

**Town of Westfield  
Planning Board  
MINUTES  
September 8, 2021**

The Westfield Planning Board met on September 8, 2021, at 7:30 pm in the Council Chambers in the Westfield Municipal Building, 425 East Broad Street, Westfield, NJ.

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

**REGULAR MEETING:**

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

PRESENT: Michael Ash, Matthew Ceberio, Alexandra Carreras,  
Councilwoman Habgood, Anastasia Harrison, Ann Freedman, Ross  
Goldstein, Michael La Place, Asima Jansveld

ABSENT: Mayor Brindle, Chief Tiller

ALSO PRESENT: Donald Sammet, Town Planner (Acting Board Secretary), Alan  
Trembulak, Esq., Board Attorney

**ADOPTION OF MINUTES:**

Chairman Ash called for a motion to adopt the minutes of the August 9, 2021 meeting. Mr. La Place made a motion, seconded by Ms. Freedman. All Board members were in favor.

Motion carried.

**APPROVAL OF RESOLUTIONS:**

None

**NEW APPEALS:**

**PB 21-08, 885 New England Drive, Block 5301, Lot 16  
Stuart Schnitzer & Charlene Schnitzer**

Chairman Ash stated that the application will be carried to the October 4, 2021 meeting with consent of the applicant and no further notice will be given.

**PB 21-04 ,517 Edgar Road, Block 2909, Lot 5.01  
Joann & Sam Rapuano**

Chairman Ash introduced the application. Mr. Mahoney, Esq., appeared as attorney for the applicants. He summarized the application on behalf of the applicants. Mr. Mahoney called upon Mr. Hollows, Engineer. Chairman Ash swore in Mr. Hollows and his credentials were acknowledged and accepted by the Board. He proceeded to

describe the application. He stated that the home was purchased in 1979 by the applicants, Mr. & Mrs. Rapuano. This property is an oversized lot, consisting of 11,328 square feet, upon which sits their personal residence. The property fronts on both Edgar Road and Coddling Road. At the time they purchased this property in 1979, Coddling Road was unimproved. There were no homes on this part of Coddling Road. Over the years, Coddling Road was improved. Many properties were subdivided and developed with new residential housing. This is the last of the properties on Edgar Road that have not been subdivided and which have vacant land fronting on Coddling Road. The applicants would benefit by being relieved of paying real estate taxes on a large unused portion of the rear of their property as well as the income from the sale. The town would benefit by having an additional rateable property on Coddling Road. The residents of Coddling Road would benefit by having a vacant lot on their street improved with a new residence.

Open to the Board for questions of Mr. Hollows.

Mr. Sammet asked if the narrow-proposed house would fit in with the neighborhood. Mr. Hollows stated yes; it was smaller and narrower but would fit in the neighborhood. The Board discussed the houses in the neighborhood. Tree removal concerns were discussed among the Board. Mr. Hollows discussed the tree plan. Mr. Sammet stated that the Board could put a condition on the application. The applicant would also have to apply for a tree removal permit from the Tree Preservation Commission.

Chairman Ash called for questions from the public of Mr. Hollows. None were offered.

Mr. Mahoney called the applicant, Mrs. Rapuano who was sworn in by Chairman Ash. She explained that she did not have the need to sell this property in the past and wasn't sure what their plans were with the extra property. She stated her need for additional space as well as the income this subdivision would provide for her and her husband to be able to make the needed changes to their existing home. She also stated that she may build on the other lot and sell her existing home or she may just expand her current home.

Chairman Ash called for questions of Mrs. Rapuano from the Board and from the public. None were offered.

Chairman Ash stated that he supported the application with the existing condition that it would be subject to the Tree Preservation Commission for ordinance and review. Mr. Sammet summarized the lot requirements: minimum lot area 120 feet. Proposed for lot 5.01 is 111 feet and lot 5.02 is 45.5 feet; where 6000 square feet is required and for lot 5.02 is 5,778 square feet and lot 5.01 is 5,500 square feet.

Chairman Ash made a motion to approve the application with the condition that the applicant apply to the Tree Preservation Commission for approval of a tree removal permit, Ms. Harrison seconded the motion.

ALL IN FAVOR:	Michael Ash, Mr. Ceberio, Councilwoman Habgood, Ms. Harrison, Ms. Freedman, Mr. Goldstein, Asima Jansveld, Alexandra Carreras, Mr. La Place
OPPOSED:	None
ABSTAINED:	None
ABSENT:	Mayor Brindle, Chief Tiller

**PB 21-10, 421-449 South Avenue East, Block 3307, Lots 1 & 2  
WC North Urban Renewal LLC**

Chairman Ash introduced the application. Mr. Orth, Esq., appeared as Attorney for the applicant. He introduced and summarized the application and applicants. He stated that the applicants are excited to be improving the community of Westfield. He stated that this is the 1<sup>st</sup> phase of the plans to be presented to the Board for approval.

Mr. Orth, called upon Mr. Titus, Engineer. Chairman Ash swore in Mr. Titus and his credentials were recognized and accepted by the Board. Mr. Titus described the site plans submitted as part of the application. The applicants are seeking approval to permit construction of two 4- story mixed use buildings containing 156 residential dwelling units, 17,000 square feet of retail space, 271 on-site parking spaces, related site improvements and landscaping. Twenty-six of the residential units will be reserved for low- and moderate- income households. Three of the units will be built for special needs. Mr. Titus stated that the application conforms with the use and bulk requirements of the South Avenue Redevelopment Plan. He reviewed plans previously submitted to the Board. He explained that the 1<sup>st</sup> floor would be for parking. They are proposing 271 parking spaces. This allows for 1 ½ per residential unit and 30 spaces for retail. He also explained the spaces between the buildings and the courtyard and cul de sac area for pickup and deliveries. He stated that the parking is more than required and complies with the redevelopment requirements.

The Board questioned Mr. Titus about the paved are on the site.

Chairman Ash asked for questions of the public for Mr. Titus. None for offered.

Next, Mr. Orth called upon Mr. Saracco, Architect. Chairman Ash swore in Mr. Saracco and his credentials were acknowledged and accepted by the Board. He explained the elevations, floor plans and trash rooms.

The Board questioned Mr. Saracco.

Ms. Harrison inquired of the small size of the apartments. Mr. Saracco stated there were multiple floor plans and that these style apartments have proven to be successful in their past marketing history.

Mr. Sammet asked about the facade materials and colors. The materials and colors were explained to the Board members.

Ms. Harrison asked about the storefront materials and windows.

Chairman Ash asked for testimony on signage. Mr. Saracco explained that the signage would be placed at the entrance.

Mr. Sammet explained the wall sign dimension standards.

Chairman Ash asked if the materials and facade of the sign would match the building. He also asked if the sign would be illuminated.

Mr. Saracco stated that the sign would be externally illuminated and would comply.

Mr. Sammet stated that halo led lights were allowed by ordinance.

Mr. Sammet then asked about the affordable units in the building and if they would be dispersed throughout the other units.

Mr. Saracco explained that the units would be mixed in with the other units.

Ms. Harrison asked about parking for the retail stores and employees.

Mr. Saracco stated that the parking would be separate from the residents and that employees would walk along the sidewalks or through the stores to access parking.

The Board members discussed the signage for the retail spaces.

Chairman Ash opened to the public for questions of Mr. Saracco. None were offered.

Mr. Orth called upon Mr. Spadaro, Landscape Architect & Lighting Consultant. Chairman Ash swore in Mr. Spadaro and his credentials were acknowledged and accepted by the Board. He explained the plans and the existing conditions. He stated that there were approximately 10 existing oak trees along the back north end of the property that were not in great condition. He also stated that the existing lighting had many dark spots and that the current fencing was a chain link fence. He discussed the lighting fixtures that were proposed to be used. He stated that they would be 54 feet on center and spaced along the sidewalks. They would be led fixtures 14'7" high. Lighting would also be installed along the perimeter of the building and would help to illuminate the parking spaces along the rear property line. The lighting fixtures met the lighting requirements. He described the proposed landscaping plan; including tree, shrub and ground cover.

Chairman Ash opened to the Board for questions of Mr. Spadaro.

Ms. Harrison and Board members questioned Mr. Spadaro as to the tree selection. Ms. Harrison questioned Mr. Spadaro about how pedestrians would get from on street parking to the sidewalk without walking over the proposed planting beds. Board members questioned the style of the street lighting poles and fixtures and if it would match those found within the central business district.

Chairman Ash asked for questions from the public of Mr. Spadaro. None were offered.

Mr. Orth called upon Mr. Seckler, Traffic Consultant. Chairman Ash swore in Mr. Seckler and his credentials were acknowledged and accepted by the Board. Mr. Seckler summarized the offsite and onsite parking and traffic impact as a result of this project. He felt that there were no major concerns and that there would be minimum traffic impacts by this project. He also stated that all parking space requirements have been met.

Chairman Ash called for questions from the Board of Mr. Seckler.

Ms. Freedman asked if there would be any bus stops near this area.

Mr. Seckler stated that there were busses in the area.

Councilwoman Habgood asked for clarification on traffic impacts.

Mr. Seckler stated that during peak times the car flow and traffic would increase by 1-2 cars per minute.

Mr. Seckler stated that he is also hoping that this mixed-use site would prompt people to walk instead of driving as more goods and services would be close by.

Chairman Ash called for questions from the public of Mr. Seckler. None were offered.

Chairman Ash asked for comments on the application from the public. None were offered.

Mr. Orth summarized the application.

The Board discussed the application.

After discussion, Chairman Ash made a motion to approve the application with conditions. The motion was seconded by Ms. Harrison.

The conditions are as follows:

- 1) As required for electric vehicle charging in accordance with the New Jersey Municipal Land Use Law, that the developer or owner shall:
  - A) Prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install electric vehicle supply equipment in at least one-third of the 15 percent of Make-Ready parking spaces;
  - B) Within three years following the date of the issuance of the certificate of occupancy, install electric vehicle supply equipment in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
  - C) Within six years following the date of the issuance of the certificate of occupancy, install electric vehicle supply equipment in the final one-third of the original 15 percent of Make-Ready parking spaces.
  
- 2) The developer, sponsor or owner, bear the costs of any affirmative marketing requirement.
  
- 3) The developer be compliant with the following affordable housing standards, as well as, any additional affordable housing standards as may be required by the Uniform Housing Affordability Controls, Town Land Use Ordinance, and settlement approval order
  - A) That, pursuant to the settlement approval order, the 3 special needs units will be excluded from affordability averages, low- and moderate-income split, and bedroom distribution.
  - B) That, pursuant to the settlement approval order, the 3 special needs affordable units constructed have a bedroom distribution of 1, 3-bedroom unit and 2, 2-bedroom units as required;
  - C) That, pursuant to the settlement approval order, the calculation of the required 13% very-low-income units shall include the 3 special needs units and the very-low-income special need unit in the calculation.
  - D) For all other affordable units, the required bedroom distributions be met pursuant to the Town Land Use Ordinance and Uniform Housing Affordability Controls for required affordable units;
  - E) That at least 13% of the total number of affordable units be affordable to very-low-income households, at least 37% shall be affordable to low-income households, and up to 50% affordable to moderate-income households;
  - F) That affordable units be integrated or reasonably disbursed with the market rate units;
  - G) That income distribution requirements be met;
  - H) That affordable housing units be built in accordance with the required phasing schedule;
  - I) That the affordable units remain affordable for at least 30 years which is to be specified in a deed restriction;
  - J) That the affordable units utilize the same type of heating source as the market units;
  - K) That affordable units comply with the accessibility and adaptability requirements of the International Building Code.
  
- 4) That the façade materials be consistent with the testimony provided.
  
- 5) The street lighting fixtures will be consistent in style with the ones used in downtown Westfield.
  
- 6) The pvc fencing proposed will be gray in color.

ALL IN FAVOR: Michael Ash, Mr. Ceberio, Councilwoman Habgood,  
Ms. Harrison, Ms. Freedman, Mr. Goldstein, Asima  
Jansveld, Alexandra Carreras, Mr. La Place

OPPOSED: None

ABSTAINED: None

ABSENT: Mayor Brindle, Chief Tiller

## **REVIEW OF ORDINANCES:**

### **General Ordinance No. 2221**

An Ordinance rescinding certain provisions of the town code for the town of Westfield.

Chairman Ash asked Mr. Sammet to summarize this ordinance. Mr. Sammet explained that Ordinance No. 2221 removes Section 8.06 from the Land Use Ordinance as it has been declared invalid by the Superior Court. The Board discussed the Ordinance and recommended that the Mayor and Council adopt the Ordinance as written.

### **General Ordinance No. 2222**

An Ordinance to amend certain provision of the land use ordinance of the town of Westfield requiring the submission of a digital copy of applications to the Planning Board and Board of Adjustment.

Chairman Ash asked Mr. Sammet to summarize this Ordinance. Mr. Sammet explained that Ordinance No. 2222 requires all applicants to submit a digital copy of their application including 1 & 2 family applicants. The Board discussed the Ordinance and recommended that the Mayor and Council adopt the Ordinance as written.

## **OTHER BUSINESS:**

Chairman Ash asked Mr. Sammet for an update on the pending applications before the Board. Mr. Sammet stated that the 885 New England Drive subdivision would be heard at the next meeting. There are also two other pending applications; one of which is for minor subdivision approval and the other for major site plan approval.

There were no other questions or comments from the Board. Chairman Ash made a motion to adjourn this meeting, seconded Mr. Ceberio. The meeting was adjourned at 10:35 pm

Respectfully Submitted,  
Kristine Burd  
Planning Board Administrative Secretary