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TOWN OF WESTFIELD

PLANNING BOARD

IN RE :
PUBLIC HEARING :
: :
: :

TRANSCRIPT OF PROCEEDINGS
ADOPTED AS MEETING MINUTES

Monday, February 6, 2023

Municipal Building
425 East Broad Street
Westfield, New Jersey
Commencing at 7:30 p.m.

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B E F O R E:

- MICHAEL ASH, CHAIRMAN
- MICHAEL LAPLACE, VICE-CHAIRMAN
- MAYOR SHELLEY BRINDLE, MAYOR DESIGNEE
- COUNCILMAN MICHAEL DARDIA, COUNCIL LIAISON
- MATTHEW CEBERIO, MEMBER
- ANASTASIA HARRISON, MEMBER
- ROSS GOLDSTEIN, MEMBER
- ASIMA JANSVELD, MEMBER
- MICHAEL DUELKS, FIRE DEPARTMENT CHIEF
- ALEXANDRA CARRERAS, FIRST ALTERNATE
- ANN FREEDMAN, SECOND ALTERNATE
- DON SAMMET, TOWN PLANNER/BOARD SECRETARY

A B S E N T:

- DAVID BATTAGLIA, TOWN ENGINEER

A P P E A R A N C E S:

ASHENFELTER, TREMBULAK, MCDONOUGH, GOLIA &
 TREVENEN, LLP
 BY: ALAN TREMBULAK, ESQ.
 Attorney for the BOARD

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PENDING

PB 23-01
610 NORTH AVENUE EAST
(RECEIVED 1/25/2023 - IN COMPLETENESS REVIEW)

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NEW APPEALS

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P R O C E E D I N G S
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CHAIRMAN ASH: Good evening, and
welcome everyone to the regular meeting of the
Westfield Planning Board, February 6, 2023. May
we have the roll call, please?

MR. SAMMET: Well, go left to right.
Chief Duelks.

CHIEF DUELKS: Here.

MR. SAMMET: Ms. Freedman.

MS. FREEDMAN: Yes.

MR. SAMMET: Ms. Carreras.

MS. CARRERAS: Yes.

MR. SAMMET: Mr. Goldstein.

MR. GOLDSTEIN: Yes.

MR. SAMMET: Mr. Ceberio.

MR. CEBERIO: Here.

MR. SAMMET: Chairman Ash.

CHAIRMAN ASH: Here.

MR. SAMMET: Vice-chair LaPlace.

MR. LAPLACE: Here.

MR. SAMMET: Mayor Brindle.

MAYOR BRINDLE: Yes.

MR. SAMMET: Councilman Dardia.

1 COUNCILMAN DARDIA: Here.

2 MR. SAMMET: Ms. Harrison.

3 MS. HARRISON: Here.

4 MR. SAMMET: And Ms. Jansveld.

5 MS. JANSVELD: Here.

6 CHAIRMAN ASH: Thank you. Notice of
7 this meeting has been published in accordance with
8 the Open Public Meetings Act, notice on our town
9 website, and in the Westfield Leader. Let's all
10 stand for the pledge.

11 (Whereupon, the Pledge of Allegiance
12 was recited.)

13 CHAIRMAN ASH: First up on our
14 agenda is the approval of the minutes from our
15 regular meeting on January 4, 2023. It is our
16 verbatim record and transcript. Would anyone move
17 to approve the minutes?

18 MR. CEBERIO: I'll make that motion.

19 CHAIRMAN ASH: Second?

20 MS. HARRISON: I'll second.

21 MR. SAMMET: Second by Ms. Harrison.
22 Chief Duelks.

23 CHIEF DUELKS: Yes.

24 MR. SAMMET: Ms. Freedman.

25 MS. FREEDMAN: Yes.

1 MR. SAMMET: Ms. Carreras.
2 MS. CARRERAS: Yeas.
3 MR. SAMMET: Mr. Goldstein.
4 MR. GOLDSTEIN: Yes.
5 MR. SAMMET: Mr. Ceberio.
6 MR. CEBERIO: Yes.
7 MR. SAMMET: Chair Ash.
8 CHAIRMAN ASH: Yes.
9 MR. SAMMET: Vice-chair LaPlace.
10 MR. LAPLACE: Yes.
11 MR. SAMMET: Mayor Brindle.
12 MAYOR BRINDLE: Yes.
13 MR. SAMMET: Councilman Dardia.
14 COUNCILMAN DARDIA: Yes.
15 MR. SAMMET: Ms. Harrison.
16 MS. HARRISON: Yes.
17 MR. SAMMET: Ms. Jansveld.
18 MS. JANSVELD: Yes.
19 CHAIRMAN ASH: Thank you. Next, we
20 have one resolution. This is a resolution of
21 approval for PB 22-10, the application of Martha
22 and Patrick McDonald, 450 Springfield Avenue,
23 Block: 1950, Lot: 2.01.
24 Our attorney has circulated the
25 resolution, and I'll accept a motion to approve

1 the resolution.

2 MR. LAPLACE: I'll move that
3 resolution, Mr. Chair.

4 MR. CEBERIO: I'll second.

5 CHAIRMAN ASH: Thank you. Any
6 questions or comments? All right, once again.

7 MR. SAMMET: Chairman Ash.

8 CHAIRMAN ASH: Yes.

9 MR. SAMMET: Vice-chair LaPlace.

10 MR. LAPLACE: Yes.

11 MR. SAMMET: Mayor Brindle.

12 MAYOR BRINDLE: Yes.

13 MR. SAMMET: Councilman Dardia.

14 COUNCILMAN DARDIA: Yes.

15 MR. SAMMET: Chief Duelks.

16 CHIEF DUELKS: Yes.

17 MR. SAMMET: Ms. Harrison.

18 MS. HARRISON: Yes.

19 MR. SAMMET: Mr. Ceberio.

20 MR. CEBERIO: Yes.

21 MR. SAMMET: Ms. Jansveld.

22 MS. JANSVELD: Yes.

23 MR. SAMMET: Mr. Goldstein.

24 MR. GOLDSTEIN: Yes.

25 MR. SAMMET: Our alternates are

1 Ms. Carreras.

2 MS. CARRERAS: Yes.

3 MR. SAMMET: And Ms. Freedman.

4 MS. FREEDMAN: Yes.

5 CHAIRMAN ASH: So we have no carried
6 appeals tonight. We have no new appeals tonight.
7 There is one item on our agenda and that is a
8 review of an ordinance. It's a new General
9 Ordinance 2023-03. It's an ordinance adopting the
10 Lord and Taylor Train Station Redevelopment Plan.

11 Typically, this Board reviews many
12 ordinances throughout the year. Council
13 introduces the zoning ordinance, it comes to this
14 Board for review, and we make a recommendation
15 whether or not that ordinance is inconsistent with
16 the Master Plan. We typically do this without
17 anyone present because it's typically something
18 that doesn't gain much interest. So I recognize a
19 lot of people here tonight. A lot of people have
20 opinions about this Redevelopment Plan. And I
21 just want to introduce our attorney,
22 Mr. Trembulak, and if you would please, summarize
23 the relevant portions of the Municipal Land Use
24 Law and the Redevelopment Law that guide what this
25 Board is doing this evening in reviewing this

1 ordinance and Redevelopment Plan.

2 MR. TREMBULAK: Sure. Thank you,
3 Mr. Chairman. This is a referral from the Town
4 Council for the proposed Redevelopment Plan, the
5 Lord and Taylor Train Station Redevelopment Plan.
6 This Board has reviewed several redevelopment
7 plans over the past few years, and I know you're
8 familiar with the limited role that the Board
9 plays in this process. But as a refresher, and
10 perhaps for the benefit of some of the public
11 that's here, just to, again, remind the Board what
12 its role here in this proceeding.

13 Under the New Jersey State Statute
14 that governs redevelopment, which is the Local
15 Redevelopment and Housing Law, before a municipal
16 governing body -- in this case, the Town Council,
17 can adopt a Redevelopment Plan, the Plan must be
18 referred to the Planning Board for what we land
19 use professionals refer to as a "consistency
20 review" because the Board's primary role, as the
21 Chairman already indicated, is it's to determine
22 whether or not the Plan, the Redevelopment Plan,
23 is consistent or inconsistent with the town Master
24 Plan. That's the limited requirement of the state
25 statute, and I think it's important to perhaps

1 read the pertinent sections of the Redevelopment
2 Statute, and this is taken from, again, the Local
3 Redevelopment and Housing Law, NJSA 40A:12-7, and
4 that statute says, quote: "Prior to adoption of a
5 Redevelopment Plan, the Planning Board shall
6 transmit to the Governing Body within 45 days
7 after referral a report containing its
8 recommendation concerning the Redevelopment Plan.
9 This report shall include an identification of any
10 provisions in the proposed Redevelopment Plan
11 which are inconsistent with the Master Plan, and
12 recommendations concerning those inconsistencies
13 and any other matters as the Board deems
14 appropriate."

15 That's the pertinent section of the
16 statute. So you have a mandatory requirement of
17 this Board to identify any provisions of the Plan
18 that are inconsistent with the Master Plan. But
19 the statute also allows the Board to make any
20 other comments or recommendations that the Board
21 deems important. I think it's also important to
22 point out that there's no requirement in the
23 State's statute for any public notice of this
24 proceeding. There's no requirement that the
25 Planning Board conduct a hearing or allow even for

1 any public participation in connection with the
2 Board's duty to prepare a report to the Town
3 Council regarding consistency with the Master
4 Plan. Certainly, the Board can choose to allow
5 public comment and public participation, but it's
6 not legally required, and in my experience, it's
7 rarely utilized. I should also point out that the
8 public will have an opportunity, or will have an
9 opportunity, to make any comments regarding the
10 Redevelopment Plan as they wish before the Town
11 Council acts on the ordinance and decides whether
12 or not to adopt the Plan.

13 I think that's an overview,
14 Mr. Chairman. And, again, mandatory requirement
15 to determine any inconsistency with the Master
16 Plan, and then the right to also make any other
17 comments or recommendations the Board may think
18 would be appropriate toward the Town Council
19 before it acts on this plan.

20 CHAIRMAN ASH: Okay. Thank you.
21 Typically, we would have comment from the Board
22 Planner, Don Sammet. We will have comment from
23 Don Sammet tonight. We'll also have comment from
24 our Redevelopment Planner, Chris Colley, who is
25 the same planner that made a presentation on the

1 first reading to the Town Council of the
2 Redevelopment Plan. And it's important to point
3 out this is not a hearing. We're not making a
4 record. There is no testimony. There is no
5 testimony, there will be no cross-examination of
6 witnesses. Recognizing that this is a very
7 important issue to people in town, that's why
8 you're here tonight. We've decided to allow
9 limited comment that would be relevant to the very
10 specific question that this Board is deliberating;
11 which is whether or not this ordinance, this Town
12 Council zoning legislation in the form of a
13 Redevelopment Plan, whether it is inconsistent in
14 any way with the Master Plan and those supporting
15 documents. That comment will be limited to that
16 very specific scope answering that very narrow
17 question for a duration of five minutes per
18 speaker.

19 I will also note that early this
20 evening, the Board Secretary received an email
21 from the Westfield Advocates for Responsible
22 Development attaching a memorandum that puts forth
23 certain analyses, comment, and opinion on this
24 topic. This Board does not receive comment in
25 writing. This Board does not include

1 correspondence in any way whether at a hearing or
2 not. By a show of hands of the people who are
3 here tonight, who here is part of the Westfield
4 Advocates for Responsible Development?

5 (Whereupon, there is a show of hands
6 from the audience members.)

7 CHAIRMAN ASH: Okay. Hands down.
8 Let me ask the question this way. Who here is
9 attending in an individual capacity only and is
10 not part of the Westfield Advocates for
11 Responsible Development?

12 (Whereupon, there is a show of hands
13 from the audience members.)

14 CHAIRMAN ASH: I see three hands.
15 Is there a spokesperson here for the Westfield
16 Advocates for Responsible Development?

17 MS. BONACCI: What does it matter?
18 I'll be the spokesperson.

19 CHAIRMAN ASH: Okay. Why don't you
20 come up to the podium? Hi, good evening.

21 MS. BONACCI: Hi, good evening.

22 CHAIRMAN ASH: Your name and
23 address, please.

24 MS. BONACCI: Carla Bonacci,
25 603 Lawrence Avenue. I'm the treasurer with

1 Westfield Advocates for Responsible Development.

2 CHAIRMAN ASH: Thank you.

3 MS. BONACCI: You're welcome.

4 CHAIRMAN ASH: Did you prepare the
5 document that was submitted to the Board earlier
6 this evening?

7 MS. BONACCI: A number of us
8 participated in its preparation, yes.

9 CHAIRMAN ASH: Okay. Here's what I
10 was thinking, it's going to require both of us to
11 agree, that with the large show of hands here of
12 people in the audience that have represented that
13 they're part of your group, rather than give
14 everybody five minutes to kind of go through this
15 bit-by-bit, the deal I'd like to make with you and
16 your group is that you would be able to present
17 this memo to the Board in lieu of individual
18 comment from your members.

19 MS. BONACCI: Do I have to decide
20 that right now?

21 CHAIRMAN ASH: You don't have to
22 decide that right now.

23 MS. BONACCI: Thank you.

24 CHAIRMAN ASH: Right now, we're
25 going to have a presentation from Chris Colley and

1 we're going to have one from Don Sammet. And if
2 you want to think about it and talk to people
3 quietly in the hallway, and when it's time for
4 public comment, you can let me know your answer.

5 MS. BONACCI: Yes, let me confer
6 with our team, and I'll let you know at the
7 appropriate time.

8 CHAIRMAN ASH: I think -- and this
9 is my own personal opinion -- but I think it
10 reflects the feeling of the Members of the Board
11 that we like to engage in the most corrective use
12 of time possible. We recognize people here feel
13 very strongly about this. There will be another
14 opportunity on February 14th for everyone to
15 comment on second reading and public hearing. But
16 given the very limited narrow scope of this
17 proceeding and recognizing the effort you put into
18 the document, I think that would be the best use
19 and accommodation of everyone's time.

20 MS. BONACCI: Okay. I may ask to
21 maybe have the three of us. But let me think
22 about it because we have different focuses.

23 CHAIRMAN ASH: Sure. And if that's
24 what you want to propose, we can discuss it
25 further. All right?

1 MS. BONACCI: Okay.

2 CHAIRMAN ASH: Thank you.

3 MS. BONACCI: Sounds terrific.

4 Thank you very much.

5 CHAIRMAN ASH: At this time, we'll
6 hear from our planners.

7 MR. COLLEY: Good evening, everyone,
8 Members of the Board, Members of the Public, thank
9 you for allowing me to be here this evening. I'll
10 set the timer. My name is Chris Colley. I'm a
11 principal at the firm Topology. We are the
12 redevelopment planners for the Town of Westfield,
13 and we worked to prepare this Redevelopment Plan
14 as well as several other redevelopment plans we've
15 done in front of you a couple of times before.
16 It's nice to everyone again. For folks that
17 observed or watched the presentation the other
18 night, I'm sorry to say we are going to be going
19 over some of the same material, but I thought it
20 was important for the Board to have a full
21 understanding and full overview of the content of
22 the Redevelopment Plan, so I'll be providing that
23 tonight. I have added a new chapter to the
24 presentation because of the very specific reason
25 why we're here tonight. So we'll spend probably

1 the last third or 40% of the presentation talking
2 about Master Plan consistency very specifically,
3 and I hope that will help you deliberate.

4 With that said, by way of
5 introduction, we're here tonight to talk about the
6 Redevelopment Plan. And I think everybody knows
7 this, but if you don't, we're talking about really
8 three sets of properties. Three properties, three
9 blocks and lots over west of Route 28 that
10 comprise the old Lord and Taylor site and two
11 municipal parking lots; one at the north side of
12 the train station, and one at the south side of
13 the train station. I'll talk a lot about those
14 properties this evening. One other little piece
15 of housekeeping for folks who are either new to
16 the Board or public; what's this Redevelopment
17 Plan? Like, what's this thing we're actually
18 doing? The Redevelopment Plan at its core is a
19 zoning document. It establishes what can be
20 built, where can it be built, what types of uses,
21 what types of heights. But it's sort of a special
22 type of zoning document in that it also can
23 include very detailed standards, design standards,
24 public improvement requirements, and other things
25 of that nature. That's why your document is over

1 157 pages and not just a handful of pages that it
2 might be for traditional zoning. I also think
3 it's critical especially when you're looking at
4 pictures, as we move on in the presentation for
5 everybody to be on the same page; this is not a
6 site plan application. You're not approving, or
7 Council would not be approving the specific
8 buildings, the specific designs, turning radii;
9 things of that nature. Should this plan be
10 adopted, there would be a Redevelopment Agreement,
11 and then ultimately, projects would come back to
12 you as the Planning Board for a detailed review.

13 A little bit of history just to
14 remind us how we got here. Back in late 2019, the
15 Town adopted its Master Plan Re-examination which
16 identified certain redevelopment opportunities
17 around the town and recommended additional study.
18 Subsequently, those properties were declared in
19 need of redevelopment, including presentations
20 this very Board where the Board recommended to the
21 Council that based on obsolescence, dilapidation,
22 other factors, each of the subject properties of
23 the Redevelopment Plan met those criteria for any
24 of the redevelopment. Critical to our
25 presentation this evening, in mid-June, the

1 Unified Land Use and Circulation element, which
2 you'll hear me refer to tonight as "ULUC" or
3 Master Plan was adopted. We'll say a lot about
4 that. Then in September of this year, as everyone
5 knows, Streetworks Development, who is the
6 designated developer for the key properties, made
7 a presentation with the Town Council that kicked
8 off all engagement, public discussion. And then
9 ultimately last week, the Redevelopment Plan
10 that's in front of you was introduced.

11 I'll tell you a little bit about
12 what's actually in the Plan. Before I do, though,
13 I'll just sort of circle back to our vision of the
14 Master Plan, and it's really like I think a
15 certain core vision that supports this whole
16 document. Rather than read it verbatim, I'll just
17 pull out some key points. "Downtown Westfield is
18 the heartbeat of the community, a
19 pedestrian-oriented and mixed-use center with a
20 variety of housing choices, retail, and office
21 employment opportunities. Development will
22 preserve and celebrate the Town's history and
23 provide housing and destination for shopping and
24 services all within an environment of tree-lined
25 streets, pedestrian parks, and plazas. The Town

1 cherishes its heritage. Takes advantage of new
2 technologies. And a visually-enhanced streetscape
3 will provide safe connectivity throughout the
4 downtown." A lot of these provisions you're going
5 to see later on as we go through both in the
6 Redevelopment Plan and my Consistency Section.

7 So by way of table of contents for
8 the document and for the presentation, there's
9 sort of a bunch of key objectives that we were
10 trying to accomplish, the outcomes that we were
11 trying to reach. You'll see them throughout
12 public spaces, new housing, new economic activity,
13 safer streets; more functional streets. An
14 acknowledgment that redevelopment is our parking
15 lots and that modern parking facilities are
16 required to replace those, a number of design
17 standards for the sites and the buildings. And
18 lastly, but importantly, an effort throughout the
19 Plan to identify to where new development might
20 result in impacts and mitigate those impacts
21 accordingly. Here's my table of contents slide.
22 We're going to walk through the three zones. I'm
23 going to talk about parking, I'm going to talk
24 about streetscape, I'm going to talk about
25 circulation, a little bit of design, and then

1 we'll go to administration. After that, we'll get
2 into the Master Plan section more specifically.

3 Moving into the West Zone, this will
4 be the first of the areas that we focus on this
5 evening. Three sites, three lots identified in
6 the zone; each of which has their own set of
7 zoning standards. And fortunately, the
8 Redevelopment Plan has a lot of instruction that's
9 provided to it from the Master Plan specifically
10 from the Community Form section. You know, and we
11 took these recommendations very seriously and we
12 think they're reflected in the Plan. I think the
13 first one is kind of critical; so I'll pause on
14 that one. That "the location and characteristic
15 of the site" -- and now, this is specifically
16 referring to the Lord and Taylor redevelopment
17 area -- "presents the opportunity for the
18 redevelopment site to have heights and number of
19 habitable floors that exceed the rest of Downtown
20 Westfield." It's a recommendation of the Master
21 Plan that relates specifically to this site. Now,
22 with that recommendation also comes a suggestion
23 of additional design strategies which I think we
24 incorporate throughout this plan about setbacks
25 and breaking up massing. The Plan also includes

1 recommendations about office and residential uses;
2 which are reflected; the need to eliminate
3 conflict with pedestrians, and an idea that open
4 space that's created on these properties should be
5 limited in contrast to the other zones that you'll
6 see -- "public open space" I should say -- should
7 be limited and really a sort of neighborhood
8 amenity for residents.

9 Folks; note the site -- and I'll
10 spare you a whole existing conditions presentation
11 -- but we are dealing with a vacant retail
12 structure, about 140,000 square feet, flanked with
13 two surface parking lots. It's a site that, as I
14 said, was found by the Council to be in need of
15 redevelopment based on obsolescence, dilapidation,
16 and other factors. The build-out that's proposed
17 for the property, for this Lord and Taylor site
18 specifically, sort of has a few key components for
19 us in terms of breaking down the design. One;
20 there's a lot of frontage. It's a long property.
21 So consistent with the Master Plan recommendation,
22 we thought it was important to have multiple
23 structures that are here. Those structures will
24 serve to help break up the massing on the site.
25 Maximum build-up; 138 residential units, and a

1 mixture of up to 113,500 square feet of retail,
2 restaurant, office, and medical office. I'll just
3 note on the commercial uses that there's a minimum
4 office requirement on this site. That was
5 important as it relates to the recommendation in
6 the Master Plan of office and residential uses
7 that wanted to design the standards in such a way
8 that ensured that while there could be some
9 retail, it needed to be sort of centered on office
10 uses and residential uses.

11 I'll speak a bit about the height
12 because I know that's important to folks. The
13 Plan includes both for this site and for all other
14 sites of similar scale, setbacks from the front
15 and other yards. So sort of two buildings on the
16 east and west here are up to six stories with
17 stepbacks required at the fourth, fifth, and sixth
18 floors. And the Lord and Taylor building in the
19 middle is up to four stories with stepbacks at the
20 third and fourth floors. A maximum height of 75
21 feet -- and I want you to sort of remember that
22 Master Plan recommendation about the opportunity
23 for additional heights. This diagram here sort of
24 shows how the property is set back from the
25 western property line. That's the property line

1 that's adjacent to the residential uses. And you
2 can see sort of a base setback of 20 feet. And as
3 we go up, the fourth floor will be 10 feet back;
4 which would be 30 feet from the property line.
5 The 5th floor 5 feet further back from that; 35
6 feet from the property line. And the sixth floor
7 all the way over here, roughly 200 feet from the
8 edge. So this is all just sort of bulk and
9 massing; right? And that only accomplishes so
10 much. So the Plan does include very -- well, a
11 whole other set of standards about how that
12 massing should be designed, how parking should be
13 concealed, how ground floors should be treated,
14 how architecture should be laid out all intended
15 in a way to sort of activate the street, break up
16 the massing, and create a more vibrant streetscape
17 proposed instead of walking -- or walking that
18 route.

19 Into the property across the street;
20 also a parking lot, also designated to be in need
21 of redevelopment. This site, which we refer to as
22 "North Avenue North" would permit up to 16
23 age-restricted townhouse units, 40 feet for those
24 units. I'll mention here that one type of zoning
25 standard that we've included in the Plan that you

1 don't have in your current zoning memo of
2 impervious surfaces. We thought that was
3 important in light of some of your objectives, but
4 also in light of the transition of the site from
5 parking lots to other uses. This site, like the
6 other one across the street, has a small pocket
7 park that's required and enables it further to
8 activate the street and provide a (indiscernible.)

9 Moving across the street to Clark
10 Street sub-zone; you'll see the YMCA there in the
11 rear. As a point of reference, that's like 54
12 feet; so that chimney there. Clark Street site;
13 also 16 townhouse units. These ones are not
14 age-restricted. Sort of similar in terms of
15 sidewalk minimums, the creation of a small pocket
16 park, and some similar building heights. I
17 neglected to mention for the two previous ones,
18 but each of these properties has a very specific
19 standard for buffering and for landscaping with
20 the adjacent sites. And we thought that was
21 important given some of the adjacent residential
22 uses there.

23 Circling back to what the Community
24 Form Plan recommendations were; there is a
25 recommendation, there's the opportunity for

1 additional heights and number of floors. That
2 additional height and number of floors is really
3 only included on the Lord and Taylor site where we
4 thought the massing would be better broken up and
5 stepped back. We do include the greater design
6 guidelines and some of these other components
7 they're sort of reflective of the recommended uses
8 and have an emphasis on office and residential
9 uses and limited open space and some streetscape
10 improvements which I'll talk about later on.

11 The next zone we'll walk through is
12 the North Zone which is broken up into two
13 sub-zones. Again, I'll sort of touch on some of
14 the Master Plan recommendations that are relevant
15 to that site. Appropriate land uses would be
16 mixed-use buildings with ground-floor retail and
17 upper-floor residential, opportunity for a public
18 plaza on the north side, opportunity again for
19 development to achieve higher heights and floors
20 if design guidelines are included, parking
21 shielded by liner buildings and streetscape
22 improvements to accommodate. Once again, this is
23 a surface parking lot declared to be an area of
24 redevelopment by the Council. And I think one of
25 the key things for folks to notice here when we

1 look at the overall zone is it's predominantly the
2 public area. And the section of the site that's
3 carved off for the mixed-use area is really
4 limited to this corner of North and Central.

5 Moving into the mixed-use area; this
6 would be up to 35 units, a little bit of retail
7 and restaurant on the ground floor, a maximum
8 height of 55 feet with a stepback at the fifth
9 floor. Again, on the inclusion of the impervious
10 surfaces requirement; you know this is in the sort
11 of core of the CBD so it's not common for there to
12 be coverage standards or coverage maximums. We
13 thought that was important to include sidewalk
14 minimums. And really sort of one key design
15 component is the sort of placement of the
16 buildings to screen a garage in the rear. And
17 also the ground-floor design of the storefront and
18 incorporation of transparency requirements and
19 sort of similar design requirements. The public
20 area really comprises the balance of the North
21 Zone. And the public area has two key components
22 to it. The first is the parking structure; which
23 you can sort of see blocked out in a gray mass in
24 here. This will be in the rear of the residential
25 building estimated at 320 parking spaces. The

1 Plan has requirements that that parking structure
2 is designed in a way to emulate or approximate the
3 appearance of a habitable building so it is more
4 attractive and does not detract from that sort of
5 important gateway intersection. The other really
6 important critical component of the public area
7 north is the plaza that's going to be created
8 directly in front of the train station. There're
9 a couple of big goals for the plaza, and you'll
10 see them in the public space section of the
11 chapter, but it really needs to function as a
12 gathering place but also a place for drop off/pick
13 up and sort of regular day-to-day vehicular
14 utilization of the train station.

15 Circling back to the Community Form
16 recommendations of the North Zone Master Plan, the
17 land uses consistent with what's recommended, the
18 public plaza required in line with the
19 recommendations. The heights don't actually
20 exceed the overall recommendations for the CBD,
21 however, there is a fifth floor. But there are
22 design guidelines in terms of stepbacks and
23 materials and transparency to help to mitigate
24 that. The parking shielded by liner buildings.
25 And, again, I'll talk about streetscape

1 improvements momentarily.

2 Moving on; South Zone. The South
3 Zone is structured very similarly to the North
4 Zone in that there's an office area and a public
5 area. Much like the North Zone, you'll know that
6 this is a surface parking lot. Almost exclusively
7 impervious coverage. Again, found to be an area
8 in need of redevelopment. And the Community Form
9 part of the Master Plan has a series of
10 recommendations for these sites as well. Similar
11 recommendation about the opportunity for increased
12 building heights, the need for design guidelines,
13 greater setback requirements at upper floors.
14 Breaking redevelopment into multiple buildings,
15 which you'll see as part of the project. Parking
16 screened from the street. Right, redevelopment
17 shouldn't sort of result in street-facing parking
18 garages? Parking on surface -- sorry --
19 street-facing parking entrances which would
20 minimize the potential for conflict, and, again,
21 enhance public space.

22 For the office area, largely
23 informed by those Community Form recommendations,
24 there are two structures that are required to
25 break up the massing with the public

1 plaza/pedestrian pathway in between them. Up to
2 210,000 square feet of office with ground-floor
3 retail. A maximum height of 65 feet or five
4 stories but stepped back at the third floor, and
5 critically a minimum 15-foot sidewalk. Which, if
6 you can sort of see the mass in here, would expand
7 as the building sort of articulates down the
8 street. Some of the key design standards for that
9 site are the multiple facade planes that are
10 offset. There are technically two buildings, but
11 I think of them kind of as two new components of,
12 like, a Main Street lot, a downtown block sort of
13 establishing a retail frontage along South Avenue
14 there. The boulevard extension, as I mentioned, a
15 middle access to parking in the rear and screened
16 parking.

17 The stepbacks at the third floor we
18 did think about quite a bit. It was important to
19 us for the retail experience or the street, the
20 experience for pedestrians to have a pedestrian
21 scale, to not be overwhelming. So these are a
22 couple of buildings across the street that are
23 about 30 feet on the right and 15 feet on the
24 left. And we thought about those as we oriented
25 the massing of these buildings to keep a 20-foot

1 height, roughly, at the street frontage, step the
2 building back after that, and hide the retail here
3 on the site.

4 In the Public Area South, once
5 again, a plaza with a parking structure to the
6 west of it. Again, this plaza has to function for
7 people to hang out and do stuff, but also for sort
8 of pick up and drop off. One slide that I did
9 take out gets into the sort of tunnel connection
10 between the two. But is a recommendation of the
11 Redevelopment Plan that improvements are made for
12 the New Jersey Transit tunnel to sort of better
13 these two public spaces on either side. Circling
14 back to the Community Form Plan recommendations;
15 the South Zone could potentially see increased
16 building heights and number of habitable stories.
17 So for the office buildings, that recommendation
18 was implemented; supported. However, there are
19 the additional design guidelines, the larger sort
20 of breaking up of the redevelopment to several
21 buildings, the screening of parking, minimizing
22 conflict, and the creation of the public space.

23 Moving now from the all areas --
24 sorry, from the subzone-specific, zone-specific
25 standards to standards that are applicable

1 throughout. There are parking requirements for
2 each of the uses within these zones. We set those
3 up as a minimum, a maximum to ensure that the
4 minimum demand is met while also prohibiting
5 overbuilding of parking. Like, this is our
6 downtown, we don't want to have an excessive
7 amount of parking that's created. The Master Plan
8 recommendation that's relevant here is to be
9 informed by and consult the THA Consulting Master
10 Plan recommendations. Each of our uses is within
11 the range -- sorry, THA's recommendation is within
12 the min and max per each of the uses. So I think
13 we've incorporated that while also allowing for
14 shared parking and much better sort of more modern
15 parking concepts. The one thing that I think is
16 important that we do in the Plan which I'll
17 mention here; surface parking is the cheapest way
18 to provide parking. It's also the most visibly
19 obtrusive -- intrusive way to provide parking,
20 especially in the downtown. Since the
21 Redevelopment Plan really limits and almost
22 prohibits surface parking except in some limited
23 scenarios. As I mentioned, public parking is
24 critical because of what we are redeveloping. So
25 the Redevelopment Plan identifies five areas where

1 public parking should be replaced. And really,
2 it's intended to be implemented in conjunction
3 with the THA Consulting Parking Plan -- which has
4 been on the Town's website for a bit -- which, in
5 that plan, in addition to talking about these five
6 parking areas also identifies sort of more
7 operational-type things that the Town can do to
8 increase efficiency and make sure that this is
9 neutral from a commuter perspective and for other
10 users. One other important thing this Plan
11 permits that I don't think you could accomplish
12 through traditional zoning is providing access on
13 off-peak hours for public users to those garages
14 that are going to be associated with the office to
15 really increase the amount of parking available on
16 nights and weekends for users.

17 Sidewalks and streetscapes; you
18 spend a lot of pages in your Master Plan talking
19 about sidewalks and streetscapes, so we wanted to
20 honor that. I think we do. The Master Plan lays
21 out sort of a couple of different types of
22 sidewalks with recommendations for each. We've
23 incorporated those recommendations into the Plan
24 to talk about not only how big sidewalks are but
25 also what goes in them. What this Plan will

1 require are increases of sidewalk widths largely
2 across the board. But also more importantly, a
3 requirement that those sidewalks include the types
4 of amenities that are crucial to creating a good
5 downtown; trees and benches and trash cans and all
6 of those types of things. Those improvements will
7 largely be in front of you if we get to the site
8 plan application process, so you'll have an
9 opportunity to really participate in that sidewalk
10 design. I'm almost to the Master Plan part.

11 Another exciting recommendation of
12 the Plan relates to Quimby Street. It formalizes
13 and includes concepts and recommendations to sort
14 of formalize what we're calling a "festival
15 condition" of Quimby Street; the one-way from
16 Central to Elm, curb extensions to sort of reclaim
17 some of that space that was previously a drive
18 lane, changes in materials but also maintaining
19 parking for the off-peak uses. So we have those
20 recommendations in there.

21 Critical when you're talking about a
22 project of this scale is making sure that there is
23 circulation being analyzed and improvements being
24 proposed. So this Plan incorporates findings from
25 a preliminary traffic study that was previously

1 drafted and reviewed by the Town and then
2 identifies a number of improvements at 15
3 intersections that range from purely
4 traffic-related signal timings, new traffic
5 signals, to also sort of more pedestrian and
6 bike-oriented whether curb extensions, bike locks,
7 different sorts of infrastructure. So there're a
8 lot of recommendations in there about
9 bike/pedestrian circulation. One that we'll
10 highlight relates to this kind of activity between
11 Lord and Taylor and the South Zone office, so
12 there's a series of recommendations in the Plan
13 about how to make this slip lane, which is right
14 here, (indicating) safer through striping and
15 crosswalks or curb modifications or beacons that
16 connect that to a wide and multi-use path under
17 the overpass here and then finally integrate with
18 the transition. A number of recommendations about
19 sustainable design that's in your Master Plan I
20 think that's important for folks lead equivalency,
21 adaptive reuse of the building, stormwater
22 reductions, green stormwater infrastructure really
23 incorporate into a lot of different green building
24 best practices.

25 I've touched on some of the

1 site-specific building design items throughout the
2 presentation this evening, but there are numerous
3 pages of general building design standards that
4 are intended to promote a sense of aesthetic
5 excellence and keep the town in control of the
6 design process. Those range from transparency
7 requirements, like I mentioned earlier, to where
8 you can put utilities and where you can't. And
9 those will all be things that will help guide the
10 design as this advances through the process.

11 My last pre-Master Plan consistency
12 slide relates to administration and how the Plan
13 actually gets implemented. Much like the previous
14 plans that we've worked on together in Westfield,
15 this Plan will require a Redevelopment Agreement.
16 That Redevelopment Agreement would include a lot
17 of additional detailed design information,
18 all-improvement information, additional reports.
19 And all of that information would help guide the
20 eventual site plan application and your review of
21 that.

22 Believe it or not, I've gotten to
23 this point 10 minutes quicker than I did the other
24 time. Master Plan consistency; so this is really
25 the purpose of our discussion. And the board

1 attorney, Mr. Trembulak, did a very nice job of
2 cueing it up. Thank you. Before I get into this,
3 just two things to say. One, the Master Plan
4 consistency as it relates to a Redevelopment Plan,
5 it's not consistency with the existing zone, it's
6 consistency with the recommendations of the Master
7 Plan. That's what we're tasked with including our
8 Redevelopment Plan and that's what you're tasked
9 with interpreting as the Board. So the
10 redevelopment law doesn't require that a
11 Redevelopment Plan include an outline sufficient
12 to indicate the Plan's relationship to local
13 objectives as it relates to a variety of topics.
14 And we've included a chapter in the document,
15 Relationship to Other Plans, which will do just
16 that. So what I'm going to do with my --

17 CHAIRMAN ASH: Is that Chapter 9?

18 MR. COLLEY: Yes. Yes, it is.

19 Thank you. Chapter 9; Relationship to Other
20 Plans. What I'm going to do is walk through some
21 of those findings from the report and go further
22 and enforce or reinforce really the relationship
23 between the key documents. And those key
24 documents, there are a number that are discussed
25 in the Redevelopment Plan. There are two that I'm

1 going to talk about tonight. The first one is the
2 Unified Land Use and Circulation Element, the
3 Master Plan, and the second one is the Housing
4 Element -- Housing Plan Element and Fair Share
5 Plan. And those are really the sort of critical
6 zoning documents as it relates -- sorry the
7 critical Master Plan documents as it relates to
8 this project.

9 I've already read the vision, so I
10 won't read it again. I will just say that the
11 vision that's outlined in the ULUC of the Master
12 Plan really critical sort of guideline and a point
13 that drove a lot of the drafting of the Plan and
14 we find it to be consistent. The Plan also
15 included -- and I'm sure you'll recall adopting
16 them -- 14 guiding principles; and I will go
17 through these.

18 The first one, "As we grow, we will
19 strive to preserve the attributes of our unique,
20 hometown character and community identity, the
21 beauty of our environment, the strengths of our
22 neighborhoods, while lessening the adverse effects
23 of growth." So as I said in the beginning when I
24 was sort of touching on key highlights mitigating
25 impacts of growth whether they be traffic impacts

1 and how that was analyzed and what the sort of
2 mitigative measures recommended are or stormwater
3 impacts, I mentioned the stormwater target
4 reductions, or aesthetic impacts. Right? And
5 we've talked a lot about the mass impacts. So
6 mitigating those impacts and sort of preserving
7 the identity and the beauty of the community is
8 critical of this Plan.

9 "We will retain the best qualities
10 of a small town" --

11 CHAIRMAN ASH: Before you move on to
12 Number 2, I just want to be clear, you're reading
13 from a document.

14 MR. COLLEY: Yeah.

15 CHAIRMAN ASH: And that is Page 19
16 of the Unified Land Use Circulation Element.

17 MR. COLLEY: That's right, yeah.
18 That screenshot up there is taken from the Master
19 Plan.

20 CHAIRMAN ASH: Thank you for
21 clarifying that.

22 MR. COLLEY: "We will retain the
23 best qualities of a small town and respects its
24 heritage while embracing the opportunities that
25 new technologies, programs, and concepts in urban

1 design provide." There's a lot of time spent in
2 this Plan about working on designing urban design
3 standards, setbacks, and streetscape design
4 standards how people are going to experience the
5 buildings to ensure that people who experience
6 this project are going to enjoy the qualities of
7 it and enjoy it in a way that they enjoy the
8 balance of downtown also.

9 "We value open space and parks as an
10 integral part of our hometown feel." The Plan
11 calls for the creation of new public spaces; as I
12 mentioned.

13 Principle 4, "We will maintain and
14 enhance the historic and human orientation of our
15 Downtown as the center of our community." That
16 principle is really reflective in sort of the core
17 of the project, right, which is taking these
18 surface parking lots and converting them into more
19 active uses proposed, more productive uses that
20 are going to reinforce downtown, the downtown
21 core, as the center of the community.

22 "We will continue to support vibrant
23 concentrations of retail, office, service,
24 residential and recreational activity." A very
25 similar principle. And this Plan promotes the

1 development of a wide range of uses, it promotes
2 the development of recreational opportunities.

3 Principle 6, "We will maintain a
4 strong and diverse economy and provide a business
5 climate that retains and attracts locally-owned
6 companies as well as internationally recognized
7 corporations." This Plan will allow for the
8 creation of office uses that frankly don't exist
9 in the type that are proposed presently, and will
10 allow for the opportunity to attract the types of
11 corporations that are identified in the Master
12 Plan.

13 "We will promote citizens and
14 institutions that value cultural diversity and
15 seeks ways to promote involvement from all
16 cultural groups." This Plan is being adopted or
17 being considered as part of a public process. It
18 also creates new public spaces where different
19 cultural organizations can participate.

20 Eight, "We realize that architecture
21 and land use design is fundamental to our
22 identity. As Westfield progresses into the
23 future, special attention will be given to
24 promoting high-quality residential and commercial
25 development that reflects aesthetic excellence."

1 The Plan, as I said numerous times now includes
2 pages of design standards to contribute to
3 aesthetic excellence, and frankly, keep the Town
4 in control of the design process.

5 Nine, "We will commit to sustainable
6 practices that promote social equity,
7 environmental health, and economic prosperity."
8 This Plan includes sort of sustainable building
9 requirements, allows for -- calls for inclusionary
10 development to help promote equity.

11 Ten, "We will preserve our
12 single-family neighborhoods while proving housing
13 choices that will allow people to age in place."
14 This Plan does not include any signal-family lots.
15 Right? But what it does do is it creates other
16 housing opportunities at these two other
17 properties that will allow for folks to age in
18 place without interfering with the existing
19 single-family residential neighborhoods or the
20 layout of those neighborhoods.

21 Eleven, "The long-term economic
22 well-being of the Town is fundamental to its
23 future. We will encourage a variety of employment
24 opportunities, and promote unique local
25 businesses." You know, a lot of commercial

1 development being promoted, and allows for under
2 this that will encourage employment opportunities
3 and support the local businesses and the employees
4 that come with those.

5 And then finally; "We will promote a
6 Multi-Modal Transportation Network (roadways,
7 bikeways) that are safe and accessible." And, as
8 I mentioned in the circulation section making
9 improvements to intersections and improvements to
10 public spaces around Downtown that facilitate bike
11 and ped connectivity will not detract from
12 vehicles is critical.

13 In addition to the guiding
14 principles of the Master Plan, we also include
15 numerous goals and objectives. I'll try to go
16 through these a little more quickly, but I don't
17 want to shortchange this section.

18 CHAIRMAN ASH: And we're on Page 20
19 of the same document?

20 MR. COLLEY: Yes, sir. Page 20.

21 CHAIRMAN ASH: Thank you.

22 MR. COLLEY: The first real goal of
23 your Master Plan relates to light and air and open
24 space through zoning standards that are
25 appropriate for the various zones and uses in the

1 community. And, fortunately, you have a very
2 detailed Community Form Plan which I walked
3 through earlier. And I think that Community Form
4 Plan that has specific recommendations for these
5 sites establishes a recommendation or an
6 understanding of what "appropriate" means. So we
7 remain consistent with that Community Form Plan;
8 we've addressed that goal.

9 The second goal really deals with
10 the existing residential neighborhoods. As I
11 mentioned, this doesn't -- none of the sites are
12 existing residential neighborhoods. It does speak
13 to cut-through traffic. And this is one of the
14 places where we think about mitigating impacts.
15 The requirement of the traffic study allows us to
16 analyze cut-through traffic.

17 The third goal, minimizing
18 environmental impact through a variety of things.
19 I think we addressed a number of the objectives
20 there; green building design, stormwater
21 management.

22 Number 4, providing adequate open
23 space. This Plan creates several new open spaces.
24 And in doing so, I believe it's consistent with
25 and designed with that objective.

1 Maintaining and enhancing the
2 viability of the various business districts.
3 That's really at the core of what we're doing
4 here. So whether we're creating new uses, we're
5 promoting a more desirable pedestrian environment
6 as recommended, there're streetscape standards.
7 Discouraging automobile-only oriented development
8 including strip malls. Right? We're not
9 proposing a strip mall-oriented design here.
10 These are sort of downtown-oriented buildings that
11 are being focused on. Offering place-making
12 opportunities; that's what those two plazas
13 represent.

14 Number 6, to provide a safe and
15 efficient transportation system. Some of the
16 related objectives in that that we're advancing
17 are identifying and addressing safety issues;
18 that's addressed in the circulation chapter.
19 Promote traffic calming; that's sort of the core
20 of the circulation recommendations. Developing
21 and maintaining bike and walking; critical to the
22 success of this Plan.

23 Number 7, eliminate areas of
24 conflict or incompatibility between Westfield and
25 adjacent municipalities. This property is really

1 set at the center of our town, so it's not really
2 applicable.

3 Providing a wide range of housing
4 types and densities in a manner that maintains and
5 is compatible with predominate existing
6 single-family patterns. And really creating these
7 new housing opportunities on these sites allows us
8 to maintain our existing layout, single family,
9 elsewhere while also providing housing choices.
10 That's sort of at the core.

11 Number 9, addressing the affordable
12 housing. We've addressed that, it's inclusionary
13 zoning, 15% with 20% for sale.

14 Number 10, addressing the need for
15 senior citizen housing. The Plan includes
16 numerous age-restricted housing opportunities.

17 Number 11, promoting the
18 conservation of various historical sites,
19 structures, and districts. One thing that I don't
20 know if we've really sufficiently talked about is
21 we have these great train stations. Right? And
22 one of the consequences of the parking lot
23 configuration is that you're unlikely sort of
24 stroll over and hang out at the historic train
25 station. Right? So in redesigning those two

1 areas, we're creating greater accessibility to
2 those historic features. We're making it more
3 likely that people are going to enjoy those
4 historic features, and we're better incorporating
5 them into the downtown design.

6 Twelve, promoting the conservation
7 of energy and recycling of materials. It's kind
8 of odd to think about it, but the adaptive reuse
9 of the building in a way incorporates recyclable
10 materials where we're sort of reusing that. Other
11 relevant goals there include green infrastructure
12 which I mentioned.

13 And then, finally, 13, to address
14 underutilized or vacant sites encourage
15 redevelopment or rehabilitation. Well, we're
16 certainly doing that through the Redevelopment
17 Plan. So that's the last thing from the pages.
18 But for each of those goals we find the
19 Redevelopment Plan to be consistent with and to
20 effectuate.

21 The Community Form Plan I've gone
22 through in previous slides. That was when I said
23 like west zone recommendations, south zone
24 recommendations. So it's certainly our position
25 that those recommendations in the Community Form

1 Plan about opportunities for added heights. But
2 design standards that should come with this are
3 acknowledged within the Redevelopment Plan and the
4 Redevelopment Plan is consistent with those
5 recommendations.

6 The Redevelopment Plan also analyses
7 -- or I should say "Master Plan" includes specific
8 redevelopment recommendations -- we're on Page 79
9 now, Chairman Ash -- and we find that we're
10 consistent really with those recommendations and I
11 believe implementing them. So some of those;
12 created public spaces for future deployed
13 ground-floor retail. Take into consideration the
14 recommendations of the THA Parking Plan; as I
15 mentioned earlier. Take into consideration, and
16 this Plan does that, encourage office uses; so on
17 and so forth. So we certainly find ourselves
18 being consistent with those relevant
19 recommendations.

20 The Plan also includes what they
21 call an "implementation matrix" and this one is on
22 Page 27 and Page 28. And this is actually kind of
23 cool because a lot of times you make a Master Plan
24 and then nothing ever happens. In this
25 Redevelopment Plan, we're directly implementing a

1 lot of recommendations that were in your Master
2 Plan and we're sort of checking them off. Those
3 relate to some of those certain creative
4 place-making principles I mentioned earlier;
5 investigating a new bicycle and pedestrian
6 connection between the Lord and Taylor and the
7 Westfield train station parking lot. I want to
8 touch on all of these.

9 I do want to say though before we go
10 to the next slide, there's something that's been
11 coming or that came up the other night about a 55
12 feet recommendation in the central business
13 district and how can the plan be consistent if it
14 says 55 feet in the CBD and these are 75 feet. So
15 I think the answer to that question is really on
16 Page 27 of the Master Plan where it states:
17 "Increase the maximum building height in the CBD
18 Zone from 40 to 55 feet and from three to four
19 stories" right, but then it proceeds in the very
20 next recommendation "explore the possibility for
21 greater height and number of stories for
22 redevelopment sites." You know, it's your Master
23 Plan, but that's a recommendation to change the
24 zoning in the CBD to 55 feet, and a subsequent
25 recommendation of related to explore the

1 opportunity for greater heights on the
2 redevelopment sites. And that's sort of a
3 critical distinction.

4 CHAIRMAN ASH: And that's
5 Recommendation Number 1 and Recommendation Number
6 2 --

7 MR. COLLEY: One and two.

8 CHAIRMAN ASH: -- on Page 27.

9 MR. COLLEY: Yes, that's correct.

10 CHAIRMAN ASH: Thank you.

11 MR. COLLEY: Number of other
12 provisions which we address recommendations of the
13 bike walk plan, some other recommendations of the
14 storm resiliency, plans that relate to green
15 infrastructure and stormwater reduction,
16 incorporation of also the said land use pledge,
17 and we find ourselves being consistent with each
18 of those.

19 So moving out of the ULUC, another
20 critical component of the Master Plan consistency
21 here relates to the housing element. This is a
22 critical component of your Master Plan. I don't
23 have the page number on the citations -- sorry
24 about that -- but really what your housing element
25 says is that you need to establish an ordinance

1 that would apply to any Redevelopment Plan that
2 would require 15% affordability for rental and 20%
3 affordability for sale. This Master Plan
4 incorporates that, and as a result, we find it
5 consistent with the relevant provisions.

6 Okay, two slides left. Besides all
7 of my comments and everything that we wrote into
8 Chapter 9 of the Redevelopment Plan, Mr. Sammet
9 also drafted a memorandum which he provided to the
10 Board. I'll leave it to him to speak about it if
11 he feels the need to. But, generally, he agreed
12 with our conclusions and found the policies to be
13 consistent with the Master Plan. So the last
14 slide, it's my finding and my recommendation as
15 outlined in Redevelopment Plan as discussed this
16 evening that this Redevelopment Plan is designed
17 to effectuate the Master Plan. It's also my
18 finding that this Redevelopment Plan is
19 substantially consistent with the Master Plan, and
20 we have not identified provisions of the Plan, of
21 the Redevelopment Plan, which aren't consistent
22 with the Master Plan.

23 I thank you for allowing me to go
24 through that and happy to answer questions.
25 However you would like to proceed.

1 CHAIRMAN ASH: Thank you,
2 Mr. Colley. Members of the Board, does anyone
3 have questions for Mr. Colley based on his
4 presentation?

5 MR. SAMMET: Can I just say
6 something, Mr. Chair?

7 CHAIRMAN ASH: Sure.

8 MR. SAMMET: It's really been a
9 pleasure working with Chris and seeing how
10 thorough and detailed he is. And, of course, the
11 rest of Topology; I know Phil Abramson and Simran
12 are here tonight as well. They really took the
13 work of this Board in, and really all you did with
14 the preparing your Master Plan document which of
15 course the Unified Land Circulation Plan was
16 adopted by you in 2021, and followed closely on
17 the heels of the Master Plan Reexamination Report
18 you did in 2019. And they used all that work as
19 the foundation for this Redevelopment Plan you
20 have before you this evening. And the
21 Redevelopment Plan really has its genesis back in
22 that 2019 Master Plan Reexamination Report which
23 recommended transit-oriented development which is
24 compact, mixed-use communities surrounding
25 multi-modal transportation hubs, and also

1 recommendations for the redevelopment of the
2 parking lots and the Lord and Taylor properties
3 which are included in this Redevelopment Plan.
4 But importantly that Reexamination recommended the
5 drafting of the Unified Land Use and Circulation
6 Plan. And that's an element of your Master Plan.
7 Again, a task completed in 2021, and that element
8 includes the development division and
9 recommendations for properties contained within
10 this Lord and Taylor and Train Station
11 Redevelopment Plan. And that is a Master Plan
12 document that you're looking for, for consistency
13 when you're comparing this Redevelopment Plan with
14 your Master Plan; of course.

15 The redevelopment before the Board
16 has been drafted to be consistent with those
17 recommendations. Mr. Colley has outlined that
18 consistency in great detail; the vision statement
19 in the Master Plan, Unified Land Use Circulation,
20 the guiding principles, the goals and objectives,
21 the Community Form Section which includes
22 descriptions and recommendations and vision, if
23 you will, for each subarea as was shown in that
24 map that Chris provided, and also, the
25 redevelopment section of your land use and

1 circulation element. Furthermore, as Chris
2 pointed out, the Redevelopment Plan calls for a
3 number of recommendations put forth in that
4 implementation matrix which is really a set of
5 tasks, if you will, for the Town including
6 planning staff, the planning board, the governing
7 body, and others in which to implement. So it's
8 not just a plan sitting on the shelf; a document.

9 I wholly concur with Topology and
10 what Chris has put forward. The Redevelopment
11 Plan is consistent with the Town's Master Plan.
12 And again, I'm very pleased to see the policies in
13 our Master Plan being implemented. As Mr. Colley
14 stated, the Redevelopment Plan is not reviewed for
15 consistency with existing zoning. In fact, it
16 supersedes existing zoning, and the basis for the
17 regulations contained within it comes out of the
18 Master Plan. There's a memo out there that talks
19 about consistency or inconsistency with the Master
20 Plan, and there's a lot of reference to existing
21 zoning regulations. But again, this Master Plan
22 and Master Plans very often will supersede
23 existing zoning regulations.

24 Again, our Master Plan speaks to --
25 these are things Chris talked about, I feel like

1 I'm just repeating what he said -- the Master Plan
2 has a Community Form Section which outlines
3 different subareas which include the properties
4 that are part of this Redevelopment Plan, and it
5 provides that development framework. And the
6 Redevelopment Plan has been designed to be
7 consistent with that.

8 With that being said, I'll say it
9 again, it's been a pleasure to work with Chris and
10 Phil, and Simran on this. They've really taken
11 the work that this Board has done, and the Town
12 has done, and bringing everything to that next
13 step to see something happen on these parcels that
14 will benefit everyone in the community.

15 CHAIRMAN ASH: Thank you. We have
16 your memo, Mr. Sammet, of February 1, 2023, that
17 was distributed to the Board, and is a summary of
18 your findings as you've just described; is that
19 right?

20 MR. SAMMET: Yes, that's correct.

21 CHAIRMAN ASH: And Mr. Sammet,
22 you've also reviewed Chapter 9 of the
23 Redevelopment Plan, the Lord and Taylor/Train
24 Station Redevelopment Plan?

25 MR. SAMMET: Yes, I did. I've got

1 to provide some comment on it. Certainly, Chris
2 and Topology are the principal authors of it.
3 Again, very detailed and accurate as well. I
4 agree with the findings in it.

5 CHAIRMAN ASH: And you've reviewed
6 it and you find Chapter 9 to be accurate and a
7 fair summary of the relationship between the Lord
8 and Taylor/Train Station Redevelopment Plan and
9 the Master Plan; specifically the Land Use
10 Circulation element?

11 MR. SAMMET: I do, yes.

12 CHAIRMAN ASH: Okay. Thank you.
13 Members of the Board, if you have questions for
14 either Mr. Colley or Mr. Sammet at this time; do
15 say so. Mr. LaPlace.

16 MR. LAPLACE: Thank you,
17 Mr. Chairman. Thank you, Mr. Colley, for your
18 presentation. It was very thorough and you
19 touched on a lot of issues that have been of
20 public discourse recently as well as addressing
21 directly the goals and objectives of our Master
22 Plan. So thank you for your hard work. A couple
23 of questions that I have. Some are small little
24 items. Just clarifications; that sort of thing.

25 First of all, the introduction, the

1 report says that the -- I think it mentions that
2 there's an 18th-century building, the Presbyterian
3 Church in downtown. That's actually -- the
4 current building dates from 1861, so it's really a
5 late 19th-century building. You just might want
6 to make that correction because you want to be as
7 correct as possible. The other thing I wanted to
8 ask you; in that West Zone and there's that Clark
9 Street subarea, I know that going back
10 20-something years we had always talked about if
11 there's a downtown improvement plan or subsequent
12 Master Plan where the idea of tying those two
13 sections of downtown together -- you know, you've
14 got the Lord and Taylor zone sort of, and then the
15 rest of downtown -- and to try to figure out a way
16 to keep pedestrians walking so it's a continuous
17 experience; they're not two separate destinations
18 that, unfortunately, people might jump in their
19 car and go from one to the other. And I was
20 wondering; was there any thought given -- because
21 right now, that little triangular area adjacent to
22 the Methodist Church is seen as only residential
23 -- was there any thought to perhaps introducing a
24 space at the street level facing the plaza and
25 North Avenue that could be perhaps an accessory

1 commercial use like a coffee shop or just
2 something that would keep that walking pattern
3 going as far as just having residences right there
4 on the plaza on North Avenue.

5 MR. COLLEY: So we're talking the
6 corner of North and Clark on the east side,
7 northeast corner?

8 MR. LAPLACE: Right. The North
9 Avenue frontage of that.

10 MR. COLLEY: The North Avenue
11 frontage of that, yeah. So I think the one piece
12 that's in the Plan that will help with that is
13 there is that pocket park -- pocket plaza for that
14 zone. I think that locating that near that corner
15 could help with that. More or equally tangibly,
16 there are recommendations for that intersection to
17 create curb extensions to reduce that crossing
18 distance which is currently long. So I think
19 improving the actual experience of crossing that
20 will help bring those two together. Sort of
21 getting people from the West Zone to the core is
22 one of the things that we've been thinking about
23 through all this.

24 About retail there, it's not
25 something that's permitted under the Plan. I

1 don't know if it would work. It would be a
2 difference; it would be a change, right, for sure.
3 So I think we really focused on the public ground,
4 right, and making it a positive experience for
5 people to walk along that way as the critical way
6 to get from Point A to Point B rather than
7 introducing some sort of commercial draw at that
8 location.

9 MR. LAPLACE: And I guess at least
10 from the physical aspect of having a continuous
11 building there as opposed to just parking and sort
12 of empty space there.

13 MR. COLLEY: Sure.

14 MR. LAPLACE: That sort of guides
15 people along the corridor as well. Would you
16 agree with that?

17 MR. COLLEY: I would agree with
18 that.

19 MR. LAPLACE: Thanks. A couple of
20 other things. I was just going to say it's
21 interesting in the report in your presentation you
22 talk about the north station parks and the south
23 parks, which I think everyone sees as a benefit
24 and an improvement. But would say it's actually a
25 restoration not a creation because as you probably

1 know, there was a large park area there on the
2 north side particularly up until over time it was
3 given over to automobile parking. And I think one
4 of the things that I'm impressed with this
5 Redevelopment Plan is that by allowing for parking
6 capacity elsewhere it allows us to free up the
7 site to go back to being green space.

8 MR. COLLEY: Right.

9 MR. LAPLACE: So that's just kind of
10 a great, I think note to make that it's sort of
11 back to the future. We're bringing back a
12 beautiful green space that the Town enjoyed
13 decades ago. I like when you said too about the
14 settings it will create for these two historic
15 landmarks; the two train station buildings. Right
16 now, they're kind of lost with all the asphalt and
17 all the car traffic and everything. Making it a
18 more green setting I think is an important thing
19 to note in the Plan.

20 Just a couple of other quick things
21 I wanted to note. You talked about sustainable
22 development. Obviously, the reuse of the Lord and
23 Taylor building -- the adaptive use of the
24 building is a high priority or was of the Planning
25 Board when we talked going back to the Planning

1 Board. I'd like to see in addition to that, and
2 I'm glad that certain exterior features like the
3 main entrance and the columns are being preserved,
4 if the fieldstone could be kept on site and be
5 incorporated into new development, I just think
6 that would be really great from a sustainability
7 point of view, and also just because it's a
8 beautiful building material, it shouldn't end up
9 in a landfill or covered up or anything. So just
10 a note there. I think that's it for now. Thank
11 you.

12 CHAIRMAN ASH: Anyone else from the
13 Board? Ms. Freedman.

14 MS. FREEDMAN: Yes. Thank you. It
15 was an excellent report. Very thorough. I had a
16 few questions on traffic and a few on the South
17 Avenue Office building. On the traffic; I know
18 the Plan that you have written is consistent with
19 all of the Master Plans, but would there be a way
20 to incorporate the timing of the safety
21 mitigations going forward in the new development
22 to have the traffic lights and the different
23 safety introductions for that to occur at the
24 beginning of the project and not at the end of the
25 project. Would that be possible?

1 MR. COLLEY: Timing; questions like
2 that, are not something that we would write into
3 this Plan. Those would be more Redevelopment
4 Agreement items. Like the contractual obligations
5 that the Developer and the Town are going into.
6 But I hear you, and we can advocate for that for
7 those improvements to be made in the beginning.
8 But sort of the sequence isn't something that we
9 would do as part of the Plan.

10 MS. FREEDMAN: Right. I understand.
11 That would be great. Now, on the South Avenue
12 Office building, I know you mentioned in your Plan
13 that there would be a parapet of 18 feet -- 16
14 feet. Can you explain why it should be 16 feet?

15 MR. COLLEY: Yeah. Sort of rooftop
16 mechanical and elevator overruns are not -- like
17 off-the-rack-scale, so that height is necessary to
18 accommodate the types of rooftop mechanical uses
19 that would be associated with an office building
20 of this type. So what we did though again in the
21 interest of mitigating impacts was include
22 requirements about how that would be placed, where
23 it would be placed, and how it would be screened.
24 And those would ultimately be things that would
25 back in --

1 MS. FREEDMAN: Well, I noticed you
2 said that there would be a 10-foot setback from
3 the street and 5 from the sides, so given that, do
4 you still think that 16 feet would be needed?

5 MR. COLLEY: It's not -- I'm sorry.

6 MS. FREEDMAN: You have setback
7 requirements for the mechanical on the roof
8 10 feet from South Avenue and 5 from the sides, so
9 do you still think that with those setback
10 requirements that we need a 16-foot parapet?

11 MR. COLLEY: Well, the parapet wall
12 is 5 feet. The 16 feet bigger, for instance,
13 would be the permitted height for mechanical. So
14 again, the setback requirement from the edge of
15 the wall is to reduce the visibility of that.

16 MS. FREEDMAN: Okay. Maybe the
17 wording may have been unclear about the 16 feet.
18 I think it does say that it's a 16-foot parapet,
19 but -- I think it was on Page 58. But maybe you
20 could look into that.

21 MR. COLLEY: Okay.

22 MS. FREEDMAN: Thank you.

23 CHIEF DUELKS: Just to piggyback
24 that real quick about the parapet wall. Would
25 that be the whole perimeter of the structure or

1 just the frontage or would that be more plan
2 review when the Plans are actually reviewed?

3 MR. COLLEY: It would be more plan
4 review. But they would be allowed to put a
5 parapet around the exterior of the building.

6 CHIEF DUELKS: Same thing for the
7 stepbacks on the third and fourth floor, and the
8 fourth, fifth, and sixth is that's just frontage
9 or is that the perimeter that there's going to be
10 stepbacks throughout the whole side or all four
11 sides of the structure?

12 MR. COLLEY: It depends. So, like,
13 if we take the western-most Lord and Taylor
14 building, that one has step-back requirements from
15 the North Avenue frontage for each of the floors,
16 and then also has step-back requirements from the
17 west frontage and from the east frontage; and sort
18 of depending on the building, like those
19 requirements there.

20 CHIEF DUELKS: So the rear of the
21 building will be completely the same height all
22 adjacent together straight up?

23 MR. COLLEY: Let me make sure I get
24 that right. I mean orienting the massing back
25 towards the train line is I think one of the

1 massing-related objectives that we have here.

2 Yes, so the rear setback is straight up.

3 CHIEF DUELKS: And just one last
4 question about Quimby Street. I know it says in
5 there that it's going to be closed down. Is it
6 just going to be closed to one lane or completely
7 closed down?

8 MR. COLLEY: No. The concept in
9 there is for the one lane. Basically, the way it
10 operates in the evenings now or --

11 CHIEF DUELKS: During the months of
12 --

13 MR. COLLEY: Something very similar.

14 CHIEF DUELKS: Central Avenue and
15 you can come back down and make a right onto Elm.

16 MR. COLLEY: Right.

17 CHIEF DUELKS: So it's not going to
18 be completely closed?

19 MR. COLLEY: That's not the
20 recommendation.

21 CHIEF DUELKS: Thank you.

22 CHAIRMAN ASH: Any other Members of
23 the Board at this time?

24 MR. LAPLACE: I just wanted a little
25 more clarification, particularly on the South

1 Avenue buildings that are proposed. If we could
2 just talk a little bit more about height. When
3 you say -- and tell me if I'm correct -- the
4 maximum height or the buildings where they have
5 the maximum height is 65 feet; is that correct?

6 MR. COLLEY: That's the maximum
7 height, yes.

8 MR. LAPLACE: Is that measured at
9 the highest point, like at these elevator towers?

10 MR. COLLEY: No. So there's the
11 maximum height to the highest point of the
12 building; sort of how we structure it. And then
13 there are exemptions to which related to the
14 rooftop mechanical and which relate to the
15 parapet. So the parapet exemption we just took
16 largely straight out of your existing ordinance,
17 which I believe is a 5-foot exemption. The
18 mechanical; because of the fact that we're talking
19 about these simply larger Class A office buildings
20 needed to sort of be designed more specifically to
21 the type of project that we're talking about.

22 MR. LAPLACE: So the point in which
23 the two buildings along South Avenue that are
24 proposed get up to about a height of 65 feet is
25 towards the north towards the railroad, correct,

1 the furthest? It's away from South Avenue because
2 of the stepbacks; is that correct?

3 MR. COLLEY: Yeah. So there's one
4 stepback that's required on the office building,
5 and that happens at the third floor. Which, from
6 the street, if you remember that one picture we
7 looked at is going to look like the second floor.
8 So the height -- the five-story height is going to
9 be stepped back from the street off where the
10 sidewalk setback that we have, and then that
11 additional setback at the third-floor level.

12 MR. LAPLACE: Could you just
13 clarify, I just want to make this really clear --
14 at least to me, hopefully to others -- the height
15 of the front elevation of the building at the
16 storefront level, at the street level, that goes
17 up to 20 feet?

18 MR. COLLEY: Roughly. Yeah, it's at
19 the third story.

20 MR. LAPLACE: And then it's set back
21 how much probably?

22 MR. COLLEY: It ranges from 7 to 15
23 feet.

24 MR. LAPLACE: So there's a variety.
25 And when it goes back up that second elevation,

1 how high is that?

2 MR. COLLEY: That would go to 65
3 feet.

4 MR. LAPLACE: Thank you.

5 MAYOR BRINDLE: Chris, can you -- I
6 just want to make sure that the Board is very
7 clear on the sidewalk requirements because I think
8 it's very consequential about the depth of the
9 sidewalk. So if you could talk a little bit about
10 both Westfield, you know, the South Zone the
11 sidewalks, and relative to what we have today
12 because it's pretty significant.

13 MR. COLLEY: Sure. In the South
14 Zone, the minimum sidewalk requirement -- and
15 that's inclusive of the buffer along the street --
16 the pedestrian zone is 15 feet. In the South
17 Zone, it's a minimum of 15 feet. Of that, 10 feet
18 needs to be allocated for the pedestrian clear
19 zone to allow for folks to walk past. I say
20 "minimum" because the way that that building is
21 required to be designed in the Redevelopment Plan
22 is that sort of tiered effect, that terrace
23 effect, so those need to step back. Each of those
24 facades needs to be at least separated by 3 feet.
25 So it'd be at 15, and then the next wedge would be

1 a minimum of 18, then a minimum of 21 from there.
2 That's currently in that area of South Avenue,
3 we've got 10 to 12 existing. And if you picture
4 over there the actual component of that 10 to 12
5 that you can actually walk on is limited. There's
6 only about 6 feet for the pedestrian zone on
7 there. Over in the West Zone, in front of Lord
8 and Taylor I guess let's talk about, that's like a
9 10-foot sidewalk presently, and the Redevelopment
10 Plan requires that we go to 25 feet, which sounds
11 like a lot, but the reason why it's a lot is
12 because that's going to allow for the pedestrians
13 to pass the buffer area. And then also like one
14 of the goals of that whole subzone from an
15 urban-design perspective is to create active
16 spaces and areas where people sit and hang out.
17 And that will all be incorporated into, like, the
18 frontage zone of the sidewalk.

19 MAYOR BRINDLE: For comparison, our
20 downtown sidewalks are about 8 feet; right? Eight
21 to 10 maybe?

22 MR. COLLEY: Yeah, 8, 10, 12
23 depending on where you are. Yeah.

24 MAYOR BRINDLE: Thank you.

25 MR. GOLDSTEIN: This may be for the

1 negotiation with the developers as opposed to the
2 plan, but just a little clarification if possible
3 on the use of office parking and you know sort of
4 whether that's really meant for special events or
5 if that would be sort of more guaranteed for
6 nights and weekends.

7 MR. COLLEY: It's really an RDA
8 item, but what we were able to do, at least in the
9 Plan, is to make sure that's permitted and to say
10 that the actual terms of availability would be
11 subject to the Agreement.

12 MR. GOLDSTEIN: Thank you.

13 CHAIRMAN ASH: Anyone else?

14 MR. LAPLACE: I just want to follow
15 up on the Mayor's comments about sidewalks. And
16 it's really an important one because this Board
17 has always been very concerned with shade trees
18 and accommodating that aspect of redesign
19 particularly downtown and for shade trees to not
20 be an afterthought. You know to be an integral
21 part of the urban design plan for streetscaping.
22 And maybe you could talk a little bit about how
23 these wider sidewalks would accommodate larger
24 specimen trees that will give us a real canopy
25 trail.

1 MR. COLLEY: Your two longest
2 frontages that are governed by this Plan are the
3 South Avenue office and the west avenue in front
4 of Lord and Taylor. So you're going to have the
5 opportunity to have a minimum of a 4-foot buffer
6 zone along the streets to accommodate the shade
7 trees. There are standards in here, ultimately
8 those trees would be subject to your approval.
9 Really along Lord and Taylor, I think you're going
10 to have an opportunity for large specimens. We do
11 have, actually, in the Plan a minimum caliper
12 requirement of I think six, which is like well
13 above the basis; sort of well above I think your
14 standard number. And there's an opportunity in
15 the Agreement if we want to have higher caliper
16 trees than that too. One of the challenges with
17 shade trees, as I'm sure you know, is that
18 oftentimes they get planted and there's not really
19 the -- they can't thrive. So I think that the
20 sidewalks widths that we have here and the
21 implementation of the buffer zone will allow for
22 that. And also the increased caliper width will
23 allow us to install trees that will be more
24 impactful at the time of planting.

25 MR. LAPLACE: Thank you.

1 CHAIRMAN ASH: Anyone else?

2 Mr. LaPlace...going once, going twice.

3 MR. LAPLACE: Nothing for now.

4 CHAIRMAN ASH: Thank you,

5 Mr. Colley. We're going to take a 5-minute typing
6 break to reset.

7 (Break taken.)

8 CHAIRMAN ASH: We're back from our
9 brief recess. At the top of the meeting -- just
10 to recap for some people who may have walked in
11 late -- our attorney had advised that due to the
12 limited scope of this Board's review, the fact
13 that this is not a hearing of the Board, we're not
14 making a record, there's no testimony, there are
15 no exhibits. It is a limited and narrow scope of
16 this Board's review on the zoning ordinance.
17 However --

18 AUDIENCE MEMBER: Excuse me, it's
19 tough to hear you speak. Is your microphone
20 working?

21 CHAIRMAN ASH: Is that better?

22 AUDIENCE MEMBER: A little bit.

23 CHAIRMAN ASH: That's as loud as it
24 goes. I'm going to yell into the microphone. Can
25 everyone hear now?

1 AUDIENCE MEMBERS: Yes.

2 CHAIRMAN ASH: Okay. Because of the
3 narrow scope of our review and the fact that this
4 is not a hearing without testimony, without
5 exhibits, without a formal record; it is
6 deliberation of the Planning Board on review of
7 the general zoning ordinance. There is no
8 requirement for public input or comment, but we
9 want to hear from people who are in attendance
10 because we understand the importance of this
11 question and the fact that you've shown up to hear
12 our deliberations and be part of this review.

13 We were presented by email at about
14 5:00 this evening a memo to the Westfield Planning
15 Board from the Westfield Advocates for Responsible
16 Development. It has analyses, comment, and
17 opinion based on the question the Planning Board
18 is reviewing. Rather than have individual public
19 comment limited to a 5-minute duration which would
20 be typical at a council meeting, I made an offer
21 to the self-appointed advocate of the Westfield
22 Advocates, Carla Bonacci, at the top of the
23 meeting to say we would rather hear from you and
24 present this memo rather than hear repetitive and
25 kind of piecemeal comment from individuals. I

1 asked for a show of hands at the top of the
2 meeting about who was here as part of this
3 Westfield Advocates group and that was a majority
4 of the room. During our break, Ms. Bonacci and I
5 had a conversation and she generally accepted
6 those terms that she will be allowed with some
7 partners or collaborators to present their
8 findings of this memo together. And that it
9 would, for the most part, represent the views and
10 opinions, and comments of the members here tonight
11 from the Westfield Advocates. I do this not to
12 reduce participation from anyone, but to enhance
13 the discussion and get the benefit of this
14 voluminous memorandum that was submitted. The
15 Board has not reviewed this memo, it was not
16 shared this evening by email. They do have copies
17 now. It's my understanding there will be some
18 reference to exhibits and charts that are a part
19 of this memo. You can do so, the Board now has
20 copies.

21 So with that, we'll hear from Ms.
22 Bonacci and her partners that will present
23 comments from this memo. You can come up. If
24 anyone -- after hearing this presentation from the
25 Westfield Advocates for Responsible Development,

1 if anyone still believes that there is something
2 left unsaid I will not foreclose your ability to
3 say so. But I will make sure that your comments
4 are relevant to a very narrow question that we are
5 answering tonight; is this Redevelopment Plan
6 inconsistent with the Master Plan. And with that,
7 I will turn it over to Ms. Bonacci on behalf of
8 the Westfield Advocates for Responsible
9 Development.

10 MS. BONACCI: That you very much,
11 Chairman Michael Ash, and all of you to greet us.
12 So we will do the best we can. And we're going to
13 have Courtney Schael and Marvin Gersten who will
14 talk about this because it's comprehensive, we'll
15 just be specific.

16 CHAIRMAN ASH: Sure.

17 MS. BONACCI: All right.

18 "The Westfield Advocates for
19 Responsible Development has reviewed the proposed
20 Lord and Taylor/Train Station Redevelopment Plan
21 (the "Redevelopment Plan") to determine if it is
22 substantially consistent with the Master Plan and
23 the Unified Land Use and Circulation Element" --
24 we call it "ULUC" -- sorry, I'm getting
25 tongue-tied -- "based on the foregoing substantial

1 inconsistencies, the Westfield Advocates for
2 Responsible Development maintains that the
3 Planning Board cannot determine that the
4 Redevelopment Plan is substantially consistent
5 with the Master Plan and the ULUC. In addition to
6 specific substantial inconsistencies set forth in
7 detail herein, overall the Redevelopment Plan is
8 substantially inconsistent with the values and
9 goals of the Master Plan. The Redevelopment Plan
10 ignores the following Master Plan Guiding
11 Principles within the ULUC.

12 Number 1, As we grow, we will strive
13 to preserve the attributes of our unique hometown
14 character and community identity, the beauty of
15 our natural environment, and the strengths of our
16 neighborhoods, while lessening the adverse effects
17 of go growth.

18 Number 2, we will retain the best
19 qualities of a small town and respect its
20 heritage.

21 Number 3, we value open space and
22 parks as an integral part of our community's
23 hometown feel and will take advantage of
24 opportunities for its enhancement and expansion.

25 And 4, we will maintain and enhance

1 the historic and human orientation of our Downtown
2 as the center of our community."

3 The eight Guiding Principle is
4 Number 8, "we realize that architectural and land
5 use design is fundamental to our identity."

6 And the 10th Guiding Principal; "we
7 will preserve our single-family neighborhoods
8 while providing housing choices that will allow
9 people to age in place.

10 The Redevelopment Plan is also
11 inconsistent with the overall Goals and Objects
12 within the ULUC in the following areas:

13 Number 1, to provide adequate light,
14 air, and open space by establishing, administering
15 and, enforcing bulk, density, and design standards
16 that are appropriate for the various zones and
17 uses in the community.

18 Number 2, to preserve and protect
19 the suburban character of existing residential
20 neighborhoods through:

21 (a) Zone designations based upon
22 existing neighborhood patterns and according to
23 the environmental requirements for the respective
24 residential uses;

25 (b) Bulk density and design

1 standards that are appropriate for various
2 dwelling types and not overly intensive in
3 relation to the lots on which a dwelling is
4 situated in their respective zones; and,

5 (c) Discouraging through traffic in
6 residential areas whenever possible;

7 (d) Regulations to preserve and
8 enhance visual appearance of residential
9 neighborhoods.

10 And (3f) appropriate regulations to
11 protect and/or replace trees/woodland impacted by
12 development projects.

13 Number 5, to maintain and enhance
14 the viability of various business districts by:

15 (a) encouraging an appropriate mix
16 of land uses that will complement one another and
17 meet the retail and service needs of our Town;

18 (b) promoting a desirable visual
19 environment and preserving the small-town
20 atmosphere in the business districts;

21 (c) providing or requiring the
22 provision of sufficient numbers of parking and
23 loading spaces in the appropriate locations to
24 serve the needs of the general public.

25 And Number 13, to address

1 underutilized or vacant sites, encourage
2 redevelopment or rehabilitation where properties
3 meet those standards set forth in the Local
4 Redevelopment and Housing Law.

5 Many areas of the Redevelopment Plan
6 run counter to the Master Plan Reexamination
7 Survey responses and resulting report as well.
8 Specifically, the survey was performed in 2019 to
9 get the pulse of the residents' views with 783
10 people participating. There were significant
11 responses to preserving the basic values in
12 history/heritage of the town with its small-town
13 charm and historic feel. There were many noted
14 concerns relative to preventing overdevelopment,
15 lack of parking, traffic congestion, and
16 cut-throughs to residential neighborhoods. The
17 Redevelopment Plan increases development beyond
18 both the ULUC and land use ordinances, reduces
19 available parking, and increases traffic
20 congestion. The Redevelopment Plan runs counter
21 to the Guiding Principles and the Goals and
22 Objectives in the ULUC, specifically to the size
23 and scope proposed.

24 In addition to the substantial
25 inconsistencies with the Guiding Principles and

1 goals of the Master Plan and ULUC the following
2 follow sets forth explicit substantial
3 inconsistencies with the Master Plan and the
4 ULUC."

5 So we looked at Chapter 3, Lord and
6 Taylor properties that are currently in a GB-2
7 Zone. We looked specifically at the West Zone -
8 West Building. "The Redevelopment Plan proposes a
9 fundamental change in use from business/retail to
10 residential/business, which is substantially
11 inconsistent with the ULUC. The bulk height is
12 very tall with excessive density and a total floor
13 area of 170,000 square feet. The buildings -- or
14 building -- is six stories and 75 feet tall with a
15 70% percent density. There are stepbacks from the
16 4th through the 6th floor that do not provide
17 light to the sidewalk. Inconsistencies follow:

18 One, Redevelopment Plan includes
19 residential use in this redevelopment zone and is
20 in direct conflict with ULUC, Page 41, where it
21 states, 'The GB-2 Zone prohibits residential use
22 of any kind.' The Plan is also inconsistent with
23 the Land Use Ordinance 11.27 for GB-2 prohibiting
24 residential uses.

25 Two, the side yard setback is too

1 close to the single-family residential homes on
2 North Avenue. This creates a 70-foot tall wall
3 approximately 100 feet long and eliminates any
4 privacy for the residents of the single-family
5 house. This is inconsistent with the Guiding
6 Principles of the ULUC above regarding preserving
7 residential neighborhoods.

8 Three, the Plan is also inconsistent
9 with the December 2019 Master Plan Reexamination
10 Report, Pages 82 and 83, as follows: 'Prohibited
11 uses in the GB-2 Zone, The Issue: In the GB-2
12 Zone, residential use of any type should not be
13 permitted. The same uses prohibited in the CBD
14 and GB-1 Zone districts should be prohibited in
15 the GB-2 Zone. What has changed: The existing
16 regulations found at Section 11.27, GB-2 District,
17 Subsection D.4 do not permit residential uses.
18 This objective of the 2002 Master Plan is
19 resolved.' The buildings are overly intensive in
20 relation to the lots on which a dwelling is
21 situated in their respective zones.

22 Number 4, since this use is
23 prohibited, GB-2 residential density is not
24 defined. The maximum allowable in the GB2-AHO
25 Affordable Housing Overlay District (which the

1 Lord and Taylor is not part of this district) is
2 25 dwelling units per acre. With a total
3 available lot area of approximately 194,372 square
4 feet (which is 4.4 acres) excluding the remaining
5 Lord and Taylor building, at 138 units, this is
6 six dwellings per acre higher than that
7 requirement or a 20% increase in current standards
8 for that GB-2-AHO Zone.

9 Number 5, the Redevelopment Plan,
10 Page 21, includes 'Coverage by buildings and above
11 ground structures shall not exceed 70% of total
12 coverage' Land Use Ordinance 11.27 for GB-2,
13 Paragraph E.4, only allows for 40%. This is
14 substantially inconsistent with the ULUC to ensure
15 consistency with Goal #2. 'Bulk, density, and
16 design standards that are appropriate for various
17 dwelling types and not overly intensive in
18 relation to the lots on which a dwelling is
19 situated in their respective zones.' A comparison
20 of existing GB-2 zoning requirements to the
21 proposed rezoning under the Redevelopment Plan is
22 attached hereto as Exhibit A.

23 Number 5 (sic), Redevelopment Plan
24 Page 21, the proposed height of the West Building
25 is significantly inconsistent with the ULUC by

1 exceeding the proposed change to maximum height of
2 55 feet contained in the ULUC, Page 27, by 36% to
3 75 feet which is 87% higher than the current Land
4 Use Ordinance of the 40 feet. This is
5 substantially inconsistent with any other zoning.

6 Number 6, Redevelopment Plan,
7 Page 22, 24, and 30, state that the structures
8 'may be built with or without skyways.' Nowhere
9 in the ULUC or within the Reexamination Report of
10 December 2019 or Westfield's Land Use Ordinance
11 permits construction of a pedestrian skyway on any
12 parcel. This is in conflict with the ULUC Guiding
13 Principles 2 and 8. I'm losing count, there're 7.

14 The maximum GFA for residential
15 consisting of 170,000 square feet is excessive and
16 should be brought in line with the 16 to 24
17 dwelling units per acre. The Redevelopment Plan
18 doubles the height, increases the allotment
19 coverage, and permits residential usage not
20 currently contemplated in the ULUC.

21 Regarding the West Zone Center
22 Building; the bulk height is very tall with
23 excessive density and a floor area of 150,000
24 square feet. The buildings are four stories and
25 75 feet tall with a 70% density."

1 And I will tell you, at this part
2 after reading the Redevelopment Plan, it's a
3 little bit cumbersome to figure out what the
4 totals are that are permitted.

5 "Number 1, Redevelopment Plan
6 Page 24, the proposed height of the Central
7 Building is significantly inconsistent with the
8 ULUC by exceeding the proposed change to maximum
9 height of 55 feet contained in the ULUC on Page 27
10 by 36% to 75 feet, again, 87% higher than the
11 currently Land Use Ordinance of 40 feet.

12 Number 2, although retail is allowed
13 in the GB-2 Zone, the amendment from 12,500 to a
14 maximum of the 33,000 square feet runs counter to
15 the Streetworks development justification. The
16 objective was to promote more walking wallets to
17 facilitate increased density to promote economic
18 vitality of the downtown business district, not
19 create new retail to compete with the downtown
20 district retailers. This is antithetical to the
21 stated purpose for the development of this zone,
22 and therefore runs counter to the previously
23 stated objectives of both Master Plan and the
24 ULUC." 33,000 square feet, that's quite a lot.

25 And, "Number 3, Redevelopment Plan,

1 Pages 22, 24, and 30 state that the structures
2 'may be built with or without skyways.' Nowhere
3 in the ULUC or within the Reexamination Report of
4 December 2019 or Westfield's Land Use Ordinance
5 permits construction of a pedestrian skyway on any
6 parcel. This is in conflict with the ULUC Guiding
7 Principles 2 and 8."

8 And then, the West Zone, East
9 Building. "This is a use change from
10 business/retail to residential/business. The bulk
11 height is very tall with excessive density and a
12 total floor area of 130,000 square feet. The
13 buildings are 6 stories and 75 feet tall with a
14 70% density. There are minor setbacks from the
15 4th through 6th floor that do not provide light to
16 the sidewalk." And this site is adjacent to the
17 opalescent Memorial Plaza in case others don't
18 realize its proximity.

19 "Number 1, the Redevelopment Plan
20 includes residential use and this GB-2 Zone, which
21 is in conflict with ULUC, Page 41, where it states
22 the 'GB-2 Zone prohibits residential use of any
23 kind.' The Plan is inconsistent with the Land Use
24 Ordinance 11.27 for GB-2, prohibiting residential
25 uses.

1 residential uses.

2 Number 2(sic), this building is
3 inconsistent with the ULUC as these residential
4 buildings are taller than other residential
5 buildings in all other residential zones whether
6 it's an RA, RM, or RS in the existing zoning
7 ordinances." And sometimes existing ordinances do
8 matter; Don and Chris. "GB-2 residential density
9 is not defined since it is prohibited. The
10 maximum allowable in the GB2-AHO Affordable
11 Housing Overlay District, which this North
12 Sub-Zone parcel is not a part of, is 25 dwelling
13 units per acre. No defined parameters exist for
14 residential housing in this parcel in the GB-2.
15 This change is not consistent with the Guiding
16 Principles or Goals by increasing density,
17 traffic, reduces light, air and open space and is
18 incompatible with the existing land use."

19 And now, the West Zone, Clark Street
20 Site Sub-zone, "This is a change in use from
21 business/retail to residential." And this is
22 adjacent to the United Methodist Church with that
23 beautiful tower, it's a beautiful historic
24 building, and has been -- a lot with consternation
25 since the developer lowered the height of his

1 proposal in this particular location and switched
2 it to townhouses. So he's moving in the right
3 direction, but we're not there yet.

4 So, "Number 1, the Redevelopment
5 Plan includes residential use and this GB-2 Zone,
6 which is in conflict with the ULUC, Page 41, where
7 it states 'The GB-2 Zone prohibits residential use
8 of any kind.' The Plan is inconsistent with the
9 Land Use Ordinance 11.27 for GB-2 prohibiting
10 residential uses.

11 No defined number of residential
12 apartments exist for this parcel in GB-2 that add
13 residential housing. The maximum allowable in the
14 GB2-AHO Affordable Housing Overlay District, which
15 this North Sub-Zone parcel is not part of, is 25
16 dwellings per acre. The Clark Street property is
17 only .54 acres" -- and there's a debate there --
18 "and the proposed 16 units are over this limit.
19 Considering the AHO Zone, the max would be 13.5
20 units that they could build...if it was in the
21 overlay. Since it is not, it is inconsistent with
22 the Master Plan. This change is not consistent
23 with the Guiding Principles or Goals by increasing
24 density, traffic, reduces light, air and open
25 space, and is incompatible with the existing land

1 use zoning.

2 The Redevelopment Plan, Page 39,
3 includes the following minimum/maximum setbacks
4 for the Clark Street Site Sub-zone." We're
5 listing for front yards -- I'm just going to give
6 a summary -- from a 20 feet minimum -- actually,
7 12 feet minimum to a 35-foot maximum.

8 "The ULUC, Page 27, with regard to
9 businesses for this zone, the front yards and side
10 yards, the following suggested changes: 'Consider
11 changing the front yard setback regulations for
12 GB-2 Zone to allow for development to be located
13 closer to the right-of-way. And, 'Consider
14 amending the setback regulation GB-2 Zone to
15 create an environment that provides a consistent
16 streetscape and promotes pedestrian activity.'

17 The front yard setbacks above are
18 not consistent with the Land Use Ordinance and
19 does not support the zone designation of the ULUC
20 residential housing in this area, and in conflict
21 with the stated Goal #2 to preserve and protect
22 the suburban character of residential
23 neighborhoods. This also creates a conflict and
24 incompatibility in the land use zoning."

25 And now for the North Zone,

1 Mixed-use and Parking Garage Sub-zones, "This
2 building is being proposed in the CBD with 35
3 apartments in a 55-foot tall building on a
4 .28-acre site carved out of a 2.8-acre lot. The
5 density is 125 dwelling units per acre." Think
6 about that.

7 Number 1, "This north subzone
8 development is inconsistent with the ULUC as
9 increase in density is not consistent with its
10 Goals, in particular #8, 'Density standards that
11 reflect existing neighborhood conditions, where
12 appropriate, as well as the needs of various
13 housing types.' This is well beyond the typical
14 CBD residential housing and incompatible with
15 upper floors. The existing CBD has three stories,
16 40 feet, and requirement of 2/3 total habitable
17 floor area of the building for residential above
18 the first floor. The recommendation in the ULUC
19 is for four stories and 55 feet height. See the
20 comparison of existing GB-2 zoning requirements to
21 the proposed rezoning under the Redevelopment Plan
22 attached hereto as Exhibit A." I can go over the
23 chart at the end.

24 "The Redevelopment Plan is
25 substantially inconsistent with the ULUC because

1 there is no zoning district in the current town at
2 this high of a density. There is no rationale or
3 support for this level of density, and is in
4 conflict with the Guiding Principles."

5 And the North Parking Structure;
6 "This building is two stories and 55 feet tall
7 structure housing 328 commuter cars plus 35 cars
8 for the 35 apartments on the 40,000 square foot
9 portion of Public Lot 7. The access and egress
10 from this lot would be from North Avenue near Elm
11 Street because the other proposed access/egress is
12 too close to the intersection and does not support
13 the Guiding Principles or Goals of minimizing
14 traffic. The Redevelopment Plan is inconsistent
15 because the access/egress from this parking
16 structure does not meet NJDOT regulations for the
17 minimum distance from a signalized intersection;
18 which is 100 feet." I want you to think about
19 that and how it will make the site. "This is a
20 safety issue and does not meet the safety concerns
21 of the Master Plan and the ULUC report.
22 Additionally, this site was evaluated as part of a
23 parking study performed by Rich Consultants in
24 2002, and was specifically rejected because this
25 lot is far too small to accommodate this, and its

1 size and shape also results in an uneconomical
2 structure configuration." So we'd like to know
3 what changed.

4 "The ULUC report references the
5 Master Plan and states that 'Buildings should be
6 small to medium in scale, in keeping with
7 pedestrian-oriented environment, and should be
8 designed to be compatible with other buildings in
9 the district and to be consistent with historic
10 district and historic site design guidelines.'
11 The Redevelopment Plan proposed to build is a
12 large structure, beyond the compatible buildings
13 in the area that are limited to 40 feet and three
14 stories.

15 The ULUC report, Page 24, states
16 that 59% of survey respondents said that the Town
17 should work to add more parking in the downtown as
18 a way to improve mobility - more parking for
19 shippers not moving commuters into a parking
20 structure. The Master Plan indicates that 'office
21 and apartment uses should not be permitted to
22 reduce the amount of parking available to shoppers
23 and retail merchants.' Unfortunately, the
24 Redevelopment Plan is significantly inconsistent
25 with this goal as no additional parking is

1 available for shoppers and retail merchants. The
2 parking deck will be primarily for commuters and
3 not weekday shoppers.

4 The ULUC reference indicates that
5 'areas for deliveries and refuse storage and
6 pickup should be at the rear or side of buildings
7 and should not interfere with pedestrian or
8 vehicular traffic.' Given the very tight location
9 and pedestrians/commuters' continuous access to
10 the rear of the parking deck to reach the train
11 platform, the Redevelopment Plan is inconsistent
12 with the Master Plan."

13 And I just have to say here this
14 configuration implies that a garbage truck or a
15 delivery man to that residential building has to
16 drive down the back ally where there're two rows
17 of parking behind those shops to get to the
18 residential area while people are trying to pull
19 in and out of parking spots. It just does not
20 work. You know, and the servicing is done through
21 the public lands. And quite frankly, every
22 reconfiguration of a lot should always have access
23 to a public right-of-way for all of its servicing
24 and functions not shared with the public.

25 "ULUC report, Page 27, recommends

1 increasing the maximum building height in the CBD
2 zone from 40 to 55 feet and from three to four
3 stories with a minimum 10-foot stepback from the
4 property line for the fourth floor. The proposed
5 structure is in excess of current zoning." And by
6 the way, there's a bonus listed in there that lets
7 this building get to 60 feet when there're two
8 buildings. It just never stops. They just keep
9 getting taller and taller.

10 CHAIRMAN ASH: Before you continue;
11 that last line there "the proposed structure is in
12 excess of current zoning."

13 MS. BONACCI: Because current zoning
14 is three stories; 40 feet.

15 CHAIRMAN ASH: I understand that. I
16 think a lot of your analyses unless has been
17 comparing standards in the proposed Redevelopment
18 Plan to existing zoning. But that's not really
19 the exercise here; right?

20 MS. BONACCI: Yes, correct. We're
21 using it as a comparison because when one jumps to
22 the ULUC, the ULUC for the CBD indicates a
23 recommendation of four stories and 55 feet. For
24 the other areas, it's an exploration and the jump
25 that's being made has not been substantiated.

1 When you jump from a CBD at 455 and suddenly --
2 regarding the parking -- you're jumping up to 60,
3 right, you're exceeding. When you then look at
4 the GB-2, you're jumping even further. So the
5 rationale is missing here.

6 CHAIRMAN ASH: Right. But we're not
7 -- this isn't a zoning ordinance amendment that is
8 changing entire zones. This applies to a specific
9 property.

10 MS. BONACCI: Correct. But when one
11 compares, you do compare the existing town and
12 zoning. Because through the ULUC and studies,
13 they're recommending a Redevelopment Plan that's
14 substantially different, and, therefore, it's
15 inconsistent. In your Redevelopment Plan or the
16 ULUC, there's nothing specific that says, hey, we
17 need to increase density to such an intensity it's
18 double what you have everywhere in your town.
19 There's nothing that says that in there. So when
20 we look to compare as a basis of how -- you're
21 looking at the town -- forget that you have a
22 developer, right -- you're looking at a town to
23 create a Redevelopment Plan; how the heck did you
24 come to this configuration? How did you do it?
25 It's very inconsistent with the ULUC and even a

1 ULUC that looked at the Master Plan and all of
2 those amendments that are in there from 2013 to
3 2017. There're lots of documents in there. This
4 just plopped out from the sky. Sorry, Chris, but
5 it did. So that's for you all to think about.

6 MR. LAPLACE: Chair, can I just
7 follow up on your question?

8 MS. BONACCI: I'm not finished, but
9 okay. I want to get to the South Zone.

10 MR. LAPLACE: I apologize.

11 CHAIRMAN ASH: We'll let you
12 continue.

13 MR. LAPLACE: You're reading a
14 27-page memorandum, so...

15 MS. BONACCI: I'm only going to read
16 a portion.

17 MR. LAPLACE: My question is: Was
18 there anything in the language of our plans that
19 we've heard about tonight that talks about
20 encouraging redevelopment, more creativity, higher
21 densities; was there any limitation to what a
22 height should be or what zones should be changed
23 to? Were there any limitations to that language?

24 MS. BONACCI: The language is very
25 vague, it says "exploring."

1 MR. LAPLACE: Are there any
2 limitations? My question was; were there any
3 limitations in terms of maximum heights permitted
4 for us to consider?

5 MS. BONACCI: In the Redevelopment
6 Plan?

7 MR. LAPLACE: Right.

8 MS. BONACCI: It says the "maximum
9 height" --

10 MR. LAPLACE: No. Where it says
11 "explore higher."

12 MS. BONACCI: No, it just says
13 "explore." You could explore a skyscraper.

14 MR. LAPLACE: It doesn't limit it.
15 Thank you.

16 MS. BONACCI: Right. It doesn't
17 limit it.

18 South Zone Public Area Subzone; "the
19 proposed garage in the subzone is to serve 200
20 plus commuter cars. The lot depth, however, is
21 only 170 feet. The Redevelopment Plan's proposed
22 parking garage is inconsistent with the guidelines
23 in the ULUC and the reexamination report as the
24 site is small and the parking deck is inefficient
25 with more travel lanes/circulation in relation to

1 the parking spots. The lot depth is 68 feet which
2 is deemed substandard for parking garages.

3 The South Parking Garage encumbers
4 the view scape to the historically nominated train
5 station which would be positioned too closely to
6 the historically sensitive structure.

7 Inadequate access from the parking
8 structure will prevent adequate ingress and egress
9 from the parking structure and at five stories,
10 most likely resulting in six stories if adequate
11 commuter parking is established, the parking
12 structure will fail to comply with the ULUC
13 objectives. Additionally, the objectives found in
14 the Master Plan of 'To provide light, air, and
15 open space by establishing, administering and
16 enforcing bulk, density and design standards that
17 are appropriate for various zones' is not evident
18 by a five to six-story garage looming over the
19 projected public space and the historical train
20 station.

21 South Zone Office Subzone; this is a
22 change in use from surface parking to office
23 building. It is still in the Central Business
24 District Zone. The bulk and height is very tall
25 with excessive building mass and total floor area

1 of 210,000 square feet in two buildings of 105,000
2 square feet each. The separation between
3 buildings is a 25-foot minimum." -- and I don't
4 know if you know this, but the current ordinance
5 requires buildings to be 30 feet apart, otherwise,
6 you'd have to have a firewall, which would mean no
7 windows. And I don't think that's what you were
8 thinking of achieving so you need to look at
9 that -- "There is also no rear yard and all
10 servicing access appears to occur through the
11 public parking lot. This proposed parcel does not
12 provide access from a legal right-of-way."

13 So before I go through the points, I
14 just want to say this. The way it's laid out, a
15 service truck, the loading is in the back of the
16 building -- each building -- and service trucks
17 will enter and go to the back where you have
18 parking, and do their servicing. All that should
19 occur within the lot line, not within the publicly
20 owned land. Because the maintenance of that land
21 and the private cars that have to pull in and out
22 of those parking spaces will be inhibited by the
23 delivery trucks that are coming to use that
24 building. So you really need to look at that.
25 Again, lots should have access to public

1 right-of-ways and do all of their servicing or
2 whatever they need to do within the legal-deeded
3 lot. And right now, this isn't doing it. I just
4 have to make that point.

5 CHAIRMAN ASH: Do you know if that
6 currently occurs in the downtown? Do you know if
7 all downtown businesses get deliveries from a
8 public right-of-way?

9 MS. BONACCI: There probably are
10 some that get deliveries from a public
11 right-of-way. And there are some that have
12 driveways where you can go in the back. Okay?
13 But that's not what this is doing. This is
14 pulling them and putting a delivery in the lane
15 between two parking spaces.

16 CHAIRMAN ASH: Is it your
17 understanding that publicly-owned land would not
18 be a public right-of-way?

19 MS. BONACCI: Not in this
20 configuration. Yeah, no, I don't. Because what's
21 happening; when you're in the street -- I mean we
22 can have this conversation.

23 (Crosstalk.)

24 CHAIRMAN ASH: But it's just not
25 stated in the Redevelopment Plan; is it?

1 MS. BONACCI: Pardon me?

2 CHAIRMAN ASH: The legal status of
3 that publicly-owned land to the rear of the
4 building, it's not stated in Redevelopment Plan?

5 MS. BONACCI: No. But I want you to
6 maybe talk about servicing. And servicing is one
7 of the goals and objectives. For a service issue
8 of this building is in conflict with the parking
9 that you're providing for residents. And I don't
10 recall which residents are, but it's a conflict.

11 CHAIRMAN ASH: But you're making
12 certain assumptions as to what the future may
13 hold.

14 (Crosstalk.)

15 MS. BONACCI: No -- because of my
16 day job I'm making assumptions, and I'm telling
17 you that this is a hindrance. In that
18 configuration, that is a safety issue. Okay? I'm
19 just sharing that. I'll keep reading.

20 "The Redevelopment Plan for these
21 structures is substantially inconsistent with the
22 ULUC with regard to height, bulk, density and not
23 consistent with the Master Plan Overall Goals and
24 Objectives; Items 12, Items 2 a, b, and, c.
25 Specifically, Item Goal #1: 'To provide adequate

1 light, air, and open space by establishing,
2 administering and enforcing bulk, density, and
3 design standards that are appropriate for the
4 various zones and uses in the community.'

5 The Redevelopment Plan, Page 51,
6 recommends maximum height and stories of 65 feet
7 and five, respectively. And Page 27 of the ULUC
8 recommends only increasing heights from 40 feet to
9 55 feet and three stories to four stories. This
10 change is substantially inconsistent with the
11 local Land Use Ordinance and beyond the
12 recommendations in the ULUC.

13 This height is excessive, but the
14 buildings are also large in mass and proportion
15 and inconsistent with the objectives of both the
16 land use and Master Plan objectives to grow and
17 develop a consistently small-town environment
18 aesthetic. Exceeding the size and proportion of
19 any other structures within the business district
20 as well as any other structures throughout town,
21 these buildings will serve to visually divide the
22 town rather than act as a way to join the two
23 sides together. Zones should be based upon
24 existing neighborhood patterns and not overly
25 intensive in relation to the lots on which a

1 dwelling is situated.

2 The commercial buildings will block
3 light and views of the downtown looking from the
4 Boulevard Historic District. The structures on
5 South Avenue will create an urbanized environment
6 that creates a narrow passage between Central
7 Avenue and Westfield Avenue, and development of
8 these structures run counter to Guiding Principle
9 #3 'We value open space and parks as an integral
10 part of our community's hometown feel and will
11 take advantage of opportunities for its
12 enhancement and expansion.'

13 In the ULUC, Guiding Principle #11
14 'to promote the conservation of the various
15 historical sites, structures, and districts by
16 establishing appropriate regulations for the
17 preservation of historic sites and structures and
18 establishing regulations that encourage
19 development and redevelopment in historic
20 districts to be compatible with existing historic
21 structure and sites in the district.'

22 Regarding buffers between zones, and
23 Item 7b, Page 13) the 20-foot side yard separation
24 is insufficient. Item 8b that indicates densities
25 should reflect existing neighborhoods -- the RS6

1 and new RA Zone should have sufficient buffers.

2 The train station buildings in the
3 2002 Historic Preservation Element are
4 designation-eligible properties, and the proposed
5 Office Buildings and Parking Garage violate the
6 objectives of the ULUC Guiding Principles #1, 2,
7 and 4 and the Master Plan.

8 Redevelopment Plan, Pages 47 and 51,
9 is inconsistent with the ULUC by recommending a
10 minimum rear yard setback of zero from the
11 property line directly opposite South Avenue.
12 There is no mention of changing the rear yard
13 setback of 10 feet in the ULUC for the CBD. This
14 is inconsistent with the goals and objective
15 identified." So that's where I'd say make the
16 buildings smaller, leave yourself 10 feet so you
17 can fit a truck back there where they can make the
18 turn. This was what I was referring to, Michael.

19 "The size and scale of the office
20 buildings along with the employees who will cause
21 additional traffic back-ups and encourage
22 through-traffic in residential areas, which is in
23 direct conflict with ULUC Goal #6 that seeks to
24 minimize 'minimize traffic congestion and
25 providing for safe and convenient access to

1 properties.'

2 The Redevelopment Plan on Page 1
3 states 'The Westfield train station has been
4 utilized and enjoyed by generations of
5 Westfielders. Over time, however, the uses on the
6 sites have become obsolescent. Their design and
7 function are no longer aligned with either market
8 realities or best practices for downtown
9 development.' Nowhere in the Redevelopment Plan
10 was a comparative analyses provided that would
11 confirm this assertion. The Plan fails to provide
12 supporting data fully utilized and convenient
13 parking lots for hundreds of residents each day
14 that are generating revenue are deemed obsolete
15 for the community.' And I believe we do get some
16 money because some people pay \$646 a year; I
17 believe. So we are making revenue, Mr. Chairman.

18 CHAIRMAN ASH: I'm sorry, what is it
19 you're referring to?

20 MS. BONACCI: The parking. So this
21 is the parking lot; right?

22 CHAIRMAN ASH: Yeah.

23 MS. BONACCI: I'm not losing my
24 mind.

25 CHAIRMAN ASH: Six hundred and

1 forty-six.

2 MS. BONACCI: Six hundred and
3 forty-six, I believe, or 696. There's an annual
4 amount people pay. So they're paying to park
5 there. The lots are full the majority of the days
6 of the week. And, yes, I'm there every day on the
7 train.

8 CHAIRMAN ASH: Can I ask you a
9 question?

10 (Crosstalk.)

11 MS. BONACCI: Anyway my point is
12 that we are making revenue, we're not obsolescent
13 by no revenue. (Indiscernible) the point, but
14 that's not the case.

15 CHAIRMAN ASH: Here's my question on
16 that point. Do you know if the amount that's paid
17 per year, per commuter, per parking spot; is that
18 above or below market rate for New York commuters?

19 MS. BONACCI: I don't know.

20 CHAIRMAN ASH: Okay. Thank you.

21 MS. BONACCI: That's a great
22 question. I would hope we're charging market
23 otherwise -- yeah. What's the market rate for a
24 parking spot?

25 CHAIRMAN ASH: I think it's well

1 below the market.

2 MS. BONACCI: Well, we'll look into
3 it. It doesn't mean you could push those people
4 out and put them in a parking garage. Every town
5 along this Raritan Valley Line has a service lot
6 in front of the train station. Every single one,
7 but not this one. Okay? So look at every single
8 town along the Raritan Valley Line and you can
9 move there and park your car at a service lot
10 right in front of the platform. Okay?

11 CHAIRMAN ASH: You can continue.

12 MR. LAPLACE: Chair, can I just
13 follow up on that point because you mentioned your
14 day job, and I'm assuming you're referencing
15 yourself as a planner; correct?

16 MS. BONACCI: I'm an architect, a
17 planner, and an executive in development, yeah.

18 MR. LAPLACE: And so you're used to
19 probably hearing the term that planner use a lot
20 which is "highest and best use of a site."

21 MS. BONACCI: Um-hmm.

22 MR. LAPLACE: Would you say a
23 surface parking lot height on a busy transit line
24 like the Raritan Valley Line is a "highest and
25 best use" of that land?

1 MS. BONACCI: Yes, because --

2 MR. LAPLACE: A surface parking lot?

3 MS. BONACCI: Yes. Here's what
4 you're forgetting -- and I don't want to get into
5 a debate -- but the commuters are residents of
6 this town and they moved to Westfield also because
7 they're commuters and...

8 MR. LAPLACE: I didn't ask that, and
9 I don't think you're aware of what I forget and
10 what I remember.

11 MS. BONACCI: Oh, okay.

12 MR. LAPLACE: If you could keep your
13 answers to the question.

14 MS. BONACCI: Sure.

15 MR. LAPLACE: I just asked you as a
16 professional because you brought up your day job;
17 is a surface parking lot the highest and best use
18 close to a train station?

19 MS. BONACCI: Depending on the
20 location, it can be --

21 MR. LAPLACE: With the Port
22 Authority or New Jersey Transit --

23 (Crosstalk.)

24 MS. BONACCI: I didn't speak to the
25 Port Authority or New Jersey Transit.

1 MR. LAPLACE: But I'm...let me
2 finish my --

3 MS. BONACCI: You didn't have to go
4 there; it's inappropriate. I'm here as a resident
5 of Westfield and I'm talking to you about my
6 professional expertise as a registered architect
7 and professional planner in the State of New
8 Jersey. Okay?

9 CHAIRMAN ASH: We accept your
10 comments as a resident.

11 MS. BONACCI: Thank you.

12 CHAIRMAN ASH: You have not been
13 qualified to testify as an expert.

14 MS. BONACCI: That's fine.

15 CHAIRMAN ASH: But we are accepting
16 your comments as a resident. Please continue.

17 MR. LAPLACE: And I apologize for
18 following the train -- and since you mentioned
19 you're day job and you're aware of your day job;
20 that's why. Thank you.

21 MS. BONACCI: Yeah. I commute every
22 day on the train for 40 years, so I get it.

23 CHAIRMAN ASH: Please continue.

24 MS. BONACCI: I think I'm actually
25 -- let me see, I got distracted. I'm turning it

1 over to Courtney. And then, there are charts in
2 the back which you can look at, at your leisure
3 which are really there for comparative purposes
4 regarding zoning and the size of this development.
5 Right? So you get a sense of it because I didn't
6 see it anywhere.

7 (Applause.)

8 CHAIRMAN ASH: Please continue.

9 MS. SCHAEEL: Good evening. I'm
10 Courtney Schael.

11 CHAIRMAN ASH: Your address, please.

12 MS. SCHAEEL: 511 Summit Avenue, and
13 also I own a business at 100 Quimby Street
14 downtown. So I'm going to be addressing the
15 private parking and how the Redevelopment Plan is
16 substantially inconsistent with the Uniform(sic)
17 Land Use and Circulation Element. Again, I'll
18 refer to that as Carla did as the "ULUC." There's
19 a chart, I don't know if you all have it, it might
20 help to follow along because I'll be referring to
21 these numbers. That chart shows the current
22 zoning ordinances. It shows the recommended
23 parking requirements in the ULUC. And then, it
24 shows the Redevelopment Plan parking requirements
25 minimum and maximum. Now, keep in mind, the

1 Redevelopment Plan parking requirements for the
2 CBD Zone. So that would be the South Avenue
3 offices are being redesignated to CBD, but the
4 Lord and Taylor properties are going to remain as
5 GB-2. So there aren't specific GB-2 parking
6 requirements in the Redevelopment Zone -- I mean
7 in the Redevelopment Plan.

8 With respect to the South Avenue
9 Offices; the South Avenue Offices are going to be
10 up to 210,000 square feet of office use. The
11 number of required spaces for those proposed
12 offices is equivalent to a 25% reduction from the
13 current zoning laws, but most importantly, it's a
14 16% reduction from the ULUC recommendations. So
15 that's inconsistency right on the face of the
16 Redevelopment Plan. Black-and-white; it's right
17 there. It's substantial, this is not a small
18 inconsistency. Under current zoning, for 210,000
19 square feet of office space, you would have to
20 have 700 parking spaces. That's current zoning.
21 Under the recommendations to reduce that in the
22 ULUC, the recommendation was to reduce that to 630
23 spots. That's what they would be required to have
24 for parking at the South Avenue Offices under the
25 recommendations and the ULUC; 630 parking spots.

1 The Redevelopment Plan is completely inconsistent.
2 It says, no, we're going to reduce that to only
3 require 525 spots for this Developer. That's 105
4 spots less than the recommendations in the ULUC.
5 So, to me, that is wholly insufficient and it's
6 substantial. That inconsistency cannot be allowed
7 to stay in the Redevelopment Plan. And that's
8 only for the office uses. Keep in mind, the
9 proposed uses on that property will also include
10 retail and you also have to account for visitor
11 parking for the offices.

12 Now, to demonstrate how that's
13 inconsistent with respect to the number of office
14 workers, based on Streetworks projection, it can
15 be estimated that there's going to be 630
16 passenger vehicles driving to South Avenue Offices
17 every day. And this is how we calculate that.
18 Streetworks sent an email to myself. I asked
19 about projected spending. They have a Projected
20 Spending Executive Summary Report on their website
21 that they posted, and it shows that they're
22 projecting 1,350 office workers across the three
23 office buildings. Okay? 210,000 square feet of
24 those offices are at South Avenue, 100,000 square
25 feet of those offices are at Lord and Taylor. So

1 it's essentially 1/3 at Lord and Taylor, and 2/3
2 at South Avenue. So with 1,350 projected office
3 workers, 2/3 of those office workers, or 900
4 workers are going to be going to South Avenue
5 Offices.

6 Now, the traffic experts,
7 Streetworks' experts, and actually Westfield's
8 traffic experts, estimate that of those 900
9 workers that are going to be going to South Avenue
10 Offices, 70% only are going to drive. There's
11 going to be 30% commuting. Okay? So let's assume
12 that's true. You know, I have my doubts that 30%
13 are going to commute, but for now, let's assume
14 that 30% commute by public transportation, and 70%
15 drive. So 70% of 900 is 630 people driving daily.
16 Just the workers, we're not talking about retail
17 yet, we're not talking about visitors, we're
18 talking about just the people driving to South
19 Avenue. That's 630 people a day. There're only
20 525 parking spots at that property. Where are
21 these 630 workers going to park? This is based on
22 Streetworks own projections. And this is why this
23 inconsistency with the ULUC is substantial and
24 cannot allow it to stand. It just doesn't work.
25 There's no way.

1 And that's why the recommendations
2 in the ULUC means something. Okay? You're
3 talking about reducing it to 525 spots, which is,
4 coincidentally, the exact number that they have in
5 their garage. So right off of the bat, between
6 630 office workers driving there and 525 parking
7 spaces, you have a deficit of 105 spaces; no place
8 to park. Okay? Now, that doesn't include visitor
9 spots. I inquired about that to Streetworks. I
10 said, well, okay, how many visitor spots are going
11 to be allocated for tenants? And keep in mind,
12 this is Class A office suites. These tenants want
13 parking for their employees and they want parking
14 for their visitors. They're not going to rent
15 space if they don't have dedicated parking spots
16 for their visitors coming to the office.

17 So when I asked Streetworks, well,
18 how many visitor spots are there out of these 525?
19 And they said, on average, there's going to be 55
20 spaces used by visitors. That's a floating
21 average. Sometimes it will be less, sometimes it
22 will be more. So when you deduct 55 spaces for
23 visitors from the 525 spaces, you only have 470
24 spaces left for that 630 workers going to that
25 location. So now that deficit has increased from

1 105 to a 160-spot deficit. Where are these 160
2 people going to park?

3 Finally, that deficit doesn't even
4 include the 18,000 square feet of retail at the
5 South Avenue Offices. So even assuming the lowest
6 parking requirement for general retail use --
7 forget about the higher requirements, we're using
8 the lowest use -- the Developer would have to
9 provide an additional 45 spaces for retail use.
10 Now, of course, they're saying they're going to
11 use 16 spots on South Avenue to, you know,
12 contribute to their required parking which is
13 still going to be short 29 spaces. So when you
14 add it up, you have 630 workers, you have 55
15 visitor spots and 29 retail spots. That's 730
16 spaces that they need, and they only have 525. So
17 they're short 205 spaces. This is why the
18 inconsistency is substantial. It's grossly,
19 grossly inadequate to reduce the required parking
20 on that lot inconsistent with the Master Plan and
21 the Land Use Element to the number of spots.

22 And the proposed use is not near
23 available public or alternative parking that can
24 justify that reduction. There're no parking spots
25 nearby that anybody can park in. I'll get to it

1 in a minute that the public parking that's being
2 reduced to such an extent you don't have any place
3 for these people to go. They're going to park,
4 where, in the neighborhoods? They're going to
5 park on South Avenue in the streets? I don't know
6 where they're going to park. The shared parking
7 between the zones, they have a provision in there
8 that they can share parking in cross zones.
9 They're not going to have any excess parking on
10 the Lord and Taylor lot, not that any Class A
11 tenant is going to rent space in their building
12 and then have their employees park over at Lord
13 and Taylor and then walk over. I mean that's the
14 whole point. Isn't it supposed to be these
15 Class A tenants? They're not going to want that.
16 They're going to want dedicated parking. And
17 finally, there's going to be no excess parking
18 that Streetworks can use to meet any parking
19 requirements under a -- or otherwise because
20 public parking under the Redevelopment Plan's
21 likewise inadequate and substantially consistent
22 with the ULUC; which I will discuss in a minute.

23 For the Lord and Taylor properties;
24 those aren't even going to be zoned as CBD. Those
25 are going to remain as GB-2, General Business

1 District Zone. One question you have over
2 referring to the zoning instead of the land use
3 element; well, part of the reason for that is
4 because for GB-2, there are no recommendations in
5 the land use about that. There're very specific
6 recommendations, for example, the ones I just went
7 over with parking. Very specific recommendations
8 for the CBD district, but there are not the same
9 specific recommendations for the GB-2 Zone.
10 Because there's nothing in there, the fallback
11 position would be; well, what does zoning say now?
12 Is this consistent with what we have now? If they
13 wanted to change the zoning and say, well, going
14 forward, GB-2 should have these reduced parking
15 requirements, well, the Land Use Circulation
16 Element planning said that when they said we're
17 reducing it for this zone too, but they don't say
18 that. So to the extent we refer to existing
19 zoning for the GB-2 section, that's the reason.
20 Because there's nothing in the Land Use
21 Circulation Element that recommends reducing
22 anything that exists now. Whereas in other parts,
23 for instance, the parking, it does recommend a
24 reduction and a change. So to an extent, you do
25 have to look back to the zoning and you can't just

1 say, well, it's not in there.

2 For the Lord and Taylor properties
3 -- excuse me just a minute -- okay, for those
4 properties, Streetworks is projecting 450 office
5 workers for the offices at that site, and then an
6 additional 50 residential workers for a total of
7 500 workers. So, again, if 70% of those workers
8 drive, there will be 350 office and residential
9 workers driving to the Lord and Taylor sites. Yet
10 the rezoning under the Redevelopment Plan only
11 requires 250 parking spots, leaving 100 space
12 parking deficit for the office worker on that
13 property. And that's only -- keep in mind, that's
14 only if it's used for general office use. If it's
15 used for professional office use, the recommended
16 retirements go up. So you have to add additional
17 parking. So they're talking about using part of
18 that property for medical office use. Well,
19 there're recommendations in the Master Plan and
20 the ULUC, those requirements are even higher for
21 medical use. And that's in the chart that you
22 should have. Let me just pull it up. For
23 professional office uses, the recommendation is 4
24 parking spaces per 1,000 square feet. And for
25 business office use, it's only 3 parking space

1 spaces per 1,000 square feet. So the numbers I've
2 been giving you are for general office use. If
3 it's used for medical, those numbers should be
4 even higher. And the deficit and lack of parking
5 is even higher than what I just went over.

6 Again, inconsistent with the ULUC,
7 the Redevelopment Plan provides 2.5 spaces per
8 1,000 square feet for retail which is
9 significantly less than the 3.3 spaces requirement
10 under the ULUC for the CBD zone. Now, again, keep
11 in mind, they're not even rezoning this as a CBD
12 Zone, they're leaving it as GB-2. So you really
13 should fall back to the original zoning for retail
14 which is much higher. But even if you relied on
15 the recommendations in the Master Plan for the
16 reduced reduction in required spaces for the CBD
17 Zone, it's still being reduced way below what's
18 required on this property.

19 The Redevelopment Plan provides for
20 8 spaces per 1,000 square feet of restaurant use
21 which is significantly less than 12 spaces for CBD
22 zones under the ULUC, and, therefore, is
23 substantially inconsistent with the ULUC. Based
24 on 33,000 square feet of allowed retail use at the
25 Lord and Taylor site, this results in a reduction

1 of 26 spaces from the number of parking spaces
2 that would have been required and recommended in
3 the ULUC for the CBD Zones. The rezoning of the
4 parking requirements for the South Avenue Offices
5 and the Lord and Taylor properties under the
6 Redevelopment Plan is substantially inconsistent
7 with the ULUC and the Town and the Planning Board
8 should require that the Redevelopment Plan be
9 consistent with the ULUC and not approve the
10 proposed plan that provides for wholly
11 insufficient parking.

12 With respect to public parking; the
13 Redevelopment Plan is also substantially
14 inconsistent. It does not provide or require the
15 provision of the sufficient number of parking and
16 loading zones in the appropriate locations to
17 serve the needs of the general public. We
18 included a chart that shows that the shopper
19 parking is going to remain consistent. So there's
20 going to be no increase in shopper parking
21 whatsoever. Even though it's consistently been a
22 theme in the Master Plan Reexamination and the
23 surveys, and in decades of anybody who has ever
24 lived in Westfield has known that parking has and
25 always been an issue. No shopper parking is going

1 to be added for the public. Commuter parking,
2 that's going to be reduced. That's going to be
3 reduced by 75 spots. So another common theme in
4 the Master Plan Reexamination, and another common
5 theme for years, has been the wait list for
6 commuter parking. We are a commuter town. Like
7 it or not, this is a commuter town. And it's not
8 a reverse-commuter town. People are not saying,
9 wow, let's go live in Elizabeth and commute to
10 Westfield. No. We're a town of people who move
11 here and we move here for the schools, and we move
12 here because it's convenient to commute to New
13 York. Granted, things have changed a little with
14 hybrid work and Covid, but essentially, maybe
15 people aren't going in the office three days a
16 week, but they're still going into the -- I mean 5
17 days a week -- but they're still going into the
18 office. We are a commuter town, and those
19 commuters deserve to have sufficient parking.
20 Instead, we're reducing that parking for our
21 commuter residents, and instead, in favor of a
22 whole new breed of people we're going to import in
23 for daily office space. It's just unfair, it's
24 wholly unfair to the residents of this town. And
25 then you have the total loss of spaces is 140

1 spaces which includes a reduction of the employee
2 parking by 106 spots. So you're reducing the
3 employee parking. And you hear a lot of stories
4 about, oh, it's so terrible, we've lost the tenant
5 who rented above Children's Place and, you know,
6 they didn't have enough parking and they left.
7 Well, okay, what if that building is relet? Where
8 are those employees going to park? You just got
9 rid of 106 employee parking spaces in town. So if
10 the landlord above Children's Place rents out all
11 the space, where are they going to park? You
12 know, where are all these people going to park?
13 You're talking about decreasing parking for
14 commuters, not increasing it for shoppers,
15 decreasing parking for employees. So the excess
16 employees over at South Avenue, the 200 people who
17 are coming every day and have no place to park.
18 There's no additional employee parking in town for
19 them to get a permit for; that's gone. You've
20 already reduced it by 106 spots.

21 You're talking about a complete
22 disaster when it comes it comes to parking. And
23 this is why this analysis is important. It's not
24 so easy to say, well, there's some catchall
25 phrase, well, if it's a Redevelopment Plan, we

1 don't have to really follow the Master Plan.
2 There's no blanket clause that gives you a pass
3 and says, well, as long as it's for the
4 Redevelopment Plan, we don't really have to look
5 at the details too carefully. This is why this
6 review is so important. It's to look at these
7 details and see. You know, there was a lot of
8 time that went into that Master Plan
9 Reexamination; a lot of time. And I keep hearing
10 that it's the bible. It's the bible that you're
11 all supposed to follow. I've heard that so many
12 times. The Developer says, oh, this is our
13 "bible." Well, if this is your bible, the bible
14 says this is the parking that is required, and
15 this is what we recommend for parking. And now
16 the bible has just been thrown out. The Master
17 Plan, the report; everything has been thrown out.
18 And it's like, oh, but it's a redevelopment, we
19 don't need to follow the bible anymore. It's
20 completely irresponsible to proceed and say, well,
21 there's a blanket for the redevelopment, we don't
22 have to follow this.

23 CHAIRMAN ASH: Well, you said
24 something interesting. You said the Master Plan
25 has recommendations. But it's a recommendation,

1 not a requirement. And the recommendation is for
2 an entire zone, not just one property. The Master
3 Plan is a broad document. The Land Use and
4 Circulation Plan is a narrowing and more defined
5 document. And the Redevelopment Plan is a much
6 more specific document because it only applies to
7 certain properties. So we're not changing parking
8 requirements in zones based on recommendations
9 that are requirements specific to this Plan for
10 specific uses on specific properties. And I think
11 that's a big important distinction.

12 MS. SCHAEEL: It's important to the
13 extent that you're essentially saying that
14 whatever is in the Land Use Element is merely a
15 recommendation and we don't have to take that
16 recommendation.

17 CHAIRMAN ASH: It's a recommendation
18 for a zone, not a specific property. It's a
19 recommendation for the entire CBD, but not a
20 specific property.

21 MS. SCHAEEL: But if you're not going
22 to follow the recommendation, this whole review
23 process, why are we even here?

24 CHAIRMAN ASH: When you say "follow
25 the recommendation" it's a recommendation for an

1 entire zone. And this Plan, this Redevelopment
2 Plan we're considering is requirements specific to
3 properties for specific uses on those properties.

4 MS. SCHAEEL: So you're trying to say
5 the recommendations don't fly because this is one
6 property within the zone?

7 CHAIRMAN ASH: I'm not saying they
8 shouldn't apply, but I'm saying there's a
9 relationship and not a requirement. It's a
10 recommendation and not a requirement. And you
11 can't inflate those two terms, and I see that over
12 and over again in this memo. There's a
13 recommendation, but it's not a requirement.
14 You've used those tournaments interchangeably and
15 they're not interchangeable.

16 MS. SCHAEEL: I'm not using them
17 interchangeably.

18 MS. BONACCI: It's inconsistent.

19 MS. SCHAEEL: It's inconsistent.

20 MS. BONACCI: It's an inconsistency.

21 (Crosstalk.)

22 CHAIRMAN ASH: It's not identical.
23 Identical is not consistent.

24 MS. BONACCI: It is not consistent
25 that -- look, it's inconsistent, so it doesn't

1 provide enough parking. It's showing a fallacy in
2 the Plan. So fix the Plan. You want to build a
3 superstructure; provide the right parking. People
4 don't want the superstructure because you will
5 create a wall between the north and south.
6 Because the beauty of Westfield is the visibility
7 between north and south. We get it. No, Shelley,
8 don't -- we get it that there's one --

9 CHAIRMAN ASH: It's not important.

10 MS. BONACCI: Look, you're plan is
11 deficient in parking. You can tie it back --
12 which is what she's trying to say -- and it
13 doesn't work. So we're trying to help you help
14 yourselves. If you want to look at it as an
15 adversarial, that's your choice. We have a lot of
16 expertise and we're trying to help you do the
17 right thing.

18 CHAIRMAN ASH: Let's be very clear;
19 this is not adversarial.

20 MS. BONACCI: Okay.

21 CHAIRMAN ASH: This is also not
22 expert testimony.

23 MS. BONACCI: I understand.

24 CHAIRMAN ASH: We're receiving your
25 comments, but when you're using terms like

1 "recommendation" and "requirement"
2 interchangeably, that is not what this Board is
3 reviewing.

4 MS. BONACCI: We'll, she's a
5 resident, so we don't know -- you know,
6 sometimes... It doesn't matter.

7 MR. LAPLACE: We're all residents.

8 CHAIRMAN ASH: We're all residents.

9 MS. BONACCI: The simple fact of the
10 matter is that this parking and the quantities are
11 less than what the ULUC stipulates.

12 CHAIRMAN ASH: It doesn't stipulate,
13 it's a recommendation.

14 MS. BONACCI: Whatever vocabulary
15 word you want because we're all tired.

16 CHAIRMAN ASH: But those terms are
17 important. These are terms of art that this Board
18 is using in considering and reviewing --

19 (Crosstalk.)

20 MS. SCHAEEL: If you want to call it
21 "terms of art" then every time that the Developer
22 stands up and says that something is consistent
23 with the goal, they better have an expert analysis
24 and separate report on that specific goal to show
25 that it complies. Because, otherwise, you're

1 allowing them to make broad strokes. Well, yeah,
2 you know, it goes along with this, it kind of goes
3 along with that.

4 CHAIRMAN ASH: We're not allowing
5 them to make broad strokes. We're imposing a set
6 of requirements. Obligations, not a
7 recommendation.

8 (Crosstalk.)

9 MS. SCHAEEL: So what are the
10 requirements under the Land Use Element? You're
11 saying there's no requirements in the Land Use
12 Element?

13 MS. BONACCI: Because you can go to
14 the RSIS and it stipulates that the parking
15 requirements are, which is even higher than what's
16 in here. So all we're trying to say is please
17 take a look at it because there are
18 inconsistencies, and the parking as shown is less
19 than what you're going to need based on the
20 Developer's own numbers; own forecast of 70%.
21 Anyway, that's what we're trying to say. It's
22 math, it's always mathematics. That's what
23 architecture and planning is; geometry and math.
24 Okay?

25 MS. SCHAEEL: I mean the issue before

1 the Board is whether it's substantially consistent
2 or inconsistent with the Master Plan. You're
3 saying because the parking recommendations are not
4 requirements, they're only recommendations, that
5 this is consistent even though it ignores those
6 recommendations and substantially reduces the
7 parking lower than those recommended in the Land
8 Use Plan. You're telling me that that is not a
9 substantial inconsistency. And if that's what the
10 Planning Board decides, do it at your peril is all
11 I can say because I disagree.

12 CHAIRMAN ASH: But I'm telling you
13 that is the standards of review that this Board is
14 tasked with deciding.

15 (Crosstalk.)

16 MS. SCHAEEL: I understand that it's
17 whether it's substantially consistent with the
18 Land Use Element. I understand that's the task.
19 And your position is because it's a
20 recommendation, you don't have to look at it when
21 you're considering whether it's a substantial
22 inconsistency.

23 CHAIRMAN ASH: All I'm saying is if
24 it says it's a "recommendation" it's not a
25 requirement. And you can't conflate those two

1 terms.

2 MS. SCHAEEL: I'm not conflating
3 those two terms. I'm talking about the standard
4 --

5 CHAIRMAN ASH: But you have over and
6 over again. I'm just pointing that out.

7 MS. SCHAEEL: Okay. Fair enough.

8 CHAIRMAN ASH: I just want to
9 clarify one other thing from our attorney. I want
10 to clarify what question, what standard of review
11 this Board is actually considering. It doesn't
12 use the word "substantial" as you just said.
13 That's nowhere in our review. So I'm going to
14 defer to our attorney for the legal standard of
15 what is this question this Board will answer
16 tonight.

17 MR. TREMBULAK: The standard is
18 consistency, not substantial consistency. Again,
19 the statute --

20 AUDIENCE MEMBER: Turn your mic up,
21 we can't hear.

22 MR. TREMBULAK: Sorry.

23 The standard in the statute is
24 whether the Devotement Plan is inconsistent with
25 the Master Plan. It doesn't talk about

1 substantial inconsistency, it talks about
2 consistency. And, again, it indicates that the
3 Planning Board's report should include
4 identification of the provisions in the proposed
5 Development Plan which are inconsistent with the
6 Master Plan.

7 MS. SCHAEEL: And I appreciate that
8 distinction because I have been referring to
9 substantial inconsistencies because when I look at
10 this, I think it's substantial. I'm glad you
11 clarified that because the standard is actually
12 lower. It's not substantial, it's any
13 inconsistency.

14 MR. TREMBULAK: We should also point
15 out that --

16 (Crosstalk.)

17 MS. SCHAEEL: Just so everybody
18 understands when I say "substantial" it doesn't
19 have to be substantial, it has to be inconsistent.
20 And as Carla went through for a good period of
21 time, she pointed out every single inconsistency
22 between the land -- and keep in mind, not the
23 zoning laws, not the Master Plan -- between the
24 ULUC she went through in excruciating detail of
25 every inconsistency between that document and this

1 Redevelopment Plan. I just went through the
2 inconsistencies between the Redevelopment Plan and
3 the ULUC. And now Mr. Gersten is going to go
4 through more of the inconsistencies unless you
5 have more questions for me.

6 CHAIRMAN ASH: No. Mr. Gersten is
7 part of your sort of representation of the
8 Advocates?

9 MS. SCHAEEL: Yes, he is. Yes.

10 CHAIRMAN ASH: The advocates of the
11 Advocates; right?

12 MS. SCHAEEL: He's going to continue.

13 CHAIRMAN ASH: He's going to
14 continue. Who else are we going to hear from?

15 MS. SCHAEEL: I think there's one
16 person at the end.

17 CHAIRMAN ASH: And who is that?

18 MS. SCHAEEL: I have to find out.
19 Just a second. I'm losing my voice.

20 MS. BONACCI: He said three people,
21 Marvin is the third person.

22 MS. SCHAEEL: We had one other
23 section.

24 CHAIRMAN ASH: I just want to
25 understand where the night is going.

1 MS. SCHAEEL: We just have one other
2 section after him. I'm just kind of losing my
3 voice. I need a drink. So maybe I'll just finish
4 up -- it's quick -- after he's done.

5 MR. LAPLACE: Mr. Chair, I have a
6 question; procedurally. If I have a question for
7 Ms. Schael, do I ask now or do I wait until later?
8 It's just a clarification, actually.

9 CHAIRMAN ASH: While she's here, why
10 don't you ask it now?

11 MR. LAPLACE: All right. I know
12 you're very concerned about parking. A lot of
13 your testimony was about parking; your narrative.

14 CHAIRMAN ASH: Comments, not
15 testimony.

16 MR. LAPLACE: Comments. Would you
17 say that the site, the South Avenue Zone, the
18 Redevelopment Zone, the proposed one, as well as
19 the Lord and Taylor one, are well-served by
20 transit both bus and train access?

21 MS. SCHAEEL: It's not for my, my --
22 it's not for me to say.

23 MR. LAPLACE: I'm just asking your
24 opinion as a resident.

25 MS. SCHAEEL: Streetworks had said

1 that their estimate --

2 MR. LAPLACE: I'm asking you as a
3 resident.

4 MS. SCHAEEL: -- and their traffic
5 experts have said that they estimate that 30% will
6 take public transit --

7 MR. LAPLACE: That's not what I
8 asked you.

9 MS. SCHAEEL: -- and 70%. And those
10 are the experts that the Town is relying on. It's
11 not for me to opine about what my thoughts are.

12 MR. LAPLACE: I'm asking you as a
13 resident of Westfield. Do you feel that they are
14 well-served by bus and train service? That's all
15 I'm asking you.

16 MS. SCHAEEL: Again, I...

17 MR. LAPLACE: You have no opinion?

18 MS. SCHAEEL: Do I think they're
19 well-served? I don't not -- I do not --

20 (Crosstalk.)

21 MR. LAPLACE: Are they in close
22 proximity to the train and bus?

23 MS. SCHAEEL: Okay. I do not believe
24 that 30% of those people are going to commute to
25 Westfield. No, I don't think that for a minute.

1 MR. LAPLACE: Again, that's not what
2 I asked.

3 MS. BONACCI: What did you ask?

4 (Crosstalk.)

5 CHAIRMAN ASH: We're not --

6 MS. SCHAEEL: He asked about if
7 they're well-served.

8 (Crosstalk.)

9 MR. LAPLACE: I'll wait until later.

10 CHAIRMAN ASH: This is not
11 productive.

12 MS. SCHAEEL: He asked the question.
13 I mean, is it well-served?

14 CHAIRMAN ASH: We're going to move
15 on and we're going to hear from Mr. Gersten.

16 MS. SCHAEEL: Okay.

17 MR. GERSTEN: I'll try and be brief.
18 My name is Marvin Gersten. I'm a Westfield
19 resident and we moved here in 1972. We love
20 Westfield.

21 CHAIRMAN ASH: Your address, sir.

22 MR. GERSTEN: I'm at 725 Saint Marks
23 Avenue. I'm a retired professional engineer. I
24 spent my 50-year career as a consultant in traffic
25 and transportation engineering. They Mayor and

1 others here are familiar with me. I've been
2 appointed many years by other mayors, Westfield
3 mayors, and mayors to the Union County
4 Transportation Advisory Board.

5 CHAIRMAN ASH: Sir, we're not
6 accepting your testimony as an expert. I
7 appreciate your --

8 MR. GERSTEN: I just wanted to
9 identify myself.

10 CHAIRMAN ASH: And we will accept
11 your comments as a resident. Thank you.

12 MR. GERSTEN: So I reviewed the
13 Traffic Engineering Impact Study, and I was asked
14 to compare the recommendations with what was in
15 the Circulation, the 2021 ULUC, and the
16 Development Plan. And I just want to note several
17 of the points that I found that I thought were
18 inconsistent or of concern. And I start with the
19 2021 ULUC, Page 18, it talks about the vision
20 statement.

21 CHAIRMAN ASH: Mr. Gersten, is this
22 analysis -- where is this in the memo?

23 MR. GERSTEN: I'm just comparing
24 what I feel are contradictions or inconsistencies.

25 CHAIRMAN ASH: So your comments are

1 not within the four corners of the memo that's
2 been presented?

3 MR. GERSTEN: Yes. They're
4 summarized in Exhibit B.

5 CHAIRMAN ASH: Oh, Exhibit B.

6 MR. GERSTEN: This is what I have.

7 CHAIRMAN ASH: I'm just asking you
8 where so we can follow along.

9 MR. GERSTEN: Yeah. I'm going to
10 read a few of those which I feel are very
11 significant. And the first one, Page 18, in the
12 Goal Statement in the ULUC "safe connectivity
13 through downtown on North and South Avenue." And
14 then you go to the Redevelopment Plan, Page 103
15 Section 6.2, Intersection Improvements, it says
16 "Based on the findings of the PTIS" -- that's the
17 traffic impact study -- "without implementing
18 mitigative measures, some intersections within the
19 Traffic Study Area may be negatively impacted as a
20 result of the development. Consequently, the
21 following measures" -- and they list the
22 mitigation measures that they're including --
23 "those measures should be implemented in
24 conjunction with implementation of the development
25 contemplated in this Redevelopment Plan" -- but

1 I've highlighted the next words -- "subject to
2 approval by the appropriate agencies." That is
3 kind of repeated throughout "subject to approval
4 of appropriate agencies."

5 When I met with the traffic
6 engineers, I asked them about this. I said you
7 know your report didn't have cost estimates in it,
8 and what about those cost estimates? And I was
9 told they were subject to review. Subject to
10 review and approval by the State and the County --
11 because those are the county roads on Route 28;
12 state roads are Route 28, county roads are the
13 others -- and could be subject to increased cost
14 estimates. So we know where this is going, and we
15 don't know if those projects have buy-in by the
16 State or the County yet. So that's one concern.
17 And to me, that is an inconsistency. It seems to
18 me that the Report and the Master Plan and the
19 Redevelopment Plan should have assurances that
20 these projects are really feasible and can get
21 done.

22 The second, under Overall Goals and
23 Objectives in the ULUC, Item 6 on Page 20,
24 "minimizing traffic congestion and providing for
25 safe and convenient access to properties." Then

1 you go to Page 105 of the Redevelopment Plan,
2 Intersection #23, Public Area North Driveway at
3 North Avenue. "New driveway for only right-turn
4 in/right-turn out movements." And then you go to
5 the Kimley Horn Report and that's on Pages 3 and
6 4, and it talks about "Intersection ID #23, North
7 Avenue and East and North Zone Parking Site
8 Driveway." So when you look at the geometry --
9 there's a drawing in the index of the Kimley Horn
10 Report that shows the geometry -- the driveway is
11 50 feet on the eastbound roadway, North Avenue
12 eastbound, the driveway is 50 feet from the stop
13 line of the signalized intersection of Central
14 Avenue. So I looked at the code, the New Jersey
15 Code, New Jersey Administrative Code 16-47-3.8
16 requires a minimum of 100 feet driveway setback
17 from signalized intersections. The proposed
18 driveway, as I mentioned, is only 50 feet from the
19 Central Avenue intersection. I don't see how New
20 Jersey DOT can approve that driveway, and,
21 therefore, how valid is that plan recommendation?

22 Now, let's go to the Implementation
23 Matrix, Circulation Recommendation Numbers, that's
24 in the ULUC. On Page 27 it says "Investigating
25 new bicycle/pedestrian connection between Lord and

1 Taylor and Westfield Train Station." And then it
2 says "short-term." In the Redevelopment Plan, it
3 says on Page 107 "Safer and more accessible
4 pedestrian crossings throughout the Redevelopment
5 Plan including a new potential elevated pedestrian
6 crossing across Route 28." That was not included
7 in the original traffic memorandum that
8 subsequently was shown. Now, we're going to talk
9 about pedestrian crossing there. My comment is
10 that would certainly require New Jersey DOT and
11 possibly New Jersey Transit coordination and
12 approval. There are no cost estimates provided,
13 and subject certainly to lengthy review times and
14 increases. And yet, in the ULUC, it calls it
15 "short-term." Next...

16 CHAIRMAN ASH: Mr. Gersten, if this
17 zoning is implemented and the Redevelopment
18 Agreement signed and the Developer comes to this
19 Board for site plan approval, there will be a
20 traffic plan as part of that site plan approval;
21 right?

22 MR. GERSTEN: There sure will be.
23 And that has to go to the DOT.

24 CHAIRMAN ASH: And they'll have to
25 comply with all DOT guidelines and requirements.

1 And there would be conditions of approval on that
2 Applicant that they fully comply with all of those
3 conditions.

4 MR. GERSTEN: True.

5 CHAIRMAN ASH: So right now, today,
6 is a consistency review of a zoning ordinance.
7 And I think a lot of the issues you address are
8 better discussed in detail once there's an
9 engineering plan and testimony from traffic
10 experts where we can impose these conditions.
11 Would you agree?

12 MR. GERSTEN: Absolutely.

13 CHAIRMAN ASH: Okay. Thank you. So
14 would you come back at that time?

15 MR. GERSTEN: Yes.

16 CHAIRMAN ASH: Okay. But you would
17 also agree these are not necessarily consistency
18 review issues?

19 MR. GERSTEN: I'm raising them as a
20 concern of mine that it appears to be a
21 contradiction to what it said and what would
22 actually be approved.

23 CHAIRMAN ASH: Were not here today
24 concerned with what may be approved or if it's
25 going to take a long time to be approved. We'll

1 deal with that with the site plan review.

2 MS. BONACCI: He's raising it
3 because it speaks to inconsistency. But because
4 when one goes back to zoning, and one goes to land
5 use, the land uses and the configuration of those
6 properties won't work. So that's what we're
7 trying -- so you're getting the added benefit of
8 that information. If you look at it through the
9 lens of are your little blocks of land use and
10 functionality actually workable? You have to do
11 that early on, otherwise, the building blocks are
12 wrong.

13 (Crosstalk.)

14 CHAIRMAN ASH: But, ma'am, tonight,
15 right now, today, we don't have that. We have
16 bulk requirements, we have permitted uses; we
17 don't have a fully engineered plan.

18 MS. BONACCI: You don't need a fully
19 engineered -- but when you look at these as
20 building blocks and the functionality fit within
21 the existing fabric of the community, one can see
22 where the fallacies are. It's very simple. He's
23 trying to use examples.

24 CHAIRMAN ASH: He's using specific
25 examples to say this driveway will not comport

1 with DOT requirements.

2 MS. BONACCI: Well, it won't. So
3 when --

4 (Crosstalk.)

5 CHAIRMAN ASH: But we don't have a
6 driveway right now. We only have bulk
7 requirements, concept plans; we don't have
8 fully-engineered buildings.

9 MS. BONACCI: You can -- you can,
10 but one should understand where they're putting in
11 a zone in plan and building blocks, that the
12 functionality -- the access, the egress, the
13 surfacing -- all of that in a conceptual level
14 will work. Will work Chris. That's what people
15 do when they design cities or blocks or buildings.
16 And all Marvin is trying to say is that there are
17 some inconsistencies here, and if you looked at it
18 through a lens, you would see that. We're just
19 telling you. Obviously, you make whatever
20 decision you want, but we're telling you where the
21 fallacies are. That's all I'm going to say.

22 CHAIRMAN ASH: And I'm being very
23 clear here. I'm being very clear that we're not
24 approving driveways.

25 MS. BONACCI: I understand you're

1 not approving driveways.

2 CHAIRMAN ASH: It's consistency of a
3 proposed zoning ordinance with existing
4 recommendations.

5 MS. BONACCI: Yes.

6 CHAIRMAN ASH: And he agreed that
7 there's a time and a place to do this, and it's
8 not tonight.

9 MS. BONACCI: I give up.

10 AUDIENCE MEMBER: But it wasn't the
11 other night either. The other night we sat here
12 and the council people went against everybody. If
13 they had listened to the general opinion, they
14 would have sided with us.

15 CHAIRMAN ASH: Mr. Gersten, you can
16 continue with the understanding that there is no
17 engineered driveway or any features --

18 MR. GERSTEN: I'm not talking about
19 it, I'm past the driveway. I'm on another
20 subject.

21 CHAIRMAN ASH: Briefly. Please,
22 Mr. Gersten.

23 MR. GERSTEN: I will. The traffic
24 circle in Westfield is a big concern. So in the
25 ULUC, it said conduct a detailed study around the

1 circle to investigate feasible options for
2 approving this. The Redevelopment Plan says to
3 "evaluate improvements and in consultation with
4 state and other reviewing agencies, and implement
5 if deemed necessary." The traffic report
6 certainly deemed it necessary. But it said,
7 however, changes to the current layout may not be
8 feasible. And then, you look at what they said
9 that if it's not done, the traffic levels of
10 service at that location just get worse and worse;
11 Levels E and F. Except the levels of service in a
12 town on D. So that circle is just going to be
13 impacted by continued traffic. So you have a
14 recommendation, you have a Redevelopment Plan that
15 calls for it, and yet it kind of contradicts it.
16 We say, well, we may not do one, and now we have
17 the congestion. But the goals of the
18 Redevelopment Plan, the goals of the Master Plan
19 are to address traffic congestion. I just think
20 it's a contradiction.

21 The last one, "conduct a further
22 study, potential options for a road diet on South
23 Avenue between Central Avenue and the traffic
24 circle short-term." What is the road diet? The
25 road diet is taking the westbound lane with the

1 northwest and the westbound traffic lane and
2 taking it away with the idea that the
3 Redevelopment Plan will have a retail level at
4 that level and they're going to use that lane for
5 parking. But that's not short-term. So I think
6 it's a contradiction; it's just inconsistent. So
7 those are just a few of them. The table has
8 several more things that I'm concerned about as
9 inconsistent. Thank you.

10 CHAIRMAN ASH: Thank you,
11 Mr. Gersten.

12 MS. BONACCI: I just want to close.
13 Is that okay?

14 CHAIRMAN ASH: Briefly.

15 MS. BONACCI: As we shared with you
16 the inconsistencies that we found in the document
17 and a group of people did diligent work this
18 weekend reading 157 pages with the best interest
19 of the town at heart. I need you to understand
20 that. "The Plan violates fundamental planning
21 principles to integrate new development with the
22 existing development consistent with a
23 community-based vision. A different lower-scaled
24 plan that could be truly consistent and inclusive
25 of all the community's aspirations described in

1 the Master Plan is really what we're trying to
2 convey. Not a select few of the Master Plan
3 objectives simply to maximize revenues or
4 densities taken to their extreme. And that is how
5 the plan reads. Because it is singular, it's
6 unique, there's nothing like it. It does look as
7 though it was brought in from outer space. That's
8 the reality. So we wanted you to understand the
9 inconsistencies, take it to heart and think about
10 it. And that's it. Thank you for letting us
11 speak.

12 CHAIRMAN ASH: Thank you. At this
13 time, I'll accept comment from other members of
14 the public who have not been represented by the
15 Westfield Advocates presentation who have specific
16 and relevant comments that demonstrate specific
17 provisions of the Redevelopment Plan as
18 inconsistent with specific provisions of prior
19 land documents. Can you raise your hand please if
20 there's anything that you'll need to comment above
21 and beyond what the Westfield Advocates'
22 presentation just put forward? I see four hands.
23 If you would just please get it in line.

24 Sir, your name and address.

25 MR. LAPORTA: Yes, hello. My name

1 is Tony LaPorta, 409 Chestnut Street, Westfield.
2 Former first ward councilman and former member of
3 the Planning Board. I was on the Planning Board
4 for five or six years. My comment is a point of
5 order I address to the Chairman. I believe that
6 Mayor Brindle should not be sitting on this Board,
7 she's a conflict of interest.

8 CHAIRMAN ASH: And what is that
9 conflict of interest?

10 MR. LAPORTA: Well, that conflict of
11 interest is Mayor Brindle has been working with
12 Developers between three and four years and this
13 is her plan. She's got a conflict of interest
14 here. I doubt Mayor Brindle is going to vote
15 against this plan. These were not public meetings
16 that she had with the Developer. She has not
17 released any minutes. She hasn't talked about
18 what exactly they talked about, and that's a
19 conflict of interest, sir. I believe Councilman
20 Dardia has a conflict of interest in that he's
21 been going down along with Mayor Brindle to the
22 One Westfield Place and discussing the attributes
23 of this Plan to the citizens. How then can they
24 be objective sitting on this body? So I raise
25 that point of order, sir. I do not believe they

1 should be sitting here and they have direct
2 conflicts of interest.

3 CHAIRMAN ASH: Thank you for your
4 comments.

5 MR. LAPORTA: The comment, sir?

6 CHAIRMAN ASH: The comment that that
7 is not a point of order, you're raising a legal
8 question. And if there is any possible inference
9 of a conflict, they would not have sat on this
10 dais all night.

11 MR. LAPORTA: We disagree -- I
12 disagree. I speak for myself, sir.

13 CHAIRMAN ASH: I accept your comment
14 and you're excused.

15 MR. LAPORTA: I'm excused? Wait, I
16 have a right -- I pay taxes in this town. I have
17 a right to be here.

18 CHAIRMAN ASH: You've made your
19 comment, now allow other tax-paying residents to
20 make their comments.

21 MR. LAPORTA: Well, you say it's a
22 legal issue, we have an attorney here. Would he
23 like to say something?

24 MR. TREMBULAK: I don't believe it
25 creates an ethical issue requiring these

1 qualifications, particularly in the light of the
2 limited role of this Board. This Board -- this is
3 not a hearing, it's not a quasi-judicial hearing
4 of the site plan application. And I also think
5 that because the Municipal Land Use Law requires
6 that mayors serve on planning boards and that a
7 council representative also serves. But there's a
8 recognition that they have a dual involvement.

9 MR. LAPORTA: Isn't that a conflict
10 of interest?

11 MR. TREMBULAK: It's not a conflict
12 of interest in my mind.

13 (Crosstalk.)

14 CHAIRMAN ASH: Sir, you've made your
15 comment. Our attorney has weighed in. Thank you.

16 MR. LAPORTA: Say that again so I
17 can hear you.

18 CHAIRMAN ASH: You've made your
19 comment, you've heard my response, you've heard
20 our attorney's response. Thank you.

21 MR. LAPORTA: Okay. Thank you.

22 MR. MCNAMARA: Hi. My name is
23 Bob McNamara, 673 Lawrence Avenue. And I wanted
24 to talk directly about an inconsistency regarding
25 the height of the Lord and Taylor East and West

1 Buildings. Just tonight, Mr. Colley from Topology
2 mentioned that the Master Plan Reexamination
3 Report suggested that the Lord and Taylor site
4 might be more stories in a CBD. This report was
5 done in 2019. At that time, the CBD was three
6 stories and 40 feet. 2020, Topology, Mr. Colley's
7 report, relative to the area of redevelopment,
8 basically, in Pages 16 and 68, restate
9 three stories and 40 feet. Only when we come to
10 2021, the ULUC then recommend that the CBD becomes
11 four stories and 55 feet. So from that, then
12 Mr. Colley goes backward in time to say that the
13 six stories that -- the six stories was envisioned
14 in 2019. That doesn't make any sense. That is
15 inconsistent in terms of what people said in 2019
16 relative to the Lord and Taylor site. Nobody can
17 tell me that we went from three stories and 40
18 feet to six stories and actually 80 feet because
19 you have to count the parapet. So that is
20 inconsistent all the way through to go back in
21 time to suggest it was supposed to be that height.
22 And that is really important because, as we know,
23 at least the East Building is right next to
24 Memorial Park.

25 I don't know if any shadow studies

1 were done by the Developer; by Topology. I didn't
2 see anything in any of the documents that were
3 provided. We did a solar study of that East
4 Building; which I have here. The bottom line is
5 that for a substantial portion of the day, the
6 memorials will be in shadow. Specifically, go to
7 the middle of the day, December 21, and half of
8 the Memorial Park is in shadow because of the lack
9 of sufficient setbacks in that East Building. And
10 I think that needs to be addressed as an
11 inconsistency. I also wanted to talk a little bit
12 about what Mr. Colley just testified to relative
13 to the setbacks for the East and West Building.
14 He said that those would be set back so that the
15 majority of the bulk was for the railroad. That's
16 actually not consistent with what we see, Page 21,
17 of the Redevelopment Plan, the majority of the
18 buildings are toward the street, not toward the
19 railroad. And I think that that's very
20 inconsistent. I think we all would agree the idea
21 that the bulk was towards the railroad and not
22 towards our street would be a division. But right
23 now, this Redevelopment Plan has it just the
24 opposite, completely opposite of what Mr. Colley
25 testified to. Thank you.

1 (Applause.)

2 CHAIRMAN ASH: Thank you. Thank
3 you.

4 MS. KEHOE: Hello. And thank you
5 for the opportunity to speak this evening. My
6 name is Maureen Kehoe. I live at 419 East Dudley
7 Avenue. I'll try to keep it short. One of the
8 things in addition to agreeing with the other
9 speakers is to the impact on the quality and
10 character of the town that this Plan would affect.
11 The impacts on the traffic, the impacts on
12 single-family residential areas abutting the
13 redevelopment zone on Ferris on Clark on Charles
14 on North. And also the traffic that's going to
15 increase going past my house on Dudley as a result
16 of this Plan. But specifically, one of the things
17 I noted was that the maximum coverage on a lot of
18 these buildings is from 80 to 100% which is
19 incredibly inconsistent, it seems to me, with the
20 rest of the buildings in the town. Most of the
21 other buildings in the downtown district are two
22 and three stories. Here, you're doubling the
23 height by, I think, six-story office buildings
24 that's also inconsistent, I believe, with both
25 comparative the Town and the Master Plan.

1 CHAIRMAN ASH: And any parking in
2 any structure or surface lot will 100% comply with
3 those standards.

4 MS. KEHOE: I understand that. But
5 you're still -- this Plan will remove a
6 substantial amount of surface parking directly
7 adjacent to the train station which will be
8 eliminated and replaced by spaces that are in a
9 parking garage. And that is not as accessible for
10 a lot of people in terms of pick up and drop off
11 of people from the train station that will also
12 get impacted from this Plan.

13 CHAIRMAN ASH: Thank you.

14 MR. SCHMIDT: Good evening,
15 Mr. Chairman, Members of the Board, my name is
16 John Schmidt. I reside at 669 Boulevard,
17 Westfield. I'm going to suggest to you that this
18 Redevelopment Plan should be rejected at this
19 point in time because it completely fails to
20 address the significant issue raised in the 2019
21 Master Plan Reexamination. One of the goals said
22 is to "preserve and protect the suburban character
23 of existing residential neighborhoods through
24 discouraging through-traffic in residential areas
25 whenever necessary."

1 Streetworks, Hudson Bay, has
2 suggested that there're going to be approximately
3 1,300 new jobs being proposed, or potentially, in
4 this Westfield Downtown area as a result of this
5 redevelopment. Under its own suggestion, 70% of
6 those people will be driving to work. That's
7 approximately 900 cars. Add 900 cars together
8 with even one car for each of the 225 residences
9 proposed and you could be looking at over 1,100
10 cars added to the roads of Westfield. There is
11 absolutely nothing, nothing in this Redevelopment
12 Plan that talks about where those cars are going
13 to go. When I questioned Streetworks' traffic
14 person about it, particularly, with regard to
15 potential traffic on the Boulevard and on Summit
16 Avenue, the suggestion -- the answer, which I
17 thought was very inadequate -- was simply, well,
18 we'll have the new traffic signals installed, we
19 don't think there will be any diversion of traffic
20 onto residential areas. I suggest that the Plan
21 completely fails to address that issue when you're
22 talking about potentially 900 cars commuting back
23 and forth to work every day.

24 When you know the traffic on Central
25 Avenue has four traffic lights between Central and

1 North and Clark route before you get to the
2 parkway. And you know that if somebody is
3 traveling on the main road Central to East Broad
4 Street to get to Route 22, there are multiple
5 lights, you know people are going to avoid those
6 as much as possible which then can divert them
7 into various residential roads. Either the
8 Boulevard and Summit on the south side. Or
9 potentially Prospect, there's a way to get up to
10 Brightwood to get to 22, or even down Dudley to
11 get to 22 to come out to 22. People are going to
12 take other avenues to avoid the main arteries and
13 to therefore clog residential areas with
14 additional traffic.

15 That issue has not been addressed at
16 all in the Redevelopment Plan. Nothing has been
17 suggested as to how to avoid putting additional
18 traffic into the residential areas. And that's a
19 major objective of the 2019 Master Plan
20 Reexamination. And because of that, I think the
21 Plan should be at least shelved until that issue
22 is specifically addressed and resolved. Thank
23 you.

24 CHAIRMAN ASH: Thank you.

25 MR. FORTINO: Good evening. My name

1 is Frank Fortino. I reside at 1 Pricilla Lane
2 here in Westfield. I've been a resident for the
3 past 30 years and I've testified before here in
4 front of Council. And my concern here -- and I'm
5 not going to speak on what's consistent and what's
6 not consistent because it's clear that the message
7 was said very clearly tonight and demonstrated
8 clearly what is consistency -- here's the message
9 I want to bring across to everyone here. We have
10 a town here that's second to none. Second to
11 none. There's no other town that's like
12 Westfield. I think we all know that deep down
13 inside. But to not consider the consistencies of
14 all of the requirements that we've faced,
15 especially in 2019, the requirements, I think
16 would be a real crying shame. I'm not against
17 development. I'm not against anything that would
18 grow a town. But I'm certainly against a lot of
19 things that will divide this town. Developing the
20 town in such a manner that you're making monstrous
21 buildings. And then, of course, presenting one
22 thing in terms of mass and structures and then
23 hearing another; that is not a right way to really
24 treat this town and the rest of the citizens in
25 this town. So I ask each and every one of you to

1 please consider, please consider, to enhance this
2 town in a proper fashion and a proper method that
3 we all will benefit from and be successful.

4 This town will never die because of
5 its uniqueness and because of it's -- you know,
6 the way the families have been growing and growing
7 in this town. But what I think that it will do is
8 create a tremendous hardship if we actually pass
9 this development as it is. Thank you.

10 CHAIRMAN ASH: Thank you.

11 (Applause.)

12 MR. OLIVEIRA: David Oliveira,
13 503 Boulevard. The Mayor and Council and
14 supporting Boards went to great lengths to conduct
15 the Master Plan Reexamination, to update Master
16 Plan, to update -- excuse me -- to create a bike
17 and pedestrian Master Plan, the Unified Land Use
18 and Circulation Plan. It seems to me foolish to
19 go through that process only to ignore and scrap
20 those plans in pursuit of a massive development
21 that is not consistent with those plans. I
22 understand that finances are not the purview of
23 this Board, but the size, scale, and scope of this
24 plan are being driven by the financial interests
25 of HBC Streetworks, not in the best interest of

1 the town residents. HBC's desire should not be a
2 reason to ignore the planning and zoning
3 recommendations for this town.

4 The previous speakers did a
5 fantastic job of laying out planning and zoning
6 concerns with One Westfield Place. I'm not an
7 attorney, I'm not an architect, or a traffic
8 engineer. But let me give you some feedback on
9 two of the main concerns that I have as an
10 educator, just a normal person. The first is the
11 bulk and size. The other day I was driving down
12 South Avenue approaching Vermella in Garwood, and
13 my 15-year-old daughter said to me, "Dad, it feels
14 like we're driving into a tunnel." Authorizing 65
15 to 75-foot buildings in our town is creating that
16 same dynamic. That's not consistent with, nor
17 what I want for our town. The second point is
18 traffic. One Westfield Place will be adding 183
19 residences, 300,000 square feet of office space,
20 and plus or minus -- depending on where you look
21 -- 30,000 square feet of retail. At one of the
22 One Westfield place presentations, HBC said that
23 development would generate 1,700 jobs. Using 69%
24 as the number of workers that will be driving that
25 is 1,173 additional cars on our roads, plus the

1 cars from the 183 residences.

2 The Mayor, herself, in a hearing
3 before this Board, countered the Applicant's
4 traffic consultant for a 40-unit residence on
5 North Avenue by saying, "they'll tell you it's not
6 going to have a material impact, and that's what
7 regulation said, but the reality on the ground in
8 this particular place is very different." I would
9 ask you to heed the Mayor's words and consider the
10 traffic One Westfield Place will cause on all of
11 our roads. But particularly the impact on
12 Boulevard and Summit as cut-through streets for
13 the already overcrowded Central Avenue. That is
14 not consistent with our Master Plan. Thank you.

15 CHAIRMAN ASH: Thank you. At this
16 time, we are closing the public comment.
17 Mr. Colley, I saw you sitting there dutifully
18 taking notes during the public comment.

19 MR. COLLEY: I was.

20 CHAIRMAN ASH: I pointed out that a
21 lot of the analyses in the Westfield Advocates
22 memo and comment compared the recommendations of
23 the Uniform Land Use and Circulation Plan to
24 existing zoning and to the proposed Redevelopment
25 Plan. Is that appropriate in your opinion?

1 MR. COLLEY: I believe it is, yes.

2 CHAIRMAN ASH: And for purposes of
3 consistency review, how does that analysis inform
4 the Board's decision tonight?

5 MR. COLLEY: The purpose of the
6 consistency review is to review the Redevelopment
7 Plan against the Master Plan recommendations, not
8 against the existing zoning. Consistency with the
9 existing zoning is immaterial to the review of the
10 consistency with the Master Plan.

11 CHAIRMAN ASH: And why is that?

12 MR. COLLEY: Because the Master Plan
13 is intended to set policy recommendations to guide
14 future development. Many of the Master Plan
15 recommendations that are not redevelopment-related
16 call for modifications to existing zoning
17 ordinances. Right? So an existing zoning
18 ordinance that's in place can be inconsistent with
19 the recommendation of the Master Plan. The
20 existing zoning is in place; the Master Plan looks
21 forward.

22 CHAIRMAN ASH: And is it also true
23 that the Redevelopment Plan is a specific plan,
24 it's a specific set of zoning for specific
25 properties and specific uses on those properties,

1 and not for a zoning problem?

2 MR. COLLEY: That's true.

3 CHAIRMAN ASH: And the
4 recommendations in the Uniform and Circulation
5 Plan are recommendations for a zoning problem; is
6 that right?

7 MR. COLLEY: That is right except
8 for the fact that the Master Plan includes
9 specific recommendations for redevelopment zones
10 and redevelopment areas. And those specific
11 recommendations are really focused on my
12 presentation this evening and the focus of the
13 consistency review that's included in the
14 redevelopment.

15 CHAIRMAN ASH: Is that also true of
16 parking standards?

17 MR. COLLEY: I'm glad you brought
18 that up. Do you mind if I reference a few
19 components of the Master Plan that are relevant to
20 our findings on parking standards?

21 CHAIRMAN ASH: Sure.

22 MR. COLLEY: So as I said, the
23 Master Plan includes specific
24 redevelopment-related recommendations. They're on
25 Page 79 of the ULUC. And as it relates to

1 parking, what the Master Plan says "any
2 Redevelopment Plan for redevelopment areas in
3 Downtown Westfield should take into consideration
4 the following recommendations." And if you go
5 down to the third bullet point, it says, "take
6 into consideration the recommendations made in THA
7 Consulting's Parking Plan." That's the obligation
8 of the Redevelopment Plan as it relates to the
9 Master Plan consistency.

10 CHAIRMAN ASH: And, now, who is THA
11 Consulting?

12 MR. COLLEY: Oh, sure. THA
13 Consulting is the Town's parking consultant who
14 drafted the parking plan. So if you'll allow it,
15 I'll explain how this plan took into consideration
16 the recommendations of THA's plan.

17 CHAIRMAN ASH: Go ahead.

18 MR. COLLEY: The CBD parking
19 standards that were referenced earlier are those
20 recommendations of the THA Consulting Parking
21 Plan. You can find them on Page 172 of the Master
22 Plan. And what you'll note in the parking section
23 of the Redevelopment Plan is that we set a minimum
24 and a maximum for each of the uses. THA
25 Consulting's recommendations for each of the uses

1 fall within the range of the minimum and maximum.
2 The obligation under the Master Plan was to take
3 those into consideration, we did that, and those
4 recommendations of THA are reflected in the range
5 of parking standards that are permitted.

6 CHAIRMAN ASH: Thank you. Do you
7 have a question?

8 MS. HARRISON: Yes.

9 CHAIRMAN ASH: Go ahead.

10 MS. HARRISON: In looking at the
11 minimums and the maximums -- which I did read in
12 the Master Plan and the Redevelopment Plan -- the
13 -- I don't know, it seems like it's opposite;
14 minimum/maximum -- but like the most number of
15 parking spaces that you can put in are more
16 consistent with our current -- they're closer to
17 our current zoning than what was presented by the
18 public tonight. They did the smallest amount of
19 parking available; right? For instance,
20 multi-town residential is .8 spaces per bedroom
21 unit, whereas, maybe it's 1.35. So as part of the
22 next planning processes that we have to go
23 through, tonight we're just talking about if this
24 is consistent with the Master Plan. We're going
25 to have Site Plan Subcommittee. We're going to

1 have parking people testifying. We're going to
2 have the opportunities to look at these numbers in
3 detail at such time. And it's not for our purview
4 tonight to be like, okay, there's not enough
5 parking. That's yet to come; is that correct?

6 MR. COLLEY: So a minimum is a
7 minimum. This kind of gets into a legal question.
8 If you don't have -- if you can't meet the minimum
9 you need to seek a variance. To your point about
10 sort of these things evolving to an extent over
11 time, I'll point more to the office and less to
12 the residential. Because one of the things about
13 office is the parking demand is largely going to
14 be driven by the tenant, by the end-user. People
15 are going to have different needs, different
16 parking needs. Right? So depending on that
17 end-user, where it falls within that range may
18 change.

19 MS. HARRISON: Correct.

20 MR. COLLEY: And the site plans
21 would change accordingly, and it would be your
22 burden to review them for compliance.

23 MS. HARRISON: And there was a
24 section in here under the parking -- I'm trying to
25 find the page, I'm flipping back and forth -- that

1 talks about if they cannot meet the minimums that
2 they can then seek alternative properties to come
3 across if they have a tenant that does not meet
4 the minimum. So there's still an opportunity for
5 us to get more parking if that's determined it's
6 needed?

7 MR. COLLEY: That's right. That
8 standard is included to account for the fact that
9 we're talking potentially about multiple building
10 developments. Right? So, if, let's say, the
11 South Zone, one of the buildings is developed and
12 landed into a lease agreement with someone who's
13 going to take more of the parking than expected,
14 and the remainder of the parking would not meet
15 that 2.5, then it would be the burden of the
16 Developer or Redeveloper to either reduce demand
17 either by changing the program or including the
18 strategies we've addressed here or to increase in
19 this lot, maybe by coming back to the Board and
20 saying, hey, look, we've figured out how to fit
21 another, whatever, 18 spaces in the garage and now
22 we are compliant. So, yes, we still have
23 opportunities.

24 CHAIRMAN ASH: Thank you.

25 MR. LAPLACE: Can I ask a question?

1 Chris, could you talk about how it enters into the
2 conversation or the context of what's before us
3 tonight, this is transit-oriented development,
4 this is in the center of a central business
5 district. This is not outlying, low-density,
6 let's say residential or single-use development.
7 I mean isn't that important for us to consider?

8 MR. COLLEY: Yes. I think that's
9 very important for you to consider. And I think
10 that's what the recommendations of the Master Plan
11 for each of these specific areas address and
12 suggested -- and I think that those are
13 transit-oriented development principles -- adjust
14 the parking standards, and perhaps higher coverage
15 ratios are all recommended in the Master Plan are
16 all consistent standards that are in the
17 Redevelopment Plan.

18 MR. LAPLACE: I'd also like to point
19 I guess what jumps in my mind that not only
20 transit-oriented development, but the downtown is
21 very walkable, it's close to many residential
22 neighborhoods. That's already an established
23 development pattern; correct?

24 MR. COLLEY: That's correct.

25 MR. LAPLACE: Thank you.

1 CHAIRMAN ASH: Anyone else?
2 Mr. Colley, having heard the comments from the
3 public tonight, is there anything that you would
4 change in your prior comments to the Board?

5 MR. COLLEY: No.

6 CHAIRMAN ASH: Is it still your
7 opinion that the Lord and Taylor/Train Station
8 Redevelopment Plan is not inconsistent with the
9 Master Plan?

10 MR. COLLEY: Yes, it is.

11 CHAIRMAN ASH: Mr. Sammet, do you
12 also concur?

13 MR. SAMMET: I concur. Everything
14 I've heard and read to date, I agree with
15 Mr. Colley, this Redevelopment Plan is consistent
16 with the Master Plan.

17 CHAIRMAN ASH: Thank you. Members
18 of the Board, do you have comment at this time
19 prior to our deliberation? Anyone?

20 MR. LAPLACE: Well, I'll jump in the
21 pool here. I think what we've heard tonight is a
22 lot of legitimate concerns from the community, and
23 I'm glad they came out this evening. For
24 instance, I was surprised to see the height of
25 some of the buildings that are proposed on South

1 Avenue. So I certainly understand your concerns.
2 Having an urban design background, I always feel
3 that there's a design solution to any challenge,
4 so I really have a lot of optimism that we can
5 make this work. But again, I appreciate all the
6 input that you've been giving us because we want
7 this to be everyone's project moving forward.
8 Downtown belongs to everyone.

9 Having said that, I am very
10 impressed with the argument that's been made that
11 this is not inconsistent with the Master Plan.
12 Having worked on the Master Plan recently, I know
13 what a lot of the goals and objectives are both on
14 paper and what we've discussed as a community.
15 And you know this is the heart of our community.
16 It's been facing some serious challenges. The
17 businesses need more foot traffic, they need more
18 people living and working, and shopping downtown.
19 For that and for so many other reasons, the fact
20 that it's a very historic-preservation-minded
21 approach where we're improving the settings of the
22 train stations, bringing back historic parks. No
23 historic buildings are being torn down as part of
24 this proposal, the Lord and Taylor building is
25 being saved and it's an adaptive reuse of the

1 site. I feel good about all that. So for those
2 and other reasons, I will be voting in support of
3 this not being inconsistent with the Master Plan.

4 CHAIRMAN ASH: Thank you. Anyone
5 else? Well, I second your comments. And as a
6 member of this Board going back to the adoption of
7 the Master Plan Reexamination Report having
8 participated in many of those public outreach and
9 information sessions, having been part of this
10 Board when we adopted the Unified Land Use and
11 Circulation Element as well as being part of the
12 steering committee for that document and having
13 worked on it in various states in draft forms and
14 with other stakeholders in the community; I would
15 note the Redevelopment Plan before this Board
16 tonight, the Lord and Taylor and Train Station
17 Redevelopment Plan is very thorough, is very
18 detailed, and I would adopt the findings in
19 Chapter 9, Relationship to Other Plans, in total.
20 I'm in full agreement with these findings which
21 are consistent with the presentation of Mr. Colley
22 this evening and his comments to the Board.
23 Chapter 9 is consistent with Don Sammet's memo
24 dated February 1, 2023, and his comments to Board.
25 I would accept these findings in Chapter 9 in

1 total. I would direct this Board in a report to
2 the Town Council to incorporate the Chapter 9
3 finding in full. And with that, I would make a
4 motion to send a report to the Town Council that
5 the Redevelopment Plan is not inconsistent with
6 the Master Plan, and is consistent with the Master
7 Plan. And I'll ask for a second.

8 MS. JANSVELD: I'll second the
9 motion.

10 CHAIRMAN ASH: Thank you.

11 MR. SAMMET: I'm sorry, who was the
12 second?

13 CHAIRMAN ASH: Asima.

14 MR. SAMMET: Ms. Jansveld. Motion
15 by Chairman Ash. Seconded by Ms. Jansveld.

16 Mr. Goldstein.

17 MR. GOLDSTEIN: Yes.

18 MR. SAMMET: Ms. Jansveld.

19 MS. JANSVELD: Yes.

20 MR. SAMMET: Mr. Ceberio.

21 MR. CEBERIO: Yes.

22 MR. SAMMET: Ms. Harrison.

23 MS. HARRISON: Yes.

24 MR. SAMMET: Chief Duelks.

25 CHIEF DUELKS: Yes.

1 MR. SAMMET: Councilman Dardia.

2 COUNCILMAN DARDIA: Yes.

3 MR. SAMMET: Mayor Brindle.

4 MAYOR BRINDLE: Yes.

5 MR. SAMMET: Vice-chair LaPlace.

6 MR. LAPLACE: Yes.

7 MR. SAMMET: Chairman Ash.

8 CHAIRMAN ASH: Yes.

9 MR. SAMMET: And I'll take the votes
10 of the alternates as well. Would that be
11 appropriate, Alan?

12 MR. TREMBULAK: Not necessary.

13 MR. SAMMET: Not necessary. Okay.

14 CHAIRMAN ASH: Thank you.

15 MR. SAMMET: Thank you, everyone.

16 CHAIRMAN ASH: With no other further
17 business of the Board, I'll accept a motion to
18 adjourn.

19 COUNCILMAN DARDIA: So moved.

20 MR. LAPLACE: Second.

21 CHAIRMAN ASH: All in favor say
22 "aye."

23 BOARD MEMBERS: Aye.

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1 (The meeting adjourned
2 at 11:23 p.m.)
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