met their burden of proof and further noted it was an attractive building. The Board discussed conditions for the granting of the variances including reducing the lighting, using native planting for the buffer, planting trees on South Avenue, repair the broken sidewalk and compliance with Mr. Disko's review letter.

*On a motion by William Nierstedt and seconded by Mike Vena, the Board voted Affirmative (6), Kathy Villaggio, Paul Tarantino, William Nierstedt, Mike Vena John Malcolm, Denise Ridente Negative (0) to grant a Use Variance with preliminary and final Site plan for Building*

*modifications, parking as principal use together with the required variances and waivers and lot consolation with the conditions provided through testimony. MOTION CARRIES 6-0*

**CLAIMS**- *The following claim from Escrow was presented for payment and approved for payment to Harbor Consultants.*

- Inv. #27183 for \$105.00 for McDonalds – North Ave.
- Inv. 27177 for \$1470.00 for Wendy’s – North Ave.
- Inv # 27173 for \$2485.00 for Russo II
- Inv. #27171 for \$700.00 for Russo I

**Invitation to Address the Board**

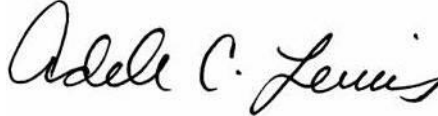
There were no members of the public wishing to address the Board.

**ADJOURNMENT**

The Board adjourned 10:00 p.m.

The next meeting of the Board is scheduled for 10/24/18.

Respectfully Submitted,



Adele C. Lewis, Board Secretary