

**Town of Westfield
Planning Board
MINUTES
March 1, 2021**

The Westfield Planning Board met on March 1, 2021 at 7:30 pm. Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom.

In compliance with Chapter 231 P.C. OPEN PUBLIC MEETINGS ACT in the State of New Jersey, adequate notice of this meeting was provided to all members of the Planning Board and the newspapers that have been designated to receive notice, the Star Ledger and the Westfield Leader.

REGULAR MEETING:

Chairman Ash called the meeting to order and opened the meeting by calling all present to join in the Pledge of Allegiance to the Flag.

PRESENT: Michael Ash, Anastasia Harrison, Linda Habgood, Michael La Place,
Ross Goldstein, Alexandra Carreras, Matthew Ceberio, Asima Jansveld,
Ann Freedman
ABSENT: Mayor Shelley Brindle, Kris McAloon
ALSO PRESENT: Alan Trembulak, Planning Board Attorney, Donald Sammet, Town
Planner and Linda Jacus, Administrative Secretary

ADOPTIONS OF MINUTES:

Chairman Ash called for a motion to adopt the minutes of the February 1, 2021, meeting. Linda Habgood made a motion to adopt; Anastasia Harrison seconded.

ALL IN FAVOR: Michael Ash, Anastasia Harrison, Linda Habgood, Michael La Place,
Ross Goldstein, Alexandra Carreras, Matthew Ceberio, Asima Jansveld,
Ann Freedman
OPPOSED: None
ABSTAINED: None
ABSENT: Mayor Shelley Brindle, Kris McAloon

Motion carried.

ADOPTION OF RESOLUTIONS:

Chairman Ash called for a motion to adopt the following resolutions for the applications acted upon at the February 1, 2021, meeting.

**PB 20-12 Villane Building & Development, LLC., 412 Palsted Avenue
Block 2607 Lot 25**

Applicant sought approval to subdivide the property into two lots, demolish the existing single-family home, and construct a new single-family dwelling on each lot contrary to Section 11.12E4 of Land Use Ordinance to allow a lot depth of 98 feet for lot 25.02 where the Ordinance requires a minimum lot depth of 120 feet. Application approved with conditions.

Anastasia Harrison made a motion to adopt the resolution; Linda Habgood seconded.

ALL IN FAVOR: Michael Ash, Anastasia Harrison, Linda Habgood, Michael La Place, Ross Goldstein, Alexandra Carreras, Matthew Ceberio, Asima Jansveld, Ann Freedman

OPPOSED: None

ABSTAINED: None

ABSENT: Mayor Shelley Brindle, Kris McAloon

Motion carried.

NEW APPEALS:**PB 21-01 Jeffrey & Malissa Cass, 826 & 830 Summit Avenue, 1/14/2021
Block 4704, Lots 9.01 & 10**

Applicants are seeking approval to increase the width of lot 9.01 from 50 feet to 60 feet by decreasing the width of the larger lot, lot 10 from 100 feet to 90 feet. **Application deemed complete February 11, 2021. 45 day decision date is March 28, 2021.**

Chairman Ash swore in Jeffery & Malissa Cass. Mr. Cass stated we are requesting approval for a minor subdivision in order to amend a property boundary, transferring 10 feet of lot width from 830 Summit Avenue to 826 Summit Avenue. There are not any variances or new lots being created with the application. The subject property consists of two lots, each containing a single-family home. No changes to the dwellings are proposed, which are surrounded by single family residential uses on all sides. Both properties are oversized for the RS-6 zone, and this will bring the width of both properties closer to the size of the nearby lots.

Open to public questions and comments. None. Closed to public questions and comments.

The Board agreed the proposed boundary shift results in lots sizes which are more consistent with the neighborhood.

Chairman Ash called for a motion. Anastasia Harrison made a motion to approve; Michael La Place seconded.

ALL IN FAVOR: Michael Ash, Anastasia Harrison, Linda Habgood, Michael La Place, Ross Goldstein, Alexandra Carreras, Matthew Ceberio, Asima Jansveld, Ann Freedman

OPPOSED: None

ABSTAINED: None
 ABSENT: Mayor Shelley Brindle, Kris McAloon

Motion carried.

Application approved.

PB 21-02 Ferraro's Realty Group, 425 South Elmer Street/211 South Avenue 1/14/2021
 Block 3201 Lot 2.01

Applicant is seeking approval to subdivide lot 2.01 into two lots, lots 2.01.01 and 2.01.02. The current structure will remain on lot 2.01.02 and there is not any development planned for lot 2.01.01 contrary to Section 11.28E5 and 11.28E6 of the Land Use Ordinance. Ordinance allows a maximum coverage of 30%. Proposed is 31.4% on lot 2.01.02. Ordinance allows a maximum coverage by improvements of 70%. Proposed is 90.4%. **Application deemed complete February 11, 2021. 120 day decision date is June 11, 2021.**

Stephen Hehl, Esq. (370 Chestnut Street, Union) appeared on behalf of the applicant. Mr. Hehl stated this is a subdivision to parcel off the small building that faces South Elmer Street which is used for takeout and delivery service. The part of the site that fronts on South Avenue will be developed, but there are not any development plans yet. Any development on the site will need to come before the Board for approval. In 2009, the applicant came before board and received site plan approval to combine the lots for a parking lot on the South Avenue side, but it was never built. In 2016, the applicants received approval to do a small addition for this building but that was never implemented. The existing facility will continue to operate as it currently does.

Chairman Ash swore in James Watson (328 Park Avenue, Scotch Plains). The Board accepted Mr. Watson's credentials as licensed surveyor and planner.

Mr. Watson gave an overview of the proposed subdivision. He stated the applicant will still be utilizing the building for their take-out business and there is currently not any development proposed for the newly created lot which fronts on South Avenue. As a result of the reduction in lot sizes from the subdivision, there is an increase in the all-improvement coverage for the lot which contains the existing building. Mr. Watson noted that when the current subdivision plans were created, the addition approved in 2016 was included into the building coverage calculations and a variance was necessary. Since the addition was never built, the building coverage variance has been eliminated and the all-improvement coverage variance was reduced to 88.1 percent from the 90.14 percent which is shown on the plans. A variance is still required for the all-improvement coverage, but it gets the number closer to a conforming application. Mr. Watson stated the variance can be granted under the C2 criteria. Everything on site is existing and has been in place for many years without any issues. There is a detention system in place to capture any water runoff so there will not be any drainage issues. The application can be granted without substantial detriment to the public good and without impairing the intent and purpose of the zoning ordinance.

Open to public questions. None. Closed to public questions.

Chairman Ash swore in Charles Murray, who is one of the owners. He addressed the number of employees on site and parking at the site. Most of the employees use public transportation and we are willing to obtain parking permits for the municipal lot on South Avenue for those employees who drive to work. Also, the law firm across the street after 5 p.m. allows us to use their lot for parking. Mr. Murray stated we were originally going to do catering at the South Elmer Street location which is why we brought the adjacent land for additional parking. After

the fire at the restaurant on Elm Street, we moved the takeout and delivery to the South Elmer Street location which will remain to be takeout and delivery only.

Open to public comments. None. Closed to public comments.

Chairman Ash called for a motion. Matthew Ceberio made a motion to approve the application; Ann Freedman seconded.

ALL IN FAVOR: Michael Ash, Anastasia Harrison, Linda Habgood, Michael La Place, Ross Goldstein, Alexandra Carreras, Matthew Ceberio, Asima Jansveld, Ann Freedman

OPPOSED: None

ABSTAINED: None

ABSENT: Mayor Shelley Brindle, Kris McAloon

Motion carried.

Application approved.

OTHER BUSINESS:

Master Plan Status Report

Don Sammet stated there was a new law passed that requires that the land use plan element of a municipal master plan to include a climate-change hazard vulnerability assessment. Because of the new requirement and the unexpected passing of Jeff Janota, H2M will need to extend the timeline for completion.

General Ordinance #2209-An Ordinance Adopting the South Avenue Redevelopment Plan. Master Plan Presentation

Chairman Ash swore in Chris Colley (60 Union St #1N, Newark) and Phil Abramson (60 Union St #1N, Newark).

Mr. Colley stated since it is one of the first redevelopment plans, we will walk the Board through the details. Redevelopment gives the Town the ability to plan and implement a specific vision for a specific area. It allows for specificity regarding building and site design beyond what is possible through traditional zoning, and it can promote public benefits above and beyond what is possible through traditional zoning. This plan calls for 193 units and 17,000 square feet of nonresidential space as defined by the Town's existing Fair Share Housing obligations. The site history includes a settlement agreement reached in 2017 with Elite Properties, the Town, and the Fair Share Housing Center. In February 2018, the Housing Element and Fair Share Plan was adopted, and in March 2018, the SW-AHO overlay zone was adopted. In February 2020, the area was designated as an area in need of redevelopment, and from May 2020 to January 2021 we have been drafting the redevelopment plan, and it was introduced to the Town Council on February 23rd. All of the lots have frontage on South Avenue East except for one which abuts Windsor Avenue. The sites are bound by light industrial uses to east, NJ Transit rail to the north, a gymnastics school to the west, and auto services to the south and northwest, with residences and the municipal border with Garwood to the southeast. The sites are unoccupied except for one lot which houses storage for a towing service. The structures and improved surfaces on these lots are in a poor, dilapidated state. Non-conforming uses are also present which are in violation of the Land Use Ordinance and all present uses are obsolete. The property is composed

of five lots, which is a total 5.54 acres in area. The North Subzone comprises 4.14 acres and the three remaining lots total 1.46 acres in the South Subzone. There was a concept plan prepared by the property owner prior to the redevelopment process. We worked to refine the site plan which creates a better plan for future residents. The improved site plan includes the parking in the rear/side of the building, a courtyard was created not for parking but as open space, lot 17 had a surface parking lot shown but now it is open space, mandated streetscape improvements have been added to create a superior pedestrian environment, and detailed landscaped design standards have been added. Members of the board that were serving about 6 months ago will remember we did an architectural preference survey. Based upon that survey, we worked with property owner to improve the architecture by refining the building elevations. Mr. Colley stated the review of this redevelopment plan is a statutory required process which allows for the Planning Board to review its consistency with the master plan.

Open to public questions and comments.

Frank Fusaro (414 Central Avenue) stated that a condition of approval by the Board of Adjustment for the property at 314 Myrtle/321 Grove Street included three affordable units to be built at this site by the property owner instead of the affordable units being built at the Myrtle and Grove street property.

Closed to public questions and comments.

A motion was made and seconded that redevelopment plan is consistent with the master plan and should be referred to the Town Council for adoption.

ALL IN FAVOR:	Michael Ash, Anastasia Harrison, Linda Habgood, Michael La Place, Ross Goldstein, Alexandra Carreras, Matthew Ceberio, Asima Jansveld, Ann Freedman
OPPOSED:	None
ABSTAINED:	None
ABSENT:	Mayor Shelley Brindle, Kris McAloon

Motion carried.

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 9:38 pm.

Respectfully Submitted,

Linda Jacus
Administrative Secretary

