

**Town of Westfield  
Planning Board  
MINUTES  
January 6, 2021**

**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, Mayor Shelley Brindle, Anastasia Harrison, Ross Goldstein, Kris McAloon, Linda Habgood, Matthew Ceberio, Alexandra Carreras, Ann Freedman

ABSENT: Michael La Place and Asima Jansveld

ALSO PRESENT: Alan Trembulak, Planning Board Attorney, Donald Sammet, Town Planner and Linda Jacus, Administrative Secretary

**ADOPTIONS OF MINUTES:**

Chairman Ash called for a motion to adopt the minutes of the December 7, 2020 meeting. Anastasia Harrison made a motion to adopt; Kris McAloon seconded.

ALL IN FAVOR: Michael Ash, Mayor Shelley Brindle, Anastasia Harrison, Ross Goldstein, Kris McAloon, Linda Habgood, Matthew Ceberio

OPPOSED: None

ABSTAINED: Alexandra Carreras, Ann Freedman

ABSENT: Michael La Place and Asima Jansveld

Motion carried.

**ADOPTION OF RESOLUTIONS:**

Chairman Ash called for a motion to adopt the following resolutions for the applications acted upon at the December 7, 2020, meeting.

**PB 19-10 923 Central Avenue, LLC., 923 Central Avenue, Block 4813 Lot 32**

Applicant sought approval to subdivide the property and retain the existing single-family home on proposed lot 32.02, and construct a new single-family dwelling on proposed lot 32.01 contrary to Section 11.08E2, 11.08E5, 11.08E7, 11.08E10, 17.05A, 13.01G1, 13.02A, 11.08E4, 13.01B of the Land Use Ordinance. to allow a lot area of 4,796 square feet for lot 32.01 where the Ordinance requires a minimum lot area of 8,000 square feet within 134 feet of the front lot line; to allow a lot width of 19.59 feet for lot 32.01 where the Ordinance requires a minimum lot width of 60 feet; to allow a lot frontage of 19.59 feet for lot 32.01 where the Ordinance requires a minimum lot frontage of 60 feet; to allow a rear yard setback of 15.02 feet for lot 32.02 and 24.88 feet for lot 32.01 where the Ordinance requires a minimum rear yard setback of 35 feet; to

allow a building coverage of 21.55% (1,882 square feet) for lot 32.01 where the Ordinance allows a maximum building coverage of 20% (3,600 square feet); to allow a front yard coverage of 60.4% for lot 32.01 where the Ordinance allows a maximum front yard coverage of 50%; to allow a driveway width of 26 feet for lot 32.02 and 28.5 feet for lot 32.01 where the Ordinance allows a maximum driveway width of 24 feet; to allow a rear yard setback of 5 feet for an accessory structure for lot 32.01 where the Ordinance requires a minimum rear yard setback of 10 feet for an accessory structure; to allow an accessory structure in the side yard on lot 32.01 where the Ordinance requires an accessory structure to be located in the rear yard; to allow a lot depth of 106.54 feet for lot 32.02 where the Ordinance requires a minimum lot depth of 120 feet; to allow an accessory structure to be 10.9 feet from the principal building where the Ordinance requires accessory structures to be at least 15 feet from the principal building. **Application approved with conditions.**

Matthew Ceberio made a motion to adopt the resolution; Kris McAloon seconded.

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

Motion carried.

**PB 20-10 Echo Lake Country Club, 515 Springfield Avenue  
 Block 1501/1601, Lot 2/2**

Applicant sought to amend the prior approval of application PB 19-04 to permit additional screening of mechanical fixtures contrary to Section 11.03E8 of the Land Use Ordinance to allow a building height of 37.38 feet where the Ordinance allows a maximum building height of 35 feet. **Application approved with conditions.**

Kris McAloon made a motion to adopt the resolution; Anastasia Harrison seconded.

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

Motion carried.

**PB 20-04 Domenico Lettini, 2003 Grandview Avenue, Block 5706 Lot 4.01**

Applicant sought approval of a minor subdivision and construction of three new homes contrary to Section 11.06E1, 11.06E2, 11.06E3 of the Land Use Ordinance to allow a lot area of 6,100 square feet where the Ordinance requires a minimum lot area of 12,000 square feet; to allow a lot area of 6,100 square feet where the Ordinance requires a minimum lot area of 12,000 square feet within 120 feet of lot depth; to allow a lot width of 61 feet where the Ordinance requires a lot width of 75 feet; to allow a lot frontage of 61 feet where the Ordinance requires a minimum lot frontage of 75 feet; to allow a lot area of 6,100 square feet where the Ordinance requires a minimum lot area of 12,000 square feet within 160 feet of lot depth. **Application denied.**

Kris McAloon made a motion to adopt the resolution; Ann Freedman seconded.

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

Motion carried.

**CARRIED FROM DECEMBER 7, 2020:**

**PB 20-09 Nicole & Barak Ulin, 104 Winchester Way & 101 Barchester Way Block 5204 Lots 16 & 17** 10/22/2020

Applicants are proposing to move the lot line in the rear of both properties to incorporate approximately 400 square feet of lot 16 into lot 17 squaring off both lots.

**Application deemed complete November 18, 2020. 120 day decision date is March 18, 2021.**

James Foerst, Esq (159 Millburn Avenue, Millburn) appeared on behalf of the applicant. Mr. Foerst stated this is an application where the applicants are looking to move the lot line in their rear yard. There would be a transfer of about 400 square feet from 101 Barchester Way to 104 Winchester Way. This will square off the lot to make it more in keeping with the other lots in the neighborhood.

Chairman Ash swore in Nicole & Barak Ulin. Mr. Ulin went through the photos submitted with the application, and stated looking at the photo of the rear yard, when we bought the house the lot line was not clearly marked. When the fence was being installed based on the survey, there is a spot where the lot jogs in. We made the suggestion to our neighbor to purchase the additional land to square off our lot. Ms. Ulin stated we looked into why the cutout exists, and there was not any known reason why it exists.

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

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

Mr. Watson went through the plans submitted with the application, and stated there are not any variances being created with the transferring of land. We are proposing a land swap of 400 square feet between the two parties, and taking the common lot line between lot 16 and 17 and pushing it straight back. This 20x20 section of land on lot 16 is useless, and the application is straightforward.

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

Chairman Ash called for a motion. Anastasia Harrison made a motion to approve; Ann Freedman seconded.

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

ABSTAINED: None  
 ABSENT: Michael La Place and Asima Jansveld

Motion carried.

Application approved.

**NEW APPEALS:**

**PB 20-12 Villane Building & Development, LLC., 412 Palsted Avenue** 11/04/2020  
**Block 2607 Lot 25**

Applicant is proposing to subdivide the property into two lots, demolish the existing single-family home, and construct a new single-family dwelling on each lot contrary to Section 11.12E4 of Land Use Ordinance. Ordinance requires a minimum lot depth of 120 feet. Proposed is 98 feet for lot 25.02. **Application deemed complete December 10, 2020. 120 day decision date is April 9, 2021.**

Stephen Hehl, Esq. (370 Chestnut Street, Union) appeared on behalf of the applicant. Mr. Hehl stated this is an application to subdivide the property, which is more than double the size permitted in the zone. A new one family home is proposed on each lot which will meet the bulk requirements. The subdivision is triggering only one variance, which is for lot depth. There were some alternatives looked at, one being saving the existing home, but there are some significant issues with renovating and selling the existing house. There are issues with the height of the basement, the first floor has only 8-foot ceilings, and there is a very small kitchen. Mr. Hehl stated the applicant felt having a single-family home on each lot is a much better zoning alternative than constructing a two-family home which is also permitted in the zone and would not need any Board approval.

Chairman Ash swore in Dave Villane (2376 South Avenue, Scotch Plains). Mr. Villane stated he is 50% owner of the company, and used to live in the neighborhood at 428 Palsted Avenue, which is a mix of two family and one family homes. We looked at different options for development of the property, and did look at renovating the current home. Some people were brought in to look at the existing house, but all agreed the home does not meet today's living standards. There was a mudroom addition that cut into the garage so the garage is half the size, there is a bedroom on the second floor which is very small, and the ceilings on the first floor and basement are way too low. Mr. Villane stated a two-family home which is permitted in the zone would not fit in with the neighborhood, and he will comply with the look-a-like ordinance, the tree preservation ordinance, and address any drainage issues. A conceptual plan showing the proposed footprint of each home was presented, lot 25.01 would have a home only 32 feet wide and would have a front porch. It would be a four-bedroom and 2.5 bath house with a one-car garage. The style would be Tudor with a stucco and stone façade. Lot 25.02 would have a home that is 40 feet wide, a one car garage, four bedrooms, 2.5 baths, and it would not have a porch. In the back of lot 25.01, there is a large gum tree that needs to be removed and there is a lot of older trees that are overgrown and need to be thinned out. Mr. Villane stated he did get some feedback from the neighbors, and they did ask that some screening be provided alongside the property. Behind the existing home is a lot of standing water that will be taken care of, we can tie into the existing storm sewer to run a surface drain which will handle any ponding of water on the property.

Open to public questions.

James Hamilton (420 Palsted Avenue) owns the property next to the proposed development, and asked if the proposed home would be closer to his property than the existing home.

Susan Kagan (548 Hort Street) stated the subject property never had an issue with water, and now we are looking at a lot of water. Ms. Kagan stated she is concerned about water continuing to collect on the subject property, and hopes drainage is addressed and is not exacerbated with the new construction.

Dan Kagan (548 Hort Street) stated he is concerned with rodents living on the subject property, and asked if an exterminator can be hired to address the rodent problem. Mr. Kagan asked since their backyard looks over the yard of the new house, if some type of natural barrier could be installed rather than fencing; he would like to keep the area green and does not want to look at a six-foot vinyl fence. He also stated he is in favor of two, single family homes which is more in keeping with the neighborhood rather than a two-family home.

Danielle Blatz (540 Hort Street) stated she is in favor of two, one family homes. It would be more aesthetically pleasing than a multi-family home.

Closed to public questions.

Chairman Ash swore in William Hollows (192 Central Avenue, Stirling). The Board accepted Mr. Hollows credentials as licensed surveyor, engineer, planner.

Mr. Hollows went through the plans, and stated the property is an interior lot located on the easterly side of Palsted Avenue between South Avenue and Hort Street. The property is in the RM-6 zone which allows single family and two-family dwellings. Mr. Hollows went through the existing conditions on the property. There is a two-story brick home on the property and the lot is 15,640 square feet. The applicant is proposing a two-lot subdivision, lot 25.01 will have a lot area of 10,534 square feet, will have a lot width and frontage of 52.5 feet, and complies with the lot area within 120 feet of Palsted Avenue. Lot 25.02 will have a lot area of 6,105 square feet, a lot width and frontage of 57.5 feet, but will be short on lot depth. A lot depth of 120 feet is required and 98 feet is proposed; which is the only variance being requested. There is no way to make that 120 feet of lot depth, as there is not any way to get additional land. We feel the building envelope is large enough to put a house in there that will be similar to the single-family houses in the neighborhood without any other additional bulk variances required. Looking at the area map, Mr. Hollows stated it is a triangular block which renders many of those lots to be irregular in shape. He stated he did an analysis of the block, and as far as lot area and width, out of 27 lots on the block, 14 lots did not have the required lot width, which is mostly every lot on Hort Street. Out of the 27 lots, with regard to lot area, 9 lots are deficient with less than 6000 square feet of lot area, and with regard to the lot depth, 10 lots do not have the correct lot depth; what we are seeking is similar to the existing lots on the block. The variance can be justified under the C2 criteria, the applicant could raze the existing house and build a two-family home without any variances or Board approval. The applicant feels subdividing the property and building two, single family homes would be a better fit for the single-family residential neighborhood, as it would maintain the single-family character and develop the property in general uniformity with the existing lots in the neighborhood. The requested depth variance can be granted without substantial detriment to the public good and will not impair the master plan or zoning ordinance. The shortage of lot depth is an existing, non-conforming condition. The property is zoned for single family homes, and what we are proposing can be built without any additional variances and will be in keeping with the existing neighborhood. Ten of the existing lots do not meet the lot depth requirement so what is being proposed would not be inconsistent with the surrounding neighborhood.

Mr. Hollows went through the proposed drainage, and stated right behind the house water is trapped on the property because there is a low spot that is 6 inches to a foot lower in grade than the adjoining properties around it. If the application is approved, our building permit would have

to include a grading and drainage plan. Mr. Hollows stated it would be possible to put a yard drain/drains in the back yards and run a pipe between the houses that tie into the storm drain on Palsted Avenue. Also, the roof leaders and sump pumps required for those lots will correct the drainage problem in the backyard and will get any water away from the surrounding properties.

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

The Board was very concerned about drainage, as stormwater issues are the number one issue in town. All the tear downs and new construction going on have been causing a lot of water problems for surrounding neighbors. There was a neighbor that spoke about a drainage issue already with just one home so the efforts need to be extraordinary to help with the drainage issue. It is really important for the applicant to address the drainage and have a plan in place before the Board can vote on the application. The applicant is talking theoretically about how the drainage will be set up, and the applicant needs to submit a more detailed drainage plan before the Board deliberates on the subdivision. The applicant agreed to submit a detailed drainage plan, and carry the application to the February 1st meeting.

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 10:05 pm.

Respectfully Submitted,

Linda Jacus  
Administrative Secretary