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TOWN OF WESTFIELD
PLANNING BOARD

IN RE :
PUBLIC HEARING :
: :
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TRANSCRIPT OF PROCEEDINGS
Monday, June 6, 2022

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

1 B E F O R E:

2

MICHAEL ASH, CHAIRMAN

3

MAYOR SHELLEY BRINDLE, MAYOR DESIGNEE

4

COUNCILMAN MICHAEL DARDIA, COUNCIL LIAISON

5

MATTHEW CEBERIO, MEMBER (*RECUSED PB 22-8*)

6

ANASTASIA HARRISON, MEMBER

7

ROSS GOLDSTEIN, MEMBER

8

ASIMA JANSVELD, MEMBER

9

MICHAEL DUELKS, FIRE DEPARTMENT CHIEF

10

ALEXANDRA CARRERAS, FIRST ALTERNATE

11

ANN FREEDMAN, SECOND ALTERNATE

12

13

DON SAMMET, TOWN PLANNER/BOARD SECRETARY

14

DAVID BATTAGLIA, TOWN ENGINEER

15

16 A B S E N T:

17 MICHAEL LAPLACE, VICE-CHAIRMAN

18

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

19

ASHENFELTER, TREMBULAK, MCDONOUGH, GOLIA &
TREVENEN, LLP

20

BY: GREGORY MASCERA, ESQ.

21

APPEARING FOR ALAN TREMBULAK

22

Attorney for the BOARD

23

HEHL & HEHL

24

BY: STEPHEN HEHL, ESQ.

25

Attorney for the APPLICANTS AVC HOLDINGS,

PIJANOWSKI, WESTFIELD SENIOR CITIZENS

HOUSING CORP/WESTFIELD SENIOR CITIZENS

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NONE

PENDING

NONE

CARRIED

NONE

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330 SPRINGFIELD AVENUE
BLOCK 3905, LOT 34 9

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P R O C E E D I N G S
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CHAIRMAN ASH: Good evening,
everyone. Welcome to the June 6, 2022, regular
meeting of the Westfield Planning Board. May we
have a roll call, please?

MR. SAMMET: Chairman Ash.

CHAIRMAN ASH: Here.

MR. SAMMET: Mayor Brindle.

MAYOR BRINDLE: Here.

MR. SAMMET: Mr. Ceberio.

MR. CEBERIO: Here.

MR. SAMMET: Councilman Dardia.

COUNCILMAN DARDIA: Here.

MR. SAMMET: Chief Duelks.

CHIEF DUELKS: Here.

MR. SAMMET: Ms. Harrison.

MS. HARRISON: Here.

MR. SAMMET: Mr. Goldstein.

MR. GOLDSTEIN: Here.

MR. SAMMET: Ms. Jansveld.

MS. JANSVELD: Here.

MR. SAMMET: Ms. Carreras.

MS. CARRERAS: Here.

1 MR. SAMMET: And Ms. Freedman.

2 MS. FREEDMAN: Here.

3 CHAIRMAN ASH: Notice of this
4 meeting has been posted and provided in accordance
5 with the Open Public Meetings Act, in the
6 Westfield Leader, and newspapers of record of the
7 Town of Westfield. Let's have a flag salute.

8 (Whereupon, the Pledge of Allegiance
9 was recited.)

10 CHAIRMAN ASH: First order of
11 business, we have minutes from our regular meeting
12 of May 3, 2022. Again, it's a verbatim
13 transcript, so I don't think there should be any
14 questions or revisions. Can I have a motion to
15 accept the minutes and approve them?

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

17 CHAIRMAN ASH: Thank you, Matt.

18 Second?

19 MS. HARRISON: I'll second it.

20 CHAIRMAN ASH: Thank you. All those
21 in favor.

22 BOARD MEMBERS: Aye.

23 CHAIRMAN ASH: Any opposed? Any
24 abstentions? Was anyone not here.

25 MS. JANSVELD: I was not here.

1 CHAIRMAN ASH: Asima noted an
2 abstention. Thank you.

3 We have a resolution, this is to
4 approve Application Number PB 22-3, 440 North
5 Avenue East, LLC. Everyone had a chance to review
6 the resolution. I'll accept a motion to approve
7 it.

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

9 CHAIRMAN ASH: Thank you, Matt.
10 Second?

11 MS. FREEDMAN: I'll second it.

12 CHAIRMAN ASH: Thank you, Ann.
13 Let's have a roll call, please.

14 MR. SAMMET: Chairman Ash.

15 CHAIRMAN ASH: Yes.

16 MR. SAMMET: Mayor Brindle.

17 MAYOR BRINDLE: Yes.

18 MR. SAMMET: Mr. Ceberio.

19 MR. CEBERIO: Yes.

20 MR. SAMMET: Councilman Dardia.

21 COUNCILMAN DARDIA: Yes.

22 MR. SAMMET: Chief Duelks.

23 CHIEF DUELKS: Yes.

24 MR. SAMMET: Ms. Harrison.

25 MS. HARRISON: Yes.

1 MR. SAMMET: Mr. Goldstein.

2 MR. GOLDSTEIN: Yes.

3 MR. SAMMET: Ms. Jansveld.

4 MS. JANSVELD: I wasn't there.

5 Abstain.

6 MR. SAMMET: Ms. Jansveld abstains.

7 Ms. Carreras.

8 MS. CARRERAS: Yes.

9 MR. SAMMET: And Ms. Freedman.

10 MS. FREEDMAN: Yes.

11 CHAIRMAN ASH: Thank you, everyone.

12 Our first hearing of the evening is the minor
13 subdivision application by AVC Holdings II, LLC,
14 330 Springfield Avenue. Block 3905, Lot 34.
15 There he is.

16 MR. HEHL: Good evening,
17 Mr. Chairman, and Board Members, Members of the
18 Public, it's great to be here in person. I don't
19 think I've been in front of the Zoning Board in
20 person. But, again, it's great to see everyone.

21 CHAIRMAN ASH: Welcome back.

22 MR. HEHL: No, thank you. And we
23 appreciate you hearing our case this evening.
24 This is an application for a minor subdivision.
25 I'm sure everyone is well familiar with the site

1 at 300 Springfield Avenue. And what we're looking
2 to do again is a minor subdivision. There are no
3 variances being created in connection with this
4 application. The only variances are actually two
5 existing setback variances for the home that's on
6 the lot. We did work hard with our engineer and
7 also with the Town on designing this so as not to
8 create any new variances, and also to preserve the
9 home. We did receive a letter of support. I know
10 it's technically not admissible as evidence, but
11 we did receive a letter of support from the
12 Historical Society, and I know that was sent to
13 Mr. Sammet.

14 What we'd like to do is to call upon
15 Michael Lanzafama who is both an engineer and
16 planner to give an overview of the proposed
17 subdivision and location of the lot lines.
18 Interestingly too, there's a cemetery on the
19 adjacent lot, and there's an access easement, and
20 that will be preserved. The cemetery and the
21 historic home are not going to be impacted by this
22 subdivision. And the design of the lot too -- and
23 this was noted in Mr. Sammet's report -- where the
24 lot subdivision line was done was to enhance the
25 visual of the existing home; the visual lines of

1 sight to that existing home. And we appreciate
2 the review that was done by Mr. Sammet and by Van
3 Cleef Engineering. And again, we don't have a
4 problem with complying with any of those terms and
5 conditions. Again, I would like to call upon
6 Michael Lanzafama, who again, as I said, will be
7 testifying both as an engineer and planner.

8 CHAIRMAN ASH: All right.
9 Mr. Lanzafama.

10 MICHAEL LANZAFAMA, having been duly
11 sworn, was examined and testified as follows:

12 MR. LANZAFAMA: My name is
13 Michael Lanzafama. That's L-a-n-z-a-f-a-m-a. I'm
14 a licensed professional engineer, land surveyor,
15 and planner licensed in the State of New Jersey.
16 I'm a principal with the firm of Casey and Keller,
17 Incorporated, 258 Main Street, Millburn, New
18 Jersey. I've been licensed as a professional
19 engineer and land surveyor since 1984, and as a
20 professional planner since 1985. I've appeared
21 before this Board quite some time ago, but on
22 numerous occasions.

23 CHAIRMAN ASH: Thank you. Are your
24 licenses currently up to date and valid?

25 MR. LANZAFAMA: They are, sir.

1 CHAIRMAN ASH: Anyone else have any
2 questions for Mr. Lanzafama? All right. Seeing
3 none, we'll accept his qualifications as a
4 professional engineer and professional planner.

5 MR. HEHL: Great. Thank you,
6 Mr. Chairman. Mr. Lanzafama, you've heard my
7 opening statement. Obviously, you're well
8 familiar with this project. Can you take the
9 Board through existing conditions and then what's
10 proposed by way of the subdivision?

11 MR. LANZAFAMA: Certainly. The
12 property in question is 330 Springfield Avenue.
13 It is Tax Lot 34, and Block 3905. It's a
14 38,145-square-foot parcel located in the RS-12
15 Residential Zone District. It is an irregularly
16 shaped lot. And if you look to my right, there is
17 a copy of the minor subdivision plat that was
18 submitted to the Board. I did highlight in orange
19 the proposed lot line. So if you want to mark
20 this as A-1, it would be the minor subdivision
21 Plat with highlighted markings for the proposed
22 subdivision.

23 (Whereupon, Applicant's Exhibit A-1,
24 MINOR SUBDIVISION PLAT WITH HIGHLIGHTED MARKINGS,
25 was marked for identification.)

1 MR. HEHL: That's probably a good
2 idea since it gets to the highlights.

3 MR. LANZAFAMA: So the lot has an
4 extremely irregular configuration as you can see.
5 And Lot 34 is basically the center parcel. The
6 finger that extends to the east is Lot 35. That's
7 the location of the existing cemetery that,
8 obviously, will be preserved as part of this minor
9 subdivision. The lot is located about 100-feet
10 east of Unami Terrace. It is as a frontage of
11 over 178-feet, and an overall lot that of
12 215-feet. The lot is extremely oversized for the
13 zone and neighborhood in which it's located. It's
14 approximately three times larger than most of the
15 properties that exist in the area.

16 The existing single-family home that
17 is located to the far rear of the property is what
18 Mr. Hehl was referring to as the existing
19 structure that has some existing nonconformities.
20 The existing structure is located 12.87-feet from
21 the rear lot line, where 35-feet is required.
22 Obviously, this subdivision would not exacerbate
23 that existing nonconformity. It's also set back
24 in excess of the 54.76-feet, which we've
25 determined as the average setback for the lot.

1 It's well in excess of that. And again, nothing
2 that we're doing as part of this subdivision would
3 exacerbate those existing nonconformities. The
4 property is not affected by any wetlands nor
5 floodplains. There are some steep slopes in the
6 upper corner and along the frontage, but none of
7 those areas will be problematic or cause for the
8 inability to develop the new lot we are creating.

9 All utilities are available from
10 Springfield Avenue. All of the existing utilities
11 that feed the existing home; sewer, water, gas,
12 electric will all be located on the parent lot.
13 So there will be no need for cross easements to
14 grant the continued utility service to the
15 existing structure. Just as a point of interest;
16 in 1966, there was a subdivision that created
17 Marlin Court. And Marlin is part of a subdivision
18 that was done in 1966. And you can see from this
19 exhibit -- this is a filed map recorded with the
20 Union County Courthouse -- you can see that this
21 Lot 34 was actually two lots at one time; Lot 10
22 and Lot 11 on that subdivision map. And then, you
23 can see the cemetery that was located to the east.
24 So this was a recorded map -- I don't know if you
25 want to mark this?

1 MR. HEHL: Yeah. We might as well.
2 A-2.

3 (Whereupon, Applicant's Exhibit A-2,
4 MAP OF MARLIN ESTATES DATED 10/26/1966, was marked
5 for identification.)

6 MR. LANZAFAMA: And as I said, this
7 is a map that was prepared by Sailer and Sailer in
8 1966. It's entitled "Map of Marlin Estates,
9 Township of Westfield, Union County." And it was
10 recorded in the county courthouse in 1967. And at
11 some point, between now and then, these lots were
12 merged back together. So we are proposing to
13 re-subdivide the property into two lots. However,
14 the configuration of our new lot is slightly
15 different than the lot that was originally
16 proposed on Marlin Estates.

17 CHAIRMAN ASH: For the record, what
18 are the block and lot designations of the two lots
19 there?

20 MR. LANZAFAMA: It's Block 483 was
21 the old tax lot designation back in 1986. The
22 existing dwelling, you can see right here, was
23 Lot 11. Lot 10 is pretty much the configuration
24 that we're proposing this evening. It's slightly
25 different. You can see the cemetery is located to

1 the right. All it says is "excepted." It never
2 had a lot number. But it shows the 15-foot wide
3 access easement that will be retained that allows
4 access to the cemetery from Springfield Avenue.

5 Back to Exhibit A-1. And what we're
6 doing, as I said before, we're subdividing the
7 property into two parcels, two fully conforming
8 lots as to their size, their width, and their
9 depth. Lot 34.01 which would be the lot that we
10 have highlighted would be the potential site for a
11 single-family home at some point in the future.
12 It's proposed to be 12,000-square-feet or
13 .276 acres. And if you look at the zoning table
14 that's in the lower-left corner of Exhibit A-1,
15 you'll see that all of the bulk standards for the
16 zone are being complied with.

17 The minimum required lot area is
18 12,000-square-feet is what we're proposing. The
19 minimum lot width is 75-feet, we're proposing 90.
20 The lot frontage minimum is 75, we're proposing
21 90. And the minimum lot depth is 120-feet, and
22 we're proposing 135.35-feet. The front-yard
23 setback for any new home constructed on that lot
24 would have to comply with the average setback of
25 54.76-feet. And all of the side and rear yards as

1 well as the maximum lot coverage, building
2 coverage, building height, and FAR would all have
3 to be complied with under the ordinance. The
4 remnant parcel which is the site of the existing
5 single-family home is designated at Lot 34.02 on
6 the plat. And again, if you look at the zoning
7 table 12,000-square-foot is required, we're at
8 26,145-square-foot; more than twice what's
9 required. Seventy-five-foot lot width, we have
10 78.18-feet as the lot width. The frontage,
11 75-feet is required, we're at 88.35. And the lot
12 depth of 120-feet that's required, we're proposing
13 207.52-feet.

14 So you can see that we are complying
15 with all the aspects of the RS-12 zone district.
16 As a matter of interest, when the Municipal Board
17 is in power to grant subdivision approval for
18 minor subdivisions, and where this application
19 meets all of the zoning standards, you're actually
20 putting forward many of the purposes and goals of
21 the Municipal Land Use Law. For example, you're
22 promoting the general welfare. And when I say
23 that, I look at the State Master Plan which calls
24 for this type of infill development in areas where
25 infrastructure already exists, mass transportation

1 already exists. So we're providing quality
2 housing stock as outlined in the state's master
3 plan. We promote the establishment of appropriate
4 population densities and concentrations that will
5 contribute to the well-being of persons,
6 neighborhoods, and communities. By allowing this
7 lot to go forward, we are creating a new
8 single-family home that will enhance the
9 streetscape along Springfield Avenue. This would
10 provide sufficient space and locations for
11 residential uses. As you know, we want to build
12 quality housing in New Jersey, and this gives us
13 an opportunity to do that.

14 And finally, here we have the
15 opportunity to promote the conservation of
16 historic sites. You know the history of this
17 property. The two graves that are located on the
18 adjoining property, Roll (phonetic) and
19 Katherine Dunn; I believe she was. They were born
20 in the 1700s, died in the mid-1800s. I think
21 Katherine died in 1865, and Mr. Roll died I think
22 it was 1887. So there is some historical
23 significance. Although the house had some
24 modifications to it, there is -- the core of it is
25 a historical house built in the 1700s. So here's

1 an opportunity to see that structure saved and
2 renovated and rehabilitated. And I'd be happy to
3 answer any questions you might have regarding our
4 application.

5 MR. HEHL: And just two quick items.
6 I think you've covered all of the items in
7 Mr. Sammet's report. And I know we supplied to
8 you a report from Mr. Battaglia. Any problems
9 with the items raised in the engineering report?

10 MR. LANZAFAMA: No. We're going to
11 file the subdivision by deed as opposed to map.
12 We'll put the appropriate note on the plan. We
13 are proposing the setting of monuments at the
14 extreme ends. And property corner markers will be
15 set as part of the finalization of the
16 subdivision. So we have no problem with that.

17 MAYOR BRINDLE: When you say
18 "monuments" can you describe them?

19 MR. LANZAFAMA: Concrete monuments
20 are surveying monuments. They're about
21 6-inches-by-6-inches, 36-inches deep, and we bury
22 them into the ground and they're set flush with
23 the ground. And they're property markers so that
24 surveyors that come after us know exactly where
25 the property corners are.

1 MR. HEHL: I have no further
2 questions at this time of Mr. Lanzafama.

3 CHAIRMAN ASH: All right. Members
4 of the Board, does anyone have questions for
5 Mr. Lanzafama?

6 MAYOR BRINDLE: Is there any -- I'm
7 fascinated by the cemetery which I heard about
8 previously -- is there any markings or signage for
9 that cemetery?

10 MR. LANZAFAMA: Yes. Well, there's
11 no signage outside, but when you walk up into the
12 knoll, the graves are readily visible. They're
13 old.

14 MAYOR BRINDLE: So you wouldn't
15 really have any way of knowing it's back there?

16 MR. LANZAFAMA: No, you wouldn't.
17 You wouldn't. But you know, here's an opportunity
18 maybe some --

19 MAYOR BRINDLE: Well, that's one of
20 the reasons I asked.

21 MR. LANZAFAMA: But you don't want
22 anybody trespassing in there either.

23 MAYOR BRINDLE: That's one of the
24 reasons I asked you to describe the monuments.

25 MR. LANZAFAMA: We'll leave that to

1 the Historical Society.

2 MAYOR BRINDLE: Yeah. Understood.

3 MS. JANSVELD: Just a follow-up.

4 MR. LANZAFAMA: Yes, ma'am.

5 MS. JANSVELD: Is the easement for
6 public access to the graveyard or that's just to
7 make sure that there's a clear way to get to the
8 graves?

9 MR. LANZAFAMA: It's a way to get to
10 the graves. It depends on the ownership of that
11 lot. Right now, that lot was conveyed with
12 Lot 34, but it's being kept separate. So it would
13 be under some ownership whether it's some LLC or
14 some other entity. And that easement is to
15 provide the ownership, whoever owns that property,
16 to utilize that easement.

17 CHAIRMAN ASH: At this time, we'll
18 open it up to any members of the public who have
19 questions for Mr. Lanzafama. Please step forward.
20 If you wouldn't mind approaching the microphone
21 and please state your name and address for us,
22 please.

23 MS. KRASOVSKY: Vera Krasovsky at
24 319 Springfield Avenue in Westfield.

25 CHAIRMAN ASH: And your question for

1 Mr. Lanzafama.

2 MS. KRASOVSKY: A simple question.
3 Has the adequacy of the storm sewer and sanitary
4 system been researched, established such that they
5 would not -- this new home structure would not
6 cause any adverse issues to the surrounding
7 neighborhood?

8 MR. LANZAFAMA: Yeah. One of the
9 items in the engineer's review memo is reminding
10 us that whenever an application is made for a new
11 home we have to apply for what's known as a "lot
12 grading permit" within the community. And that
13 covers that type of analysis. There's no
14 construction proposed at this time. But when that
15 building does make an application, if that
16 building does make an application, there will be
17 appropriate measures such as dry wells to control
18 the stormwater runoff. The effluent from one
19 single-family house. We looked at the existing
20 sanitary sewer that is there, and it seems to be
21 more than adequate to handle the water in the
22 sewer system.

23 MS. KRASOVSKY: I happen to be the
24 first home on that system, and I can tell you that
25 probably about eight or nine years ago -- and the

1 town has a record of this -- my home was flooded
2 to the level of 2-feet of sewage on Springfield
3 Avenue. And so, obviously, I have a concern.

4 MR. LANZAFAMA: Sure.

5 MS. KRASOVSKY: And it had to do
6 with a blocked sewer system. That's what the town
7 told me.

8 MR. LANZAFAMA: That was a blockage.

9 MS. KRASOVSKY: It is. I'm not
10 comparing one with the other. But, obviously, I
11 would like to know if this creates any issues.

12 MR. LANZAFAMA: You may want to put
13 a check valve in your sewer system.

14 CHAIRMAN ASH: We'll ask
15 Mr. Battaglia.

16 MR. BATTAGLIA: Yeah, sorry. We
17 were having a sidebar. When they do construct a
18 house, the Raritan Valley Sewerage Authority will
19 take a look at the capacity and sign off if they
20 have to get an issued permit to do a new sewer
21 connection.

22 MS. KRASOVSKY: Thank you.

23 CHAIRMAN ASH: And that will require
24 approval from your office as town engineer?

25 MR. BATTAGLIA: The applicant's

1 permit from the building department ends up coming
2 through me, and if I don't see the argument there;
3 they don't get approval. It's a prior approval
4 before they're even allowed to build.

5 MS. KRASOVSKY: Thank you.

6 CHAIRMAN ASH: And in compliance
7 with that is a condition of approval that they've
8 agreed to by agreeing to comply with our town
9 engineer's comments with the application.

10 MS. KRASOVSKY: Thank you.

11 CHAIRMAN ASH: Anyone else have a
12 question for Mr. Lanzafama? All right. Seeing
13 none.

14 MR. HEHL: Mr. Chairman, we have no
15 further witnesses at this time. Certainly, if any
16 further questions of Mr. Lanzafama, my client is
17 also here this evening. But we look forward to
18 moving ahead with the project. So if there're no
19 comments from the public, I'd be glad to briefly
20 sum up.

21 CHAIRMAN ASH: Anyone? All right.
22 Briefly.

23 MR. HEHL: Did you want to open it
24 to the public to comment? I didn't know. But I
25 can sum up first.

1 CHAIRMAN ASH: Why don't you sum up.

2 MR. HEHL: Sure. Thank you. And
3 again, this project has been in the works for
4 quite some time. Again, we've met with -- even
5 though the letter technically is inadmissible --
6 we did meet with the Historical Society and worked
7 with them on the subdivision line, the access to
8 the cemetery; preserving all of that. And I think
9 it's a great opportunity to preserve this home
10 providing the funds to renovate it; the existing
11 home, and then a nice new home on Springfield, and
12 having it totally conform with all of the setback
13 requirements, yard area requirements, and the
14 like. And again, the only variances associated
15 with this application are the two existing
16 variances for the home that's there now. So we
17 look forward to the Board approving this
18 subdivision and move forward. Thank you very
19 much.

20 CHAIRMAN ASH: Thank you. Is there
21 any member of the public who wishes to comment on
22 this application at this time? All right. We'll
23 close that portion of the application and turn to
24 the Board for comments and deliberation.

25 MS. HARRISON: I have a question on

1 which way the front door of this new structure is
2 going to face. Is it going to face Springfield
3 Avenue and be a home that keeps the pattern of
4 architecture going along that section of
5 Springfield or will it be facing the flag driveway
6 coming in? And are we keeping the current one
7 curb cut or are you proposing to do another one?

8 MR. HEHL: I'll let Mr. Lanzafama
9 touch on that. But I assume we'd also take on the
10 subdivisions if you want us to come back for the
11 site plan subcommittee, we can do that too.

12 MS. HARRISON: Yeah. I'm just
13 curious what you were thinking.

14 MR. LANZAFAMA: It's anticipated
15 that the home would face Springfield Avenue. That
16 the front door would be Springfield Avenue and
17 there would be a side-loaded garage similar to the
18 existing house. There would be a new curb cut. I
19 don't anticipate utilizing the same one. And that
20 would be located, obviously, somewhere in the
21 center of the lot. There are two very large trees
22 along Springfield Avenue. That, one is in pretty
23 ratty shape. But the goal right now is to
24 preserve both of those. So we anticipate the
25 driveway being centrally located on the lot. We

1 also need to get Union County Planning Board
2 approval as part of this application. So they'll
3 have some control, and dictate to us how and the
4 way they want that driveway to be oriented.

5 MS. HARRISON: Okay.

6 MR. HEHL: Thank you.

7 CHAIRMAN ASH: Anyone else? I
8 appreciate bringing the old tax map from 1966 that
9 showed the prior orientation of the lots that is
10 consistent with the subdivision that's proposed in
11 this application. It's basically an application
12 to revert the lots back to their preexisting
13 condition which will allow for the single-family
14 house built on the proposed Lot 34.01. The
15 applicant has agreed to comply with the
16 requirements of our engineer's memo in his report
17 dated June 3, 2022. And with that, I would move
18 to approve this subdivision.

19 MS. HARRISON: I'll second it.

20 MR. SAMMET: A motion by Chair Ash,
21 seconded by Ms. Harrison. I'll call the roll,
22 Mr. Chair?

23 (Whereupon, there is a discussion
24 held off the record by Chairman Ash and
25 Ms. Harrison.)

1 CHAIRMAN ASH: We would just add a
2 condition to the approval, a friendly amendment to
3 the motion. As the Applicant indicated, they
4 would be willing to come to the Site Plan
5 Subcommittee for review at the time the house is
6 proposed for Lot 34.01. And we would just add
7 that to the approval.

8 MR. SAMMET: Any particular -- the
9 site plan subcommittee would review the
10 architecture of it?

11 MS. HARRISON: No. My concern is
12 there're two streets, the street coming into the
13 right of the lot and then there's the corner to
14 the left of the lot. And I would just like to
15 know where that driveway falls. You know, the
16 county is going to have something to say about
17 that, and maybe there's an opportunity to do some
18 sort of a shared entry point so you have less
19 driveways on that really busy section of
20 Springfield Avenue. Maybe there's something that
21 you can look at that makes sense for the
22 architecture of the home and where you want the
23 garage to be to curb cuts and sort of traffic in
24 that area. I just think you have a lot coming in
25 there. So it's just really just about access to

1 the new property. It's not about the
2 architecture.

3 MR. SAMMET: To review.

4 Mr. Mascera, do you have that for the condition?

5 MR. MASCERA: I'm sorry?

6 MR. SAMMET: Do you understand the
7 language for the condition?

8 MR. MASCERA: Yes.

9 MS. HARRISON: It's not to
10 negatively say yes or no, it's really just to sort
11 of finish the conversation because we don't know
12 where the driveway is going to be.

13 MR. HEHL: Well, once we get our
14 county approval we can clear it. To preference on
15 this, because of the width of the lot, it would be
16 to have two separate entrances.

17 MR. MASCERA: Mr. Sammet, I think
18 what we need to clarify, however, is there a
19 condition -- is there a condition of approval, and
20 if so, who would have the authority to approve of
21 the plan as submitted?

22 MS. HARRISON: There is no --
23 there's nothing that -- I guess it was just sort
24 of understanding where it would go before it goes.
25 But there's no condition because if it has to be

1 where it has to be. So I guess maybe we strike
2 that.

3 MR. MASCERA: I mean if there's not
4 going to be a standard by which is should be
5 measured then I think you can rely on the
6 professionals to make sure that it's in the most
7 appropriate location.

8 MS. HARRISON: Sure.

9 MR. SAMMET: And I was just trying
10 to -- I wasn't sure I understood the condition,
11 what the language of the condition would be.

12 MS. HARRISON: Just so many things
13 come across and I just don't know what they end up
14 looking like. It's really what it is.

15 MR. SAMMET: Okay. So the condition
16 is struck from the motion?

17 MS. HARRISON: Yes.

18 MR. SAMMET: Okay.

19 MR. MASCERA: Good job.

20 MR. SAMMET: So I had a motion by
21 Chairman Ash and seconded by Ms. Harrison?

22 MS. HARRISON: Yes.

23 MR. SAMMET: Mayor Brindle.

24 MAYOR BRINDLE: Yes.

25 MR. SAMMET: Mr. Ceberio.

1 MR. CEBERIO: Yes.

2 MR. SAMMET: Councilman Dardia.

3 COUNCILMAN DARDIA: Yes.

4 MR. SAMMET: Chief Duelks.

5 CHIEF DUELKS: Yes.

6 MR. SAMMET: Mr. Goldstein.

7 MR. GOLDSTEIN: Yes.

8 MR. SAMMET: Ms. Jansveld.

9 MS. JANSVELD: Yes.

10 MR. SAMMET: Ms. Carreras.

11 MS. CARRERAS: Yes.

12 MR. SAMMET: Ms. Freedman.

13 MS. FREEDMAN: Yes.

14 MR. SAMMET: Chairman Ash.

15 CHAIRMAN ASH: Yes.

16 MR. SAMMET: And Ms. Harrison.

17 MS. HARRISON: Yes.

18 MR. SAMMET: Thank you.

19 MAYOR BRINDLE: And thank you for
20 working with the HPC.

21 CHAIRMAN ASH: The next up, we have
22 PB 22-8, that is 240 Orchard Street, Block 2405,
23 Lot 7.

24 MR. CEBERIO: Mr. Chair, I need to
25 recuse myself on this application.

1 CHAIRMAN ASH: All right. We'll
2 need you to step down from the dais.

3 (Whereupon, Matthew Ceberio briefly
4 leaves the dais.)

5 CHAIRMAN ASH: We have you all
6 night?

7 MR. HEHL: Yeah. You're stuck with
8 me again.

9 CHAIRMAN ASH: You're hitting for
10 the cycle?

11 MR. HEHL: Yes. Great to see you
12 all again. This is a subdivision application.
13 It's an interesting application in a great
14 location. And the Applicant and the owner of the
15 property you probably all know, Charlie Pijanowski
16 is a local builder for many years. He does
17 quality work. And he owns the existing
18 multifamily home that is located on one of the
19 proposed lots. The property, again, is on Orchard
20 Street close to downtown. And you'll hear
21 planning testimony to the effect that this will
22 generate additional quality housing stock, help
23 with foot traffic, and patronage of the businesses
24 in downtown.

25 And what we have here is the two

1 lots that are looking to be subdivided are in
2 excess of the square footage; 8,000-square-feet is
3 required in excess of 10,000-square-feet, as
4 proposed on each lot. The lots, however, do
5 require a lot width variance; 60-feet is required,
6 we're proposing 50 which triggers the lot width
7 variance and also the area within the first
8 134-feet of the property line. We will provide
9 planning testimony to justify those variances.
10 And we appreciate the report. Mr. Sammet did a
11 great job again of providing an overview of the
12 area and the relief that we're seeking. We also
13 did receive the report from Mr. Battaglia of Van
14 Cleef. And similar to the previous application,
15 we have no problem complying with any of those
16 terms and conditions. And Mr. Hollows our
17 professional planner and engineer will take us
18 through those items that are outlined in his
19 report. So again, we feel, and we hope you see
20 from the testimony that we present, that this is a
21 nice utilization of this property. Right now,
22 it's generally vacant. And also, this was
23 highlighted in Mr. Sammet's report; the general
24 width of the lots in the area do comply or comport
25 what we're proposing here. It's not going to

1 certainly stick out like a sore thumb at all. And
2 we are going to be able to provide adequate
3 off-street parking and the like.

4 So what I'd like to do first is to
5 call upon Mr. Hollows, William Hollows, who will
6 be testifying as both a professional engineer and
7 professional planner.

8 CHAIRMAN ASH: Good afternoon.

9 WILLIAM HOLLOWES, having been duly
10 sworn, was examined and testified as follows:

11 MR. HEHL: Mr. Hollows, if you could
12 similar to in the previous case give the Board
13 your credentials. I know you've testified before
14 this Board on numerous occasions.

15 MR. HOLLOWES: I'm a professional
16 engineer, land surveyor, and planner in the State
17 of New Jersey. My license is in good standing. I
18 got those licenses sometime in the mid-80s, I
19 don't know exactly when. Land surveyor was first,
20 planner was second, and engineer was third. And I
21 have been before this Board. And I'm typically
22 before Summit, New Providence, Berkeley Heights,
23 Scotch Plains, Long Hill, Byrns Township.

24 MR. HEHL: And all of your licenses
25 are in full force and effect?

1 MR. HOLLOWS: Yes, they are.

2 CHAIRMAN ASH: Thank you. Nice to
3 see you again Mr. Hollows, and we'll accept you as
4 an expert in planning and a professional engineer.

5 MR. HEHL: Great. Thank you very
6 much. Mr. Hollows, if you could take us through
7 the existing conditions at the site, and then we
8 can discuss the proposed subdivision line. And if
9 you're going to refer to exhibits that were
10 submitted as part of the Board package, then just
11 identify them that way. Can you see that?

12 MAYOR BRINDLE: No.

13 MR. HEHL: If you could just tilt it
14 a little bit more.

15 MR. HOLLOWS: This is Sheet 1 of 4
16 of the drawings that you have before you. It has
17 subject property -- the area map of the subject
18 property. We are in the middle lot, Lot 2405. We
19 are between Mountain Avenue to the east and Elm
20 Street to the west. This is a kind of a mixed
21 neighborhood, and I'll go through that a little
22 bit more. I just wanted to give you an overview
23 of where we are on the property to go over the
24 existing conditions. Presently, there is a
25 two-family house on this property. A gravel drive

1 to a masonry and framed garage. There's a
2 cemetery behind us. There are residences on
3 either side of us. And just for reference --
4 because I may say "east" and "west" -- the bottom
5 of the drawing is north, the top of the drawing is
6 south, the border where we bind the drawings is
7 east, and the title block would be west. And
8 here, you've got Mountain Avenue and Elm Street.

9 And as Mr. Hehl had indicated, we're
10 proposing to subdivide this property basically in
11 half to create a -- maintain the existing
12 two-family house, and create a building lot for a
13 new two-family house.

14 MR. HEHL: And that's a colored
15 exhibit. I believe it should probably --

16 MR. HOLLOWS: This is a colored
17 exhibit. It is Sheet 2 of 4.

18 MR. HEHL: Let's mark that though as
19 A-1 because I don't think the Board submission had
20 the colored version.

21 (Whereupon, Applicant's Exhibit A-1,
22 COLORIZED AREA MAP - SHEET 2 OF 4, was marked for
23 identification.)

24 MR. HOLLOWS: To give you an idea of
25 what we're proposing -- and I guess this would be

1 A-2?

2 MR. HEHL: Yes.

3 (Whereupon, Applicant's Exhibit A-2,
4 COLORIZED SUBDIVISION DETAIL SHEET 3 OF 4, was
5 marked for identification.)

6 MR. HOLLOWES: We are proposing to
7 subdivide the property in half. Each lot would
8 have 50-feet of frontage, and they would have a
9 little over 10,000-square-feet on each lot. Here
10 we have an existing -- to the east of the property
11 is an existing two-family house. The existing
12 garage would be removed and a new garage would be
13 constructed to the rear of the property closer to
14 the cemetery. There would be a shared driveway
15 that would service both of these properties
16 similar to what's in the neighborhood presently.
17 And then, a little bit darker colored building is
18 a proposed two-family house with another garage to
19 the back. We have backout areas for the garages.
20 There is one -- well, it's actually a holly tree
21 mislabeled as a hickory tree, but it's a holly
22 tree -- holly bush that has grown into a big-sized
23 bush or tree; so to speak. Now, I wanted to go
24 back to --

25 MR. MASCERA: Counsel, excuse me.

1 I'm sorry. I'm not clear on the exhibit numbers
2 and the --

3 MR. HOLLOWS: Okay. Sure.

4 MR. MASCERA: So the first sheet was
5 1 of 4?

6 MR. HOLLOWS: It's Sheet 2 of 4.
7 And it's our survey, existing conditions drawing.
8 It's the same drawing you have, it's just
9 colorized.

10 MR. MASCERA: Okay. So 2 of 4 was
11 A-1?

12 MR. HOLLOWS: A-1.

13 MR. MASCERA: Okay. And the sheet
14 you were just referring to?

15 MR. HOLLOWS: Is 3 of 4. That would
16 be A-2. And we can label it "subdivision."

17 MR. MASCERA: Okay.

18 MR. HEHL: Thanks.

19 MR. HOLLOWS: And now, I'm going to
20 go on to A-3.

21 (Whereupon, Applicant's Exhibit A-3,
22 DETAILED AREA MAP, was marked for identification.)

23 MR. HOLLOWS: A-3 is what we call
24 "area map." This is an exhibit. This is a
25 different drawing. Nobody has this drawing other

1 than you have the same area map. I've just added
2 detail to this because we wanted to show you what
3 these lots were in size in the neighborhood. At
4 the corner of Mountain Avenue and also Lawrence
5 Avenue, you've got a dental business, a retail,
6 and I think residents above that retail location.
7 On the south or north side of Orchard Street at
8 the intersection of Mountain and Orchard, you've
9 got a doctor's office, and adjacent to that is a
10 counseling service. Coming down the street -- and
11 those lots don't meet the 60-foot lot width. In
12 fact, there're only two lots that actually meet
13 the 60-foot. Well, this corner lot. So there're
14 three lots. Our lot, in its present condition.
15 But there're eight condominium units on this
16 property, and that has over 100-feet of lot
17 frontage. And then, as you come down from across
18 from our property there are three residences --
19 four residences. And adjacent to our property to
20 the west are three residences. There's a parking
21 area for the church. And then as you get closer
22 to Elm Street, there're businesses. You've got an
23 attorney's office, and then Kessler Rehabilitation
24 facilities. Across the street, is the Board of
25 Education. And those are athletic fields in this

1 area. You've got the tennis courts, and then
2 there's an athletic field. That appears to be
3 soccer nets there.

4 And what I've done to this drawing
5 -- something I could help you with, I have a
6 handout. I think I have enough for everybody.
7 This is a smaller scale, so you may need your
8 glasses. This is the same drawing that's on the
9 board right here. (Indicating.) And what I've
10 done on that drawing is indicated the lot width,
11 what's on the drawing as far as the present use,
12 and the lot area. And the lot area I got from tax
13 records. Starting at Mountain Avenue, the Dental
14 Arts Building, that has 8,000-square feet of lot
15 area, it's an 86-foot-wide lot. The next lot is a
16 single-family residence, it's on a 45.5-foot lot
17 width, and it contains 4,750-square-feet.
18 Adjacent to that property going to the west,
19 there's another single-family residence that has
20 50-foot of lot frontage, and 6,010-square-feet.
21 Going west again, we have 46-foot of lot width,
22 it's a two-family dwelling, and it's on a lot
23 that's 9,930-square-feet. And adjacent to our
24 property is a one-family dwelling,
25 10,540-square-feet, and 50-foot of lot width. And

1 then on our westerly side of our property, we've
2 got three two-family dwellings, and they're all
3 50-foot in lot width. Lot 6 is 8,755-square-feet.
4 Lot 5 is 10,955-square-feet. And Lot 6 is again a
5 two-family house, and it's 50-foot of lot
6 frontage, and it's 9,060-square-feet. Across the
7 street from us, again, we have the athletic
8 fields. And then going back in the easterly
9 direction, Lot 14 is a single-family house on a
10 40-foot-wide lot. Lot 13 is a two-family dwelling
11 on a 40-foot-wide lot, and it contains 6,840. And
12 then, we go to the next, it's a single-family
13 house, and that's 8,540-square-feet, 50-foot of
14 lot frontage. Lot 11 is 8,190-square-feet. It's
15 a single-family residence. And then we have the
16 lot that has the eight condominiums on there, and
17 that's 179-feet wide, with 30,500-square-feet.
18 And the counseling services is 56-feet of lot
19 frontage with a lot area of 9,930-square-feet.
20 And the corner lot at 53-feet of lot frontage on
21 Orchard Street, and it has 8,670-square-feet, and
22 that's the doctor's office.

23 Excluding our property, there're 11
24 residential lots on the street here of Orchard
25 Street between Mountain Avenue and Elm Street.

1 Not one of them meets the 60-foot wide lot
2 criteria. Not one of those lots meets the
3 8,400-square-feet within the 134-feet of the
4 street line. What we're proposing meets the
5 neighborhood. It fits the neighborhood as far as
6 the size of the lot and the lot width. And in
7 addition, there're a couple of lots that actually
8 don't meet the 8,000-square-feet in total lot
9 area.

10 The big variance I guess -- the
11 common variances have to do really with the lot
12 width, the lot area within 134-feet. We have 50,
13 we're required to have 60. We have 6,700, we're
14 required to have 8,000, and 134-feet of it, street
15 right-of-way. We exceed the requirement for
16 8,000-square-feet total. And then, there are a
17 couple of existing -- go back to exhibit -- this
18 is going back to Exhibit 2. There's an existing
19 variance for the existing structure. There's a
20 bay window, it's supposed to be a 10-foot side
21 yard requirement; it's at 8.5. Although, the
22 building proper is at 11.1. The bay window is
23 closer than the 10-feet. And when we put this
24 proposed lot line in, the bay window would be
25 3.5-feet instead of 10. And then, there would be,

1 be all up in easement. The driveways would be on
2 an easement, a shared easement that either side --
3 well, this house, obviously, would go to this, the
4 new garage in the back. And the proposed -- our
5 existing house -- would go to the other garage in
6 the back. But as they back out, they would cross
7 over the property line, and then come out forward.
8 We really don't -- the houses, the garages being
9 back so far, you'll want to turn around before you
10 go out. It's an awful long driveway to try and
11 back out of. We do exceed that, and as I found
12 out today going through my notes again -- because
13 I worked on it over the weekend and the latter
14 part of last week -- we need two more parking
15 stalls. We have the lot area for this because the
16 existing building has four bedrooms in each unit.
17 And the new building will have two bedrooms in
18 each unit. Based on the parking, we would need
19 five parking stalls. We need three for the
20 proposed structure. And under RSIS, we get credit
21 for three with the two in the garage and one in
22 front. So that works out fine for the proposed
23 house. But I'm looking to put a couple of parking
24 stalls in this area. We will not exceed the lot
25 coverage requirement.

1 MR. HEHL: And then with respect to
2 the engineering review; you've had an opportunity
3 to review the report that was issued by
4 Mr. Battaglia. Any problem with complying with
5 any of those terms and conditions?

6 MR. HOLLOWS: No. We would -- this
7 would be perfected by deed, not by a filed map.
8 As far as monuments, actually, the front two
9 corners are already in. We've got iron bars
10 around pipes at each front corner, and there's
11 another iron pipe in the back at the southeasterly
12 corner. We did not find one on the southwesterly.
13 And if the Board were to approve, we would set
14 that property corner.

15 MR. HEHL: Any appropriate drainage
16 will be addressed?

17 MR. HOLLOWS: The existing house;
18 the roof leaders come out to the street. The
19 property slopes from the cemetery in the rear
20 towards Orchard Street. We would put the roof
21 leaders for the proposed new structure out to the
22 street. And this lot would be graded so that --
23 it presently slopes towards Orchard Street, and we
24 would maintain that with the driveway. I think a
25 lot of the other engineering comments have to do

1 more with at the time of building permit
2 application where we would have a little bit more
3 detail than what we have here. We're really
4 trying to show the Board what we're trying to do.
5 As far as giving a reference to what the size of
6 the houses would be on the property, but it's 99%
7 that's going to be house the house that's going to
8 be constructed on that new building lot. But
9 there may be some additional details required for
10 the building permit application.

11 We do have a -- the Applicant has
12 put together a board of the houses. And people,
13 if you haven't down this street -- you're shaking
14 your head that you've been down this street --

15 MR. HEHL: I'm sure they all have.

16 MR. HOLLOWS: This is a nice street.

17 MR. HEHL: Why don't we -- are you
18 going to do this or should I have Charlie?

19 MR. HOLLOWS: Charlie can do it.

20 MR. HEHL: And then, just briefly
21 from a planning standpoint, I indicated in my
22 opening about providing new housing stock -- and I
23 know Charlie will touch on this too -- but the
24 proximity to downtown.

25 MR. HOLLOWS: It's walkability to

1 downtown. You go down to the end of the street,
2 Stop and Shop is there. And then you're only a
3 block or two from the downtown main area. And
4 this is similar to the first application where
5 it's an infill lot. You've already got the
6 infrastructure on Orchard Street, that sanitary
7 sewer. Storm drainage is at the ends of each
8 street because we're kind of at the high point of
9 Orchard Street, so it slopes in either direction.
10 It goes to the east, it goes to the west. There
11 is sanitary sewer in the street, and there's water
12 and gas. And for some reason, they mark out the
13 water and gas about two lots down, and it's on the
14 other side of Orchard Street.

15 MR. HEHL: Thank you. I have no
16 further questions at this time of Mr. Hollows.

17 CHAIRMAN ASH: Thank you. Members
18 of the Board, any questions?

19 MS. HARRISON: I have a couple.

20 CHAIRMAN ASH: Go for it.

21 MR. HEHL: We do have our architect,
22 by the way.

23 MS. HARRISON: Yeah. No, that's
24 fine. The existing property driveway access, will
25 it be the same owner of both two-family homes so

1 that that would be an easier transition or...?

2 MR. HOLLOWS: It's my understanding
3 that's going to be the same owner.

4 MS. HARRISON: Were you worried when
5 you were doing the subdivision that less than
6 50-feet was going to be unachievable and is that
7 why you did the shared drive because you were
8 worried that if you did 48-feet or 47-feet, it
9 would be viewed negatively or you're satisfied
10 with where it is and having a shared driveway?

11 MR. HOLLOWS: Yeah. I think from
12 the very beginning -- because if I go back to...

13 MS. HARRISON: I like the shared
14 driveway. I'm just asking.

15 MR. HOLLOWS: The three houses to
16 our west, the two of them have a shared driveway.
17 The third one has its own driveway. However,
18 across the back, there're probably three garages,
19 and they go from one lot to the other lot.

20 MS. HARRISON: Okay. On the
21 planning -- and maybe it's the architect that will
22 answer this question -- are you considering a
23 front-back two-family or is it a traditional
24 top-bottom two-family.

25 MR. HOLLOWS: It's a top-bottom.

1 MS. HARRISON: I have no other
2 questions.

3 CHAIRMAN ASH: The two garages with
4 the 10-foot setbacks, I mean I guess that 10-foot
5 setback is a requirement in the zone?

6 MR. HEHL: For the garages.

7 CHAIRMAN ASH: For the garages.

8 MS. HARRISON: No. The garage can
9 be less than 10-feet.

10 MR. HOLLOWS: They can be less than
11 that. It's just that it kind of fit in line at
12 that point. And there're no mature nice trees or
13 anything in the back of the one at the corner.
14 It's just kind of a brushy area back there with
15 saplings and stuff. We just thought we'd leave as
16 much as we could back there. There's a fence
17 along the cemetery.

18 CHAIRMAN ASH: I'm just looking at
19 that design and I'm wondering if that grass area
20 between the two garages is you know kind of a dead
21 space. And having that separation is adding more
22 asphalt to the driveways, and if the garages were
23 together.

24 MR. HOLLOWS: Forward or...?

25 MR. HEHL: No. Closer together?

1 CHAIRMAN ASH: Yeah. Without the
2 setback between them. I just don't see a lot of
3 utility with the grass area in the setback, and
4 there'd be more utility I think with a bigger rear
5 yard without the setback. And perhaps, you could
6 shrink the asphalt footprint of the two driveways.

7 MR. HOLLOWS: If I were able to do
8 something similar to the other three houses to the
9 west, those two parking stalls that we talked
10 about putting over to the east of the driveway,
11 they might be able to fit in that specific area.
12 And then it would be useful. And then, we would
13 have a bigger backyard behind each house.

14 CHAIRMAN ASH: Right. And perhaps
15 it would drain better and the occupants would have
16 a more usable yard.

17 MS. HARRISON: Would that give you
18 your K-turn?

19 MR. HOLLOWS: Yeah. We still want
20 to try to -- I mean I might be able to make this
21 -- well, if it was straight across and we actually
22 striped the stalls so they knew where they were
23 parking, then I think we would be fine.

24 MR. MASCERA: Mr. Sammet, what's the
25 rear-yard setback for a structure?

1 MR. SAMMET: I believe of this size,
2 they're about 400-square feet or so.

3 MR. HOLLOWS: Yes. I think they're
4 a little bigger.

5 MR. SAMMET: If they're under
6 500-square-feet, there'd be a 10-foot required
7 setback. It wouldn't be extra --

8 MR. MASCERA: And also for the
9 asphalt?

10 MR. SAMMET: For a driveway or a --

11 MR. MASCERA: Parking spot.

12 MR. SAMMET: -- parking space, there
13 is no required -- well, the driveway, there's not.
14 I have to double-check on the parking space.

15 MR. MASCERA: So it sounds to me
16 like the Board's inclined to give the variance,
17 and I'd just like to know what variance.

18 MR. SAMMET: I don't believe a
19 variance would be required.

20 MR. MASCERA: Okay.

21 MR. HOLLOWS: Don, excuse me. Can I
22 ask Don a question?

23 CHAIRMAN ASH: Yes.

24 MR. HOLLOWS: Is it a design waiver
25 or is it a variance for the greater than 24-feet

1 driveway?

2 MR. SAMMET: Variance.

3 MR. HOLLOWS: All right. So we
4 would need a variance for the lot width, the
5 driveway width because it would be from garage
6 corner to garage corner.

7 MS. FREEDMAN: I have another
8 question.

9 CHAIRMAN ASH: Yes.

10 MS. FREEDMAN: Maybe this is for the
11 architect. Was there a house on this vacant lot
12 originally?

13 MR. HOLLOWS: I have a survey that
14 goes back to...

15 MR. HEHL: Charlie can testify to
16 that. But to our knowledge --

17 MR. HOLLOWS: It got back into -- I
18 believe it's into the 50s and it was done by
19 Fred Singer where there was just this one house on
20 there and a garage on the other lot; the lot area.

21 MS. FREEDMAN: When you drive down
22 there, it's unusual to have this vacant lot.
23 Everyone -- all the other ones look fairly
24 symmetrical.

25 MR. HOLLOWS: I agree with you.

1 MR. SAMMET: Mr. Hollows, do you
2 know the age of the existing garage structure?
3 Maybe this is a question for Mr. Pijanowski.

4 MR. HOLLOWES: Yeah. I think that
5 would be for...

6 MS. JANSVELD: I'm just curious
7 about the history of zoning here and the housing.
8 What preceded what if all the houses have less
9 than a 60-foot width, but the zoning requires 60?
10 I don't if this is a question for Don. But I'm
11 curious how that came about for the street.

12 MR. SAMMET: That's a good question.
13 We'd have to research the prior zoning. My
14 educated guess is that the lots do -- my educated
15 guess is that the lots do predate the zoning
16 that's in place because they're all of a deficient
17 width for the zoning ordinance.

18 MS. JANSVELD: Did the zoning
19 require 60 in anticipation of the condominium
20 development or what was the...?

21 MR. SAMMET: We'd have to do a
22 historic research into it to see what the past
23 zoning was; what the requirements were at the
24 time.

25 MAYOR BRINDLE: It does seem odd,

1 though; doesn't it? Why would you put in a
2 60-foot zoning ordinance if everything was under
3 60-foot?

4 MS. HARRISON: I bet you the change
5 predates -- or postdates the houses, and they just
6 broad-brushed it or something.

7 MAYOR BRINDLE: Yeah.

8 MR. SAMMET: The home that's on this
9 lot dates to 1906. So I would presume -- and I
10 hate to that in a public hearing -- but I would
11 presume that many of the homes on the block have a
12 similar construction date. So you figure this
13 zoning has been in place -- let's just say four
14 decades or so at the most -- so these homes, I'm
15 sure, predate the ordinance.

16 CHAIRMAN ASH: Anyone else with
17 questions for Mr. Hollows? Is there anyone here
18 from the public who has a question for
19 Mr. Hollows? Please come forward to the
20 microphone. If you would state your name and
21 address.

22 MR. JANCOURTZ: Josh Jancourtz, and
23 I'm at 241 Orchard Street. Right across the
24 street in a Victorian house built in 1868. And we
25 are looking directly onto the property being

1 discussed. One question I have is just trying to
2 understand, I know counsel mentioned that it's an
3 interesting property and project, and I agree. I
4 also agree that it looks like something fits there
5 and yet, it's just not really that big, so it's
6 interesting. But with the proposal, I just want
7 to be clear about the distance between the two
8 houses. And I know there's a bay window involved
9 as well.

10 MR. HOLLOWS: To explain the bay
11 window, there will be a little over 20-feet.

12 MR. JANCOURTZ: Over 20-feet. And
13 then the bay window -- I think you said 3 1/2-feet
14 or something like that?

15 MR. HOLLOWS: The bay window for the
16 existing structure to the new lot line is
17 3.5-feet.

18 MR. JANCOURTZ: So between the
19 houses, between the current house and the proposed
20 house, how much distance would there be including
21 reaching the bay window on the new house?

22 MS. HARRISON: Well, according to
23 the code, bay windows are allowed to exceed your
24 building coverage. And the architect can talk to
25 that. But you would measure that from property

1 line to property line; 10-feet would be typical.
2 Is it Don, 10-feet in this zone for side yards;
3 right?

4 MR. SAMMET: That's correct.

5 MS. HARRISON: Yeah. So you would
6 typically have 20-feet. That would be the
7 standard in this neighborhood; is 20-feet apart,
8 home-to-home. And a bay window can exceed that in
9 any other condition.

10 MR. JANCOURTZ: Well, I guess -- so
11 to follow-up, the width of the driveway is --
12 between the houses?

13 MR. HOLLOWS: Yeah. We're proposing
14 a 12-foot driveway.

15 MR. JANCOURTZ: A 12-foot driveway.
16 Okay. And then, I imagine even if the zoning says
17 exclude the bay window, you probably don't want a
18 bay window hanging out into the driveway.

19 MS. HARRISON: I think it's before
20 the driveway. It doesn't hang over the driveway.
21 No, I would agree with you. That would be a
22 disaster.

23 MR. JANCOURTZ: And then, how many
24 parking spaces are -- I think that's kind of an
25 interesting aspect of this because the current

1 house I believe it has -- I think you mentioned
2 four bedrooms per unit?

3 MR. HOLLOWS: Yes. Requires five
4 parking stalls.

5 MR. JANCOURTZ: So that one house
6 requires five parking spots. Okay. And then, the
7 new house is a two-family house, and that requires
8 how many parking spots?

9 MR. HOLLOWS: Three.

10 MR. JANCOURTZ: Three. So that's
11 eight altogether.

12 MR. HOLLOWS: Correct.

13 MR. JANCOURTZ: Yeah. That, to me,
14 seems like a very difficult puzzle to figure out
15 how to fit eight parking spaces back there. I
16 don't know if you'll have much of a yard.

17 MR. HOLLOWS: The garage counts as
18 two spaces.

19 MR. JANCOURTZ: But altogether --

20 MR. HOLLOWS: So there're four, so
21 we need four, and then you get across the front,
22 you're allowed to have -- we'll, in this case
23 maybe if we -- the proposal now has to put this
24 pavement from across one side of the garage to the
25 other side of the garage. And then, you would

1 have two stalls between the two garages, and then
2 a stall in front of the garage, and you come up
3 with your eight.

4 MR. JANCOURTZ: But you're going to
5 fit eight cars back there?

6 MR. HOLLOWS: Well, the potential
7 for eight. It doesn't mean that the tenant is
8 necessarily going to have three cars.

9 MR. JANCOURTZ: But they could. You
10 can't assume that they won't.

11 MR. HEHL: We're going to comply
12 with the parking requirements.

13 MR. JANCOURTZ: So there are going
14 to be eight spaces back there.

15 MR. HEHL: Correct.

16 MR. JANCOURTZ: And that's going to
17 be shared by one driveway?

18 MR. HOLLOWS: Yes.

19 MR. JANCOURTZ: And that driveway is
20 12-feet wide.

21 MR. HOLLOWS: Correct.

22 MR. JANCOURTZ: Now, I was looking
23 through the zoning. Obviously, I'm not an expert,
24 but, in addition to the variance that you're
25 requesting, there's also a variant(sic) that has

1 to do with multi-family driveways. And so I would
2 kind of propose that if you're having two
3 multi-family houses with eight cars that kind of
4 constitutes a multi-family driveway. And I
5 believe the ordinance calls for a two-lane
6 driveway needed to be 20-feet wide.

7 CHAIRMAN ASH: Mr. Sammet, can you
8 speak to that?

9 MR. SAMMET: You're absolutely
10 correct for a multi-family dwelling. But a
11 multi-family dwelling by our ordinance, and many
12 other standards, is a three-dwelling-unit building
13 or greater. So these are only considered
14 two-family homes. So the standards for one and
15 two-family dwellings apply for this construction.

16 MR. JANCOURTZ: Would it seem like
17 that spirit of the code is a driveway per
18 multi-family dwelling? And in this case, if we're
19 talking about one driveway being shared for eight
20 cars, it seems to me that the spirit of that
21 zoning rule would apply here. In addition,
22 there's another variant that I just came across,
23 11E6, that talks about the amount of yard that's
24 supposed to be on the side of the house.
25 According to this, "Minimum side yard, except as

1 provided above, for corner lots, there shall be
2 two side yards, and no side yard shall be less
3 than 10-feet." Can you speak to the side yards on
4 this project?

5 MR. HOLLOWS: It's not a corner lot.

6 MR. JANCOURTZ: Well, this is
7 calling out the corner lot as an exception. It's
8 saying if it's not a corner lot, it should have
9 10-feet of yard on either side.

10 MR. HOLLOWS: On the proposed new
11 house it's 10 1/2-feet. On the existing house,
12 excluding a bay window, it's 11.1-feet.

13 MR. JANCOURTZ: But on either side
14 in between the houses it does not look like there
15 is a yard.

16 MR. HOLLOWS: That's correct.

17 MR. JANCOURTZ: So that seems like
18 you would need a variant for that also.

19 MR. HOLLOWS: We are seeking a
20 variance for --

21 MR. JANCOURTZ: For the specific
22 yardage zoning code?

23 MR. HOLLOWS: We're seeking a
24 location variance.

25 MR. JANCOURTZ: Okay. Well, because

1 you listed specific variants, but I did not see
2 11E6.

3 MR. HOLLOWS: I don't have an answer
4 for you.

5 MR. JANCOURTZ: No further
6 questions.

7 MR. HEHL: Thank you.

8 CHAIRMAN ASH: Any other members of
9 the public who have questions for Mr. Hollows?
10 Back to the Board. Anyone? All right.

11 MR. HEHL: I'd like to now call upon
12 Roger Winkle who is our architect.

13 CHAIRMAN ASH: Good evening,
14 Mr. Winkle. Would you raise your right hand?

15 ROGER WINKLE, having been duly
16 sworn, was examined and testified as follows:

17 MR. HEHL: And Mr. Winkle, I know
18 you've been before this Board on numerous
19 occasions, but if you could please give the Board
20 briefly your credentials and license that you hold
21 and confirm that they're in full force and effect.

22 MR. WINKLE: Yes. Well, I'm a
23 licensed architect in the State of New Jersey.
24 And I've been licensed since 1981. I went into
25 practice on my own in 1984, and have been going it

1 since then. I've presented before many boards
2 throughout Union County and Middlesex County,
3 Somerset County. I've been before this Board
4 before, so I hope you'll accept my credentials.

5 CHAIRMAN ASH: We'll accept your
6 continued qualifications as an expert in
7 architecture.

8 MR. WINKLE: Thank you.

9 COURT REPORTER: Could you please
10 spell your name?

11 MR. WINKLE: Roger Winkle,
12 W-i-n-k-l-e, and 947 Park Avenue, Plainfield.

13 MR. HEHL: Mr. Winkle, if you could
14 please take the Board through the design layout
15 for the new proposed home.

16 MR. WINKLE: Certainly. It's a very
17 simple design. It's quite actually a fairly small
18 home. A Two-family top-and-bottom, not
19 side-by-side. And in this particular zone, you
20 would require a single-door design to a two-family
21 home. You would also require the detached garage.
22 That's the way we figured this design plan out.
23 These two levels, two families, are basically an
24 identical plan. They're slightly different in
25 size. But you would -- and we have a front porch,

1 5-foot-8-deep front porch. Which, when you see
2 the pictures of the neighborhood, this size home
3 and that size front porch and our proposed
4 elevation is very similar to many of the homes in
5 that neighborhood.

6 So if I could quickly just run you
7 through the plan. As I said, there's a front
8 porch, which you come up the steps and go directly
9 into the entry door. At that entry door, there's
10 a switchback stair. We have a switchback stair
11 which come in, turn around, and go up to the
12 second floor. You would enter the first apartment
13 at the bottom landing and you would go into an
14 open living room, which leads to a kitchen/dinette
15 area behind. There's a coat closet in the living
16 room. To the opposite, there is a hallway, a
17 center hallway from the kitchen which goes toward
18 the rear of the house. And each apartment is only
19 a two-bedroom apartment. Along that hallway,
20 you'd enter the first bedroom which is 12-foot-4
21 by 11-foot-10. A closet that has a bay window in
22 that bedroom, which extends it out 2-feet. Behind
23 that, is a common bathroom. And then, further to
24 the rear is the entrance to the master bedroom
25 which is, approximately, 16.6-by-14.8-wide, double

1 closet and it has its own master bath. And
2 finally, if you go past the master, there's
3 another hallway which is the rear exit for the
4 first-floor unit. And there's opposite that in
5 the rear, there's a second door which is to the
6 basement stair. So we're proposing a full
7 basement in the units. The second floor is
8 basically the same floor plan as the first floor
9 except that the bay window on the side is
10 eliminated in the middle bedroom. So the
11 first-floor unit is, approximately,
12 1,353-square-feet, and the second floor is a
13 little less without that bay window of
14 1,338-square feet.

15 Sheet A-2 is the proposed
16 elevations. On the top left of the sheet is the
17 proposed first-floor plan, which you can see the
18 6-foot porch with a roof extending out. And a
19 basic two-story gable-front design. The windows
20 are double-hung, which is standard in the
21 neighborhood. The siding would be either Hardie
22 Plank or Cedar Impressions vinyl. If we look at
23 the left side, we see the bump-out for the
24 kitchen, another gable on top of the bump-out, and
25 a pretty simple plain older Colonial home. And

1 the rear, you see the double-door as the exit to
2 the first floor. And the second door is the exit
3 from the second floor and also entrance to go down
4 to the basement. The overall height is,
5 approximately, 31-feet. The home will meet all of
6 the zoning requirements. It's actually quite a
7 bit less than the maximum coverage and the maximum
8 FAR. And the two units have a total of four
9 bedrooms. There will be a detached garage for
10 each, which is proposed to be 22-by-22. There was
11 no garage plan submitted, but I brought the sketch
12 of a typical --

13 MR. HEHL: So is that a new exhibit?

14 MR. WINKLE: -- a typical 22-by-22
15 garage. This is not in your pack --

16 MR. HEHL: If we could mark that.

17 MR. WINKLE: -- but it's very
18 similar to the garage presently there, which is
19 probably built before 1930, but was partially
20 removed. The rear section of that garage was
21 removed sometime in the past, we're not really
22 sure when. And that garage is a kind of a
23 decorative cement block and just a similar kind of
24 gable front. It's not as wide as the -- was
25 understand we may need to go to the Historic

1 Commission to the talk about the demolition of
2 that and we're prepared to do that.

3 MR. HEHL: And if you could please
4 mark that as A-4. I think that's what we're up
5 to.

6 COURT REPORTER: What are we calling
7 that?

8 MR. HEHL: Garage exhibit.

9 (Whereupon, Applicant's Exhibit A-4,
10 GARAGE EXHIBIT - TYPICAL SKETCH, was marked for
11 identification.)

12 MR. HEHL: And I know you've
13 described the proposed home. Just from an
14 architectural standpoint, the brief thought
15 process of the design of the home; I know you have
16 the front porch, and fitting in with the area.

17 MR. WINKLE: Well, we know the
18 dimensions of the lot. We know the setbacks that
19 are required. So we started by looking at that.
20 And Mr. Pijanowski thought that the two-bedroom
21 idea would suit his purposes. So we didn't need
22 to make a very deep house. The house across the
23 front would probably look the same if it was two
24 bedrooms on each floor or four bedrooms on each
25 floor. And then we looked at the neighborhood,

1 and everybody's got a front porch and just about
2 everybody has the same size house. So this really
3 is going to fit. There's even, there's one house
4 in the neighborhood that appears to have been
5 maybe resided, repainted. Has a more contemporary
6 look only because it's got new siding and I think
7 a bright door, but it has the same look as the
8 others. That's how we came about with the design
9 idea.

10 MR. HEHL: Great. I have no further
11 questions at this time of Mr. Winkle.

12 CHAIRMAN ASH: Thank you. Any
13 members of the Board have questions for
14 Mr. Winkle?

15 MS. FREEDMAN: In your research, did
16 you uncover any evidence that there was a house
17 there previously?

18 MR. WINKLE: No. We found a copy of
19 a survey from like 1969, it doesn't show any
20 house. I have a copy I can bring up to show the
21 Board, it makes it look like it was always this
22 way without another home. Because the existing
23 garage, which was built at the same time as the
24 house apparently, is on the empty side of the lot.
25 So it would have been more or less impossible to

1 have another house there unless it was up toward
2 the street.

3 MS. FREEDMAN: That's what I was
4 thinking. It doesn't flow with the rest of the
5 neighborhood. They're all about the same age and
6 about the same size.

7 MR. WINKLE: Right. Right. I have
8 a copy of that if you --

9 MS. FREEDMAN: Well, if it existed,
10 it would have been before that.

11 MR. WINKLE: That's right.

12 MS. FREEDMAN: So I guess you don't
13 have those records.

14 MR. GOLDSTEIN: Yeah. I just wanted
15 you to confirm that the attic window is strictly
16 for cosmetics and that there's no intended use for
17 that space.

18 MR. WINKLE: No. There's no use
19 intended for the finished attic.

20 CHAIRMAN ASH: A question with
21 regard to the basement. Is that going to be
22 available for tenant storage?

23 MR. WINKLE: Yes.

24 CHAIRMAN ASH: Is that the plan?

25 MR. WINKLE: I think Mr. Pijanowski

1 could answer that better than myself. I mean I'm
2 not sure if he wants to -- how he might want to
3 separate the basement.

4 CHAIRMAN ASH: Yeah. I'd like to
5 hear testimony about that because if the plan is
6 to use all the garages for actual parking, we want
7 to make sure that they're not being used for
8 tenant storage and that can be accommodated in the
9 basement.

10 MR. HEHL: Yup. Mr. Pijanowski will
11 address that.

12 MS. CARRERAS: So it looks like in
13 order to get to the basement, for the tenant on
14 the first floor, you have to go out the back door
15 and then go back into?

16 MR. WINKLE: To get to the basement
17 -- you mean the first-floor tenant?

18 MS. CARRERAS: First-floor tenant.

19 MS. HARRISON: No. They go into the
20 vestibule and then they go down.

21 MR. WINKLE: The way it's shown
22 right now, you would have to go out on the
23 platform and come back in. It's actually possible
24 to put another door between it so you wouldn't
25 need to. But that way, we would make sure the

1 doors would have to swing out onto the platform.

2 MS. CARRERAS: Couldn't you make the
3 top stair lockable and then open between the two
4 back doors so that --

5 MR. WINKLE: Yeah. And we're under
6 on our coverage and our FAR. We could actually
7 somehow bump this out a little bit and definitely
8 provide a way for the tenant on the first floor to
9 get down there without going outside.

10 MS. CARRERAS: Okay.

11 MR. SAMMET: Can you clarify for the
12 floor plans; the stair down to the basement, it
13 seems to be shown on both the first floor and
14 second-floor plan.

15 MR. WINKLE: No. On the second
16 floor, that's...that's --

17 MS. CARRERAS: It's going from the
18 second down.

19 MR. WINKLE: That's a stair that
20 would be coming out, down, and exit. So, okay, so
21 you just pointed out that we need to redesign our
22 stairs to the basement. This is marked
23 incorrectly. This should be stair up to the
24 second floor down. So this is the exit to the
25 second floor. The switchback stair in the front

1 is actually the stair that goes down to the
2 basement. My apologizes.

3 MS. CARRERAS: Because it just shows
4 -- oh, I see it here, down. Okay.

5 MR. HEHL: And by the way, I do have
6 -- and I guess we can mark this A-5, and we can
7 pass it around -- here's that survey from 1968
8 prepared by Frederick Singer.

9 (Whereupon, Applicant's Exhibit A-5,
10 1968 SURVEY PREPARED BY FREDERICK SINGER, was
11 marked for identification.)

12 COUNCILMAN DARDIA: Mr. Chair, I
13 have a question for Mr. Winkle. So I'm a little
14 confused I think like previous members about the
15 staircase down from maybe the second floor and
16 then to the basement. And is there a drawing for
17 the basement?

18 MR. WINKLE: No.

19 COUNCILMAN DARDIA: There's nothing
20 yet. Okay. So can you just go through that whole
21 configuration once more about how maybe the
22 second-floor tenant would access the basement?

23 MR. WINKLE: Okay. The second-floor
24 tenant's main entry is through this switchback
25 stair in the front left corner. So he comes in

1 and goes to the left up to a landing and he turns
2 around and comes square to the front there and
3 enters the living room at that point. Now, to go
4 down both the first floor and the second floor,
5 you would get to the front entry landing and open
6 this door on the right side and that goes down
7 instead of up. So both tenants use the same stair
8 and the same entries to go down.

9 COUNCILMAN DARDIA: My question
10 really has to do with how does the second-floor
11 tenant go down to the rear? How do they exit to
12 the rear? There must be a rear entrance, right, a
13 rear exit?

14 MR. WINKLE: Yes.

15 COUNCILMAN DARDIA: There's got to
16 be two ways out; right?

17 MR. WINKLE: The second-floor tenant
18 comes down to the back of the home where the
19 entrance to the master bedroom is, turns right,
20 there's a door here (indicating) opens to the
21 landing and that's the stair that goes down and
22 exits to the rear. And it's mismarked. On the
23 first floor, it says "stair down." That should
24 say "stair up."

25 COUNCILMAN DARDIA: And at this

1 time, the drawing shows that the occupants have to
2 leave the building to enter the basement; is that
3 right?

4 MR. WINKLE: Well, that's what it
5 shows, but that is incorrect. If you just change
6 this from "stair down" to "stair up" then this is
7 how the second-floor occupant would get up to his
8 apartment or her apartment from the rear.

9 COUNCILMAN DARDIA: I'm just talking
10 about getting to the basement.

11 MAYOR BRINDLE: He's just trying to
12 figure out the basement. So if you're on the
13 second --

14 MR. WINKLE: The only way down to
15 the basement is from the front switchback stairs.

16 MAYOR BRINDLE: The front. Got it.

17 COUNCILMAN DARDIA: Okay. Thank
18 you.

19 MS. CARRERAS: I just have one more
20 question. The stair down, that door swing, kind
21 of goes in front of the door entrance of
22 Apartment 1, and that's a means of egress so that
23 it can't be blocked. Am I correct to say that,
24 that door doesn't block that front entrance?

25 MR. WINKLE: Okay. We may have to

1 extend that landing back a little further.

2 MS. HARRISON: I have a couple of
3 questions. Where is all of the HVAC equipment for
4 both of these units? In the basement? In the
5 attic? Where did you plan on putting it?

6 MR. WINKLE: Well, the condensers,
7 we plan to --

8 MS. HARRISON: Outside?

9 MR. WINKLE: -- put the condenser on
10 the side.

11 MS. HARRISON: Inside? Hot water
12 heater? The blower units?

13 MR. WINKLE: We'll have two
14 furnaces. We'll have one in the basement and
15 we'll have one in the attic.

16 MS. HARRISON: And then the attic,
17 how are you going to access the attic because
18 there's no staircase to it?

19 MR. WINKLE: They'll be an attic
20 access hatch.

21 MS. HARRISON: Did you consider
22 making the stair tower go up into the attic for a
23 full walkup and designing sort of something of
24 that front corner?

25 MR. WINKLE: We haven't really

1 considered it. At this time, in order to do so,
2 we may need to change our roof a little bit
3 because we'll need a 6-foot-8 head height at that
4 point. And we may be able to do it.

5 MS. HARRISON: I just thought it may
6 alleviate some of the storage that might go in the
7 garage. Several of the houses on that street have
8 a lot of fretwork and architectural details.
9 There's only really one house this is Hardie. Is
10 there any opportunity to add a little bit of this
11 decoration to the home so that it is more in
12 keeping with?

13 MR. WINKLE: Actually,
14 Mr. Pijanowski intends on adding quite a bit.

15 MS. HARRISON: He does a lot of
16 that, I know. Height of the garage. Height of
17 the existing house that is currently staying and
18 we're subdividing, do you know the overall height?
19 Because one of the things that I find that happens
20 in a lot of historic neighborhoods, you know, the
21 homes aren't necessarily deemed historic, but they
22 were built in such a time that they have a much
23 more elegant proportion. They're taller, they're
24 leaner, they have steeper pitches to them. They
25 just read nicer than our current codes allow. And

1 we worked very hard with Elm Street when they were
2 doing the subdivision of the property where they
3 took down the YMCA -- no, the Red Cross building
4 -- and I think that's a really successful example
5 of sort of bucking the current zoning to create a
6 much more elegant building. And I'm not talking
7 about making it more expensive; I'm talking about
8 scale, proportion. And I'm concerned that this
9 building may look a little squat next to the
10 existing building which appears to be much taller
11 than the other homes in the neighborhood. And if
12 they're taller, and that one is even more taller;
13 this one is going to look even shorter.

14 MR. WINKLE: It is taller. I think
15 the height is maybe in Don's report. I don't have
16 it right in front of me. But we could -- we could
17 take a closer look to see how --

18 MS. HARRISON: I just find it really
19 exciting when you can take a home and do something
20 a little different and you don't necessarily --
21 you know, you're here for a variance, so who's to
22 say that we don't make it a little more in kind
23 with the neighborhood.

24 MR. WINKLE: Okay.

25 CHAIRMAN ASH: Any other questions?

1 MS. CARRERAS: I just had one last
2 thing. I know that Anastasia spoke about doing a
3 stair up to the attic to service units or whatever
4 it is. If that's not possible, I would suggest
5 making that back window more uniform and larger in
6 order to accommodate. If a unit needs to be
7 replaced, it could go through that window, and
8 it's not visually seen. I understand the one in
9 the front is -- you know, it gives it something.
10 But it's something to think about if you need to
11 replace a unit one day.

12 MR. WINKLE: Definitely. We can do
13 that.

14 CHAIRMAN ASH: Is there a member of
15 the public who has a question for Mr. Winkle?
16 Mr. Jancourtz.

17 MR. JANCOURTZ: Yes. The bay
18 windows, do they go all the way down to the ground
19 or are they cut off at some point?

20 MR. WINKLE: No. It's a
21 cantilevered bay window.

22 MR. JANCOURTZ: It looks like it
23 goes down to the ground.

24 MR. WINKLE: It's a walkout bay. It
25 doesn't -- there's no foundation under it.

1 MR. JANCOURTZ: But it basically
2 goes down to the ground then? How close to the
3 ground does it go?

4 MR. WINKLE: How close? Okay. It
5 would be about a foot-and-a-half off the ground.

6 MR. JANCOURTZ: Thank you.

7 CHAIRMAN ASH: Any other members of
8 the public have questions for Mr. Winkle?

9 MR. HEHL: Thank you. I'd now like
10 to call upon the Applicant and owner of the
11 property, Charles Pijanowski.

12 CHAIRMAN ASH: Good evening,
13 Mr. Pijanowski.

14 MR. PIJANOWSKI: Good evening.

15 CHARLES PIJANOWSKI, having been duly
16 sworn, was examined and testified as follows:

17 MR. HEHL: Mr. Pijanowski, first,
18 give the Board a little background. I know a lot
19 of people know you as a local builder. But a
20 little background of your experience in building,
21 and you own this property, and a little bit of
22 that history.

23 MR. PIJANOWSKI: I've been building
24 and renovating for 35 years here. I've owned this
25 property since 2004. When I bought it, it was

1 like a kind of boarding house, apartment house.
2 Where the vacant lot is was just all parking and
3 gravel. I've been fixing the house up since then
4 inside, and I plan on doing the exterior as well.

5 MR. HEHL: Tell us a little bit
6 about what you plan for the existing home.

7 MR. PIJANOWSKI: Well, the existing
8 home, we'll change the siding, change the roofing,
9 and repair the front porch. The new home
10 proposed, as per your questions, will have facias
11 and frieze boards and bands -- they're not on
12 there right now -- to match the area. And if we
13 can make the pitch a little higher, we'll do it.
14 We do have room for more coverage, so instead of a
15 5-foot porch, I'm asking to make it 7 or 7 1/2 so
16 that it matches the neighborhood much better. I
17 brought these pictures. And I'm glad everyone did
18 go down there. But the reason we didn't do a
19 double driveway, which we can show right up here,
20 is it would be two curb cuts in front losing
21 parking on the street, and you have all that
22 paving in between the house. A normal driveway is
23 10-feet, and we're proposing 12 because of the
24 volume of cars that supposedly can be coming and
25 going, and it matches the area.

1 MR. MASCERA: Counsel, can you mark
2 it?

3 MR. HEHL: Yes. That, I believe
4 it's A-6.

5 MR. MASCERA: It was marked or that
6 would be A-6?

7 MR. HEHL: Would be A-6.

8 (Whereupon, Applicant's Exhibit A-6,
9 PHOTO BOARD was marked for identification.)

10 MR. PIJANOWSKI: Regarding the
11 question with the lots, I've run into this before,
12 is I didn't investigate to see if it was ever
13 subdivided like the previous applicant, but it's
14 obviously two lots back in the day, and then the
15 zone changed uniformly throughout the town, that's
16 why they're not 60. So when this is done, you
17 would never notice anything was out of place
18 unlike now, which looks out of place.

19 MR. HEHL: And just again, express
20 your experience and commitment to the quality of
21 what you're going to build there and with the
22 renovation of the existing home.

23 MR. PIJANOWSKI: Yeah. As I said,
24 I'll make the new home Hardie Plank and Hardie
25 Shake up on the gables. We will do the stairs, as

1 you were questioning. As I read them, there was
2 entrance -- you can come down the front and go
3 into the basement without going out the door. And
4 the back stairs for the first floor can go down
5 within their apartment. So that will be
6 available. And then, as far as the attic, right
7 now it's a pull-down stair to service the air
8 handler. But if we can put stairs, we would do
9 it.

10 MR. HEHL: And also, although not
11 technically a site plan, but as always, you will
12 do nice landscaping and lighting?

13 MR. PIJANOWSKI: Yeah. Of course,
14 we'll finish both buildings with good landscaping
15 and outdoor light. And the garages as well, we
16 could do a front-to-back gable, or we could put a
17 side-to-side gable. So when you pull in, you see
18 the roof or you see the gable sticking up.
19 Whatever is suitable, we'll do.

20 MR. HEHL: And I know that we talked
21 about this just briefly, but providing quality
22 housing in close proximity to downtown. If you'd
23 touch on that briefly.

24 MR. PIJANOWSKI: Yeah. This is what
25 the master plan calls for is having limited

1 housing within the town. And I think this falls
2 right into the plan. And again, we're only asking
3 for two bedrooms on each floor. And the house
4 will blend right in.

5 MR. HEHL: And I know one of the
6 items that was in the engineering review by
7 Mr. Battaglia called for a cross easement with
8 respect to the driveway. I assume there's -- I
9 know we talked about it -- no problem providing
10 that?

11 MR. PIJANOWSKI: No. That should be
12 fine. Regarding the garages being 10-feet off the
13 line, we thought we'd pull them off the cemetery
14 line a little bit. Even though need five, we'll
15 take them off 10. We are concerned with keeping
16 as much grass as possible. So if you'd like them
17 to go back to five, I mean that's fine too.

18 CHAIRMAN ASH: I think the comment I
19 made about the garages was the width between them,
20 not to the rear line.

21 MR. PIJANOWSKI: I think the width
22 is as Bill designed it so that you could do
23 K-turns both sides. If you put them too close
24 together, you can't do that. And as we mentioned,
25 all the houses to the right of us, all the

1 driveways and the parking in the back, these are
2 all connected. So each driveway, it's just all
3 open area, so you could go in or out any one of
4 them. Which is the same reason.

5 MR. HEHL: And just for
6 identification purposes, you could -- I know that
7 each of the homes are listed here -- you're
8 responsible for these photographs? You took them?

9 MR. PIJANOWSKI: Yes.

10 MR. HEHL: When did you take these
11 photographs.

12 MR. PIJANOWSKI: Well, actually, my
13 son took them with me Friday.

14 MR. HEHL: And they accurately --
15 they have not been altered and accurately
16 represent --

17 MR. PIJANOWSKI: No.

18 MR. HEHL: Other than, noting what
19 --

20 MR. PIJANOWSKI: We noted the house
21 number and the lot width on each.

22 MR. HEHL: I have no further
23 questions.

24 MR. MASCERA: Can I ask you a
25 question? I'm a little confused about the

1 parking. You have eight spots, but under the
2 ordinance, you need five on one and three on the
3 other. I think the testimony was it's going to be
4 even.

5 MR. HEHL: I don't --

6 MR. PIJANOWSKI: On one of the lots,
7 the existing home, which needs more spots because
8 of the existing bedrooms, Mr. Hollows put like a
9 little cutout on the side of the lawn for the
10 additional parking. We showed it to Mr. Sammet.

11 MR. MASCERA: The design is not my
12 job. I just want to make sure that we're looking
13 for a variance on one side. Unless there's going
14 to be five spots. I just have to keep track of
15 the variances. That's all I'm trying to do.

16 MR. PIJANOWSKI: I think we're
17 trying to provide the five spots.

18 MR. MASCERA: So it would be five on
19 one side and three on the other?

20 MR. PIJANOWSKI: Counting the
21 garage, you know, in the garage and in front of
22 the garage. So each garage is three and three.
23 There would be two additional.

24 MR. HEHL: I was just clarifying
25 with Bill -- sorry for the confusion -- is

1 thinking it was going to be four and four, and we
2 would cover that in the cross access, and we would
3 make it a cross access.

4 MR. MASCERA: So that would be a
5 variance then because you need five on the one
6 side?

7 MR. HEHL: Correct. Yeah. But
8 again, we would include it as in part of the cross
9 access.

10 MR. MASCERA: Right.

11 MR. PIJANOWSKI: Yeah. I'd be
12 willing to do whichever one looks better and the
13 least amount of coverage.

14 MR. MASCERA: I'm just trying to
15 keep track.

16 MR. PIJANOWSKI: I understand.

17 MR. HEHL: Thank you.

18 MS. HARRISON: Can you explain; you
19 had said something about you wanted a 7-foot
20 porch, but we only have shown here a 5-foot-8
21 porch?

22 MR. PIJANOWSKI: Yeah. The porch
23 that's designed has a 5-foot porch, but I would
24 like to make it deeper. And we do have the
25 coverage, so it would basically push the house

1 back two more feet, and add it to the front porch.
2 And we'd also you know pitch the roof a little
3 more.

4 MR. SAMMET: You really don't need a
5 variance for the parking. It can be provided as a
6 stacked basis in the driveway, which is permitted.
7 So there may not be individually delineated
8 spaces, but they're allowed to be stacked if the
9 lot can accommodate the required number of spaces.

10 MR. MASCERA: So I'll cross that one
11 off my list. Some ordinances do and some don't.
12 And I apologize, I'm not familiar with the
13 ordinance.

14 CHAIRMAN ASH: Would you describe
15 the basement layout and what you will construct in
16 the basement to allow for separated tenant
17 storage?

18 MR. PIJANOWSKI: Again, they'll have
19 access both front and rear to go down. There will
20 be a division. Each unit will have a
21 washer/drying, hot water heater, and storage.

22 CHAIRMAN ASH: And along those
23 lines, if we're using the garage, each garage, to
24 satisfy the on-site parking requirement, what
25 steps will you take to make sure the garages are

1 actually used for off-street parking and not just
2 tenant storage?

3 MR. PIJANOWSKI: I don't know what
4 steps I can take. Rent it that in mind saying
5 that you have to use the garage. I don't how I
6 can force it; to be honest.

7 CHAIRMAN ASH: Well, we'd put -- are
8 these going to be rental units?

9 MR. PIJANOWSKI: They'll be rental
10 units, and I will own both properties; take care
11 of the snow, landscaping.

12 CHAIRMAN ASH: So you could direct
13 the tenants to use the off-street parking?

14 MR. PIJANOWSKI: Yeah. I'm pretty
15 hands-on with the property and will be.

16 CHAIRMAN ASH: And you can direct
17 the tenants to use the garage and the driveway for
18 off-street parking in your lease.

19 MR. PIJANOWSKI: Yes. The existing
20 tenants are looking forward to a new garage. I
21 know that already, so...

22 MS. CARRERAS: I have a question.
23 So there's a cellar to this house, there're no
24 windows shown to the cellar on the exterior.
25 Don't you need windows in a cellar?

1 MR. PIJANOWSKI: We could add
2 windows.

3 CHIEF DUELKS: It's a two-family
4 residential, you don't --

5 MS. CARRERAS: You don't?

6 CHIEF DUELKS: No. It's a
7 residential two-family. Anything over
8 three-family, that's when you've got to get in and
9 start -- but I can't come into your house and tell
10 you that you need to have a window in your cellar
11 in a residential.

12 MS. CARRERAS: Really?

13 CHIEF DUELKS: Am I right Don, about
14 that?

15 MR. SAMMET: That, I don't know.

16 CHIEF DUELKS: Yeah. I mean fire
17 code-wise it's only a two-family. Everything over
18 a three-family, that's when you have to get
19 involved and have the egress. Especially that
20 there's going to be no livable space down there.
21 And that's what that calls for. You're not going
22 to have any bedrooms in the plans.

23 MR. PIJANOWSKI: No.

24 CHIEF DUELKS: You're not going to
25 have anybody living down there for egress down

1 there. It's just going to be mostly for storage;
2 correct?

3 MR. PIJANOWSKI: Storage and
4 mechanical, yeah.

5 CHIEF DUELKS: And there's a Bilco
6 door; is that correct or not?

7 MR. PIJANOWSKI: There is no Bilco
8 door on the plan.

9 CHIEF DUELKS: You just have a
10 walk-up?

11 MR. PIJANOWSKI: Just a walk-up.

12 CHIEF DUELKS: Two, the front and
13 the back?

14 MR. PIJANOWSKI: The front and rear.

15 CHIEF DUELKS: There are two points
16 of egress in that basement?

17 MR. PIJANOWSKI: Right. And if I
18 can, I will add the window where the laundry is.

19 MR. HEHL: Just for light.

20 MR. PIJANOWSKI: Yeah. I mean I
21 think we have the leeway when we're doing it to do
22 that even if it's not on the plan to have a window
23 or two in the foundation, and we would do that.

24 MR. BATTAGLIA: Can I just jump in
25 for a second? I know I'm not an architect, just

1 an engineer, but I think the plans need to clearly
2 delineate basement access because we're sitting
3 here kind of confused from the plans, and the
4 testimony has been all over the place. And it
5 seems like the Board is also confused on this.

6 MR. PIJANOWSKI: Well, I will have
7 the accesses. I mean I wanted that all along, and
8 we will have that.

9 MR. BATTAGLIA: Okay. We'll see
10 that on the plans?

11 MR. PIJANOWSKI: Yup.

12 MR. HEHL: Yeah.

13 CHIEF DUELKS: Is it possible being
14 that the plans were offset with the staircase and
15 everything to have a revised set of plans
16 submitted to the Board for further review or no?

17 MS. CARRERAS: With the cellar in
18 the plan.

19 CHIEF DUELKS: And with the
20 staircase being corrected, and a possible
21 different egress going to the attic, with window
22 adjustment that's going to have to be changed as
23 well for the third floor proposed or not?

24 MR. HEHL: We would not have an
25 objection to -- if the Board was kind enough to

1 grant the application, to make it a condition that
2 prior to the adoption of the resolution the
3 revised plans would be submitted to David and Don
4 and they could report that it comports with what
5 was discussed. Including the pitch of the roof
6 and the other items.

7 CHAIRMAN ASH: Okay. Anyone else?

8 COUNCILMAN DARDIA: One last
9 question. I know it was pointed out that this is
10 a holly bush and not a hickory tree.

11 MR. PIJANOWSKI: Correct. I think
12 it was a typo when they did the site plan;
13 holly/hickory.

14 COUNCILMAN DARDIA: Okay. So a
15 holly bush, and it's going to be removed, does it
16 require permission from the Tree Preservation?

17 MR. GOLDSTEIN: (Indicating.)

18 CHAIRMAN ASH: Ross is shaking his
19 head.

20 MR. GOLDSTEIN: Actually, I defer
21 to...

22 CHAIRMAN ASH: The former liaison
23 and the current liaison.

24 MS. JANSVELD: I mean I would
25 recommend that you ask the Tree Preservation

1 Commission and go before them.

2 MR. PIJANOWSKI: Yeah. I have no
3 problem planting --

4 MR. GOLDSTEIN: Bushes that
5 delineate -- I know a bush does not.

6 MR. PIJANOWSKI: It is indeed was a
7 bush, and quite big.

8 CHAIRMAN ASH: What if it's a shrub?
9 (Laughter.)

10 MR. GOLDSTEIN: Obviously, you have
11 an opportunity to still plant new regardless of
12 the requirement.

13 MR. PIJANOWSKI: We will.

14 COUNCILMAN DARDIA: Thank you.

15 CHAIRMAN ASH: Last call, members of
16 the Board, questions for Mr. Pijanowski? All
17 right. At this time, if there's a member of the
18 public who would like to ask a question of
19 Mr. Pijanowski, please come forward.
20 Mr. Jancourtz is back.

21 MR. JANCOURTZ: Yes. Thanks. Hi.
22 How are you?

23 MR. PIJANOWSKI: Good. How are you?

24 MR. JANCOURTZ: Good. So I think I
25 heard you just say that you want to use this house

1 for rental units.

2 MR. PIJANOWSKI: Correct.

3 MR. JANCOURTZ: You're not going to
4 live there.

5 MR. PIJANOWSKI: No.

6 MR. JANCOURTZ: Okay. You're
7 submitting an application to build a two-family
8 house?

9 MR. PIJANOWSKI: That's correct.

10 MR. JANCOURTZ: My question is: Why
11 not a one-family?

12 MR. PIJANOWSKI: As I said, I'm
13 going to rent it, and a two-family is better
14 economically to rent. It's two-family zoned. All
15 the neighbors are two-family next to it. So it's
16 what we chose to do.

17 MR. JANCOURTZ: Not all, but point
18 taken. Okay. Thank you.

19 CHAIRMAN ASH: Okay.

20 MR. HEHL: We have no further
21 witnesses at this time, Mr. Chairman. Thank you,
22 Charlie.

23 CHAIRMAN ASH: Do you want to give
24 us a summation, and then we'll --

25 MR. HEHL: Yes. I'll just briefly

1 sum up. Again, we appreciate the Board's time and
2 consideration. I think that the testimony has
3 shown that we obviously reviewed Mr. Sammet and
4 Mr. Battaglia's reports and have no problem
5 complying with any of those terms and conditions.
6 I think based upon the exhibits and the testimony
7 that has been presented that this lot certainly
8 works well as being subdivided. The house; there
9 will be renovation of the existing home. The
10 shared driveway concept, and garages in the back
11 work. It will fit in nicely with the
12 neighborhood. I think that the commitment of
13 Mr. Pijanowski to provide updated plans showing
14 the basement layout and access, increasing the
15 pitch of the roof. And again, designing a home
16 that fits in nicely. The question was: Why not a
17 one-family? Again, it is a two-family zone. A
18 two-family use is permitted there. The lots are
19 oversized, although, they are deficient in lot
20 width in the area within the beginning part. And
21 you saw based upon the exhibit, that certainly
22 these lot sizes do meet the intent and spirit of
23 the neighborhood and ordinance. And again, based
24 upon the exhibits, even in Mr. Sammet's report
25 that this lot is way oversized. And I think this,

1 as we've said, will bring nice housing stock to
2 downtown and more quality people to patronize the
3 downtown. So for all those reasons, we request
4 the Board grant this application.

5 CHAIRMAN ASH: Thank you. At this
6 time, if there are any members of the public who
7 wish to make a general comment or statement about
8 this application, we'll hear you. Mr. Jancourtz.

9 MR. JANCOURTZ: Thank you. And
10 thanks to everybody on the Planning Board. I
11 really appreciate the opportunity to speak. I
12 appreciate what you do; evaluating the zoning
13 rules and applying them judiciously. I think
14 these -- as I understand it, a lot of thought must
15 have been put into creating the zoning rules. And
16 I think one of the main goals is how to keep our
17 Westfield neighborhoods not overcrowded but
18 charming. What we want to see when we think of
19 Westfield. We want to see Victorian houses and
20 yards with grass and holly trees. And we don't
21 want to see driveways with eight cars fighting to
22 get in and out. So I think a lot of these zoning
23 laws were obviously -- I know they were passed
24 after our house was built, again, in 1868, but the
25 spirit of that is so that we don't cause

1 overcrowding. And it's not enough to say, well,
2 to point out to other residences that have been
3 grandfathered in and say, well, we should get
4 similar treatment. And in this case, it's not a
5 similar treatment. As we discussed, this is an
6 interesting lot. It looks like you can fit
7 something in there. You cannot fit a two-family
8 house. You cannot fit a two-family house in
9 there. You are going to see you know driveway,
10 and that's it. And it will stick out like a sore
11 thumb; with all due respect. And so I would
12 object to it flat out on that. I mean one of the
13 variants(sic) being asked for, he needs by my math
14 20 more feet. He's got 100-foot lot, the lots are
15 supposed to be 60-foot frontage. And then I think
16 we also uncovered some additional variants that
17 weren't included. So I would strongly urge to
18 reject this, certainly as a two-family. Thank
19 you.

20 CHAIRMAN ASH: Thank you.

21 MS. KEMPNER: Hello. My name is
22 Holly Kempner, and my address is 241 Orchard. So
23 I'm glad that everyone has been down Orchard
24 Street, and can appreciate the interesting nature
25 of the street. I'd like to read a prepared

1 statement. "In response to the request, I would
2 like to oppose the request for the variance based
3 on the following concerns as a homeowner. Orchard
4 Street is a small, tree-lined street in Ward 1
5 zoned for single/multi-family housing, apartments,
6 and businesses. Orchard Street is already a busy
7 street often used as a passthrough to access
8 multiple business locations in the downtown area
9 including Trader Joe's and Stop and Shop. In
10 addition to the 100 residents, approximately, and
11 50 to 100 employees, and customers that visit
12 Orchard Street on a daily basis, I feel that
13 Orchard Street has definitely contributed in terms
14 of the goal of having housing and available units
15 for downtown. If we look at the housing types" --
16 and it was in the image with the different photos
17 that were provided -- "there are six two-family
18 houses for 12 units, one multi-family with eight
19 units, six single-family houses, three apartments
20 above businesses. This is an average of between
21 61 to 110 residents on the block. If we compare
22 that to Walnut Street, there are about 23 livable
23 units.

24 In addition, there are several
25 active businesses contributing to the street

1 traffic and parking congestion. There's the
2 Presbyterian Church which often has events and
3 attendees which park on Orchard Street. There's
4 also a soccer field and two nursery schools on
5 either side. The one operated by the YMCA is very
6 active with pick-ups and drop-offs onto Orchard
7 Street. In addition, there are medical
8 professional buildings all utilizing street
9 parking. The urology office has no patient
10 parking. Patients park on the street. Westfield
11 Center for Counseling has limited patient parking.
12 In addition, the Westfield Dental Arts on Mountain
13 Avenue located also on Orchard has limited patient
14 parking. Kessler Physical Therapy on Elm, as well
15 as some other residents, use the parking that
16 exits onto Orchard Street. In addition, there's a
17 law office sharing that parking lot.
18 Additionally, there are metered parking reserved
19 for Trader Joe's employees. And the persistent
20 presence of the Wonder trucks that park and idle
21 on Orchard Street. On many occasions, residents,
22 including myself, have had to call the police as
23 parked cars are often parked haphazardly and
24 blocking our driveways. In one case, my neighbor
25 had to call to get his driveway unblocked because

1 he had to go to the hospital.

2 For a single block with one-quarter
3 space utilized by the Board of Education, Orchard
4 Street does more than its share in contributing to
5 livable units in Westfield. The request for a
6 variance to squeeze yet another two-family house
7 outside of the ordinance of a zoned area for up to
8 eight cars will strain an already crowded and
9 overutilized street. The proposed width would not
10 allow adequate ingress and egress to allow for a
11 two-way use for two-family dwellings and
12 residents. In addition, the variances that were
13 presented in the application were incomplete. And
14 I would suggest that we wait and perhaps review."
15 Thank you.

16 CHAIRMAN ASH: Thank you. Don, can
17 I ask you to comment on the assertion that there
18 are variances that are required that were not
19 included in the application?

20 MR. SAMMET: I'm not familiar with
21 what those may be.

22 CHAIRMAN ASH: Would you please,
23 Mr. Jancourtz, if you would come up and if you
24 would...

25 MR. SAMMET: There's the side-yard

1 setback, the lot width, the lot frontage, and lot
2 area within 134-square-feet.

3 CHAIRMAN ASH: I just want to make
4 sure because Mr. Jancourtz did his research and
5 you read the zoning ordinance, and there are
6 things in your mind you felt were not addressed in
7 the application. I just want to make sure our
8 town planner has reviewed this. He's given us his
9 opinion in his memo. I just want to make sure
10 we're addressing this on the record.

11 MR. JANCOURTZ: Yeah. Sounds good.
12 And again, this is just me reading it, trying to
13 interpret it. But the two I have -- and there may
14 be more -- this the just, you know, re-reading.
15 The first one is, "1111e6 with a minimum side
16 yard, now except as provided above for corner
17 lots" -- that's except corner lots, and this is
18 not a corner lot, so this would apply -- "there
19 shall be two side yards. And no side yard shall
20 be less than 10-feet." Well, granted the one on
21 the right, that seems to be a side yard. But on
22 the left, as far as I can tell, we've got bay
23 windows and driveway. So there is no side yard
24 there.

25 MR. SAMMET: Yeah. The Applicant --

1 the side-yard setback is 3-point-something-feet to
2 the bay, and then it's 6.4-feet from the building
3 wall to the proposed lot line. And the Applicant
4 has requested a variance from that provision.

5 MR. JANCOURTZ: And the second one
6 -- and this, I was trying to interpret. This is
7 1705b. So this has to do with the multi-family
8 driveway.

9 MR. SAMMET: The driveway width.
10 Yeah, I understand your point. So the driveway
11 width standard that applies here would be for one-
12 and two-family dwellings. It's a minimum of
13 8-feet-wide, and a maximum of 24-feet-wide for a
14 driveway for a one- or two-family dwelling. The
15 multi-family dwelling would apply to structures
16 which contain three dwelling units or more. But I
17 totally understand your point. Here we have four
18 dwelling units using one driveway.

19 (Crosstalk.)

20 MR. JANCOURTZ: But this is four
21 dwelling units that one driveway is servicing,
22 so...

23 CHAIRMAN ASH: Thank you. Are there
24 any other members of the public who have general
25 comments about the application? Seeing none, I'll

1 turn it over to the Board. Anyone? No? Okay.

2 I think the tax map showing the lot
3 widths of the existing lots on Orchard Street, I
4 believe it is illustrative. And this property,
5 Block 2405, Lot 7 is unique in that it is
6 100-feet, and properties all up and down Orchard
7 Street are 50-feet in width. And I think the
8 vacant portion of this existing lot in front of
9 the existing garage; it does stand out. And I
10 think it does demonstrate a lack of utility.
11 Whether or not that space should be filled with a
12 single-family dwelling or a two-family dwelling, I
13 think that is a question that our zoning ordinance
14 has already resolved which permits two-family
15 residences in this zone. So I, for one, feel that
16 a two-family house on a lot to be created and
17 subdivided from this existing lot is appropriate
18 for Orchard Street.

19 I would understand that there are
20 concerns in the neighborhood about overcrowding,
21 and specifically when it comes to vehicles due to
22 perhaps a shortage or a lack of on-street parking.
23 However, I believe the testimony of the
24 professional and the Applicant himself has
25 committed to, in the lease of these units, do his

1 best to ensure his tenants will park off-street
2 and in the available parking park that the
3 development will provide. And so with those
4 assurances from the Applicant, I would be in favor
5 of approving this subdivision. Anyone else?

6 MS. HARRISON: I think that the
7 rhythm of the street and the current proposed
8 subdivision is in perfect alignment with what is
9 happening on both sides of the street. One of the
10 things I think we should talk about is that it's
11 an additional three cars. There are five cars
12 that are currently required in parking for the one
13 house on the left. The new house on the right is
14 causing a three-car increase; not eight. And I
15 don't see that as a detriment. I do understand
16 the complicated nature of living so close to
17 downtown and having access to so many things.
18 Hopefully, there's not as much of a need for cars
19 when you live that close to downtown; which is
20 probably one of the reasons why somebody would
21 want this location because then they could just
22 walk to everything. Walk to the train. Walk to
23 the bus. I would love to see the architecture of
24 this project developed a little bit further so
25 that it is more in kind with the neighborhood.

1 And the scale of the proportion of the windows and
2 the porch and all of the things really fit the
3 character of the neighborhood and will hold more
4 respectful of the older homes from the early
5 1900s. With that said, I would be in favor of
6 this application.

7 CHAIRMAN ASH: Thank you. Any other
8 comments?

9 MAYOR BRINDLE: I would agree with
10 what you said. And I think with the condition
11 again of the resubmission of the plans and
12 applications as we discussed before. But, yeah, I
13 think the lot as you spoke Chairman about the
14 50-foot all across the neighborhood, I think this
15 is in keeping with what's transpired in the
16 neighborhood. But with the acknowledgment of --
17 and I do appreciate the neighbors' concerns with
18 cars and parking. And as you probably know, it's
19 not unique to Orchard Street, and we're trying to
20 address that in other ways. But I definitely
21 understand it's concerning.

22 CHAIRMAN ASH: Can I ask our counsel
23 to recap the conditions that we discussed during
24 the application?

25 MR. MASCERA: The conditions that I

1 have from the Applicant was that the leases would
2 contain provisions that tenants would be
3 encouraged to use the garages to park their
4 vehicles. With regard to the conditions for the
5 engineering/planning that the Applicant will be
6 submitting revised plans. And those plans will be
7 to the satisfaction of the engineering department.
8 I don't know whether the fire department should be
9 included in -- the fire department and of
10 Mr. Sammet. The Applicant had proposed an
11 additional 2-feet to the front porch. I don't
12 know how you want to handle that as a condition
13 whether that would be subject to, again,
14 engineering and planning review. But that was not
15 a condition, but that was something that would be
16 permitted for the revision. The same with
17 revisions to the exterior of the home. And then,
18 Mr. Pijanowski has represented that he would
19 repair the front porch. There would be Hardie
20 Plank siding, Hardie Shake on the gables. He will
21 landscape. He will provide outdoor lighting. I
22 believe that was it for him; and that was the
23 architecture. And there was going to be a
24 revision submitted with regard to the parking
25 configuration with regard to putting parking spots

1 in between the two garages so that to eliminate
2 some of the impervious coverage that is further
3 away from the garages. I'm not sure what the
4 Board's pleasure was with regard to the 5-feet and
5 the 10-feet as far as the setback of the garages.
6 They proposed 10, but a 5-foot setback to the
7 cemetery might provide for a little bit more green
8 space on the lots.

9 So I gave you some conditions and I
10 gave you some questions.

11 MS. FREEDMAN: The Tree Preservation
12 Commission; was that on your list?

13 MR. MASCERA: That was not on my
14 list. I should add that. That, I think is a
15 given whether it's a condition here or not. We
16 can add that as a condition.

17 MR. BATTAGLIA: I believe it's in
18 both of our letters.

19 (Crosstalk.)

20 CHAIRMAN ASH: Which they agree to
21 file.

22 MR. MASCERA: So they'll be in
23 compliance.

24 CHAIRMAN ASH: Yeah.

25 MR. GOLDSTEIN: One comment. Should

1 it read the provided parking versus the garage
2 parking? Because obviously, only a certain number
3 of those spots are actually garage.

4 MR. MASCERA: I'm sorry. I didn't
5 hear.

6 MR. GOLDSTEIN: The lease.

7 MR. MASCERA: The lease, right.
8 They can't all use the garage spots.

9 MR. GOLDSTEIN: Right. It should be
10 provided parking.

11 MR. MASCERA: Right. But there will
12 be enough that be all four spaces, all four garage
13 spaces, there will be tenants associated with
14 using those spaces as opposed to outside the
15 garage on the property.

16 MR. GOLDSTEIN: But I think the
17 important part is that as part of the lease we're
18 asking the tenants to use the provided parking as
19 opposed to the street parking. So whether it's
20 the garage or free-standing.

21 MR. MASCERA: Off-street parking. I
22 can do that, sure.

23 CHAIRMAN ASH: With those conditions

24 --

25 CHIEF DUELKS: Just one more

1 condition that we don't have in there.

2 CHAIRMAN ASH: Sure.

3 CHIEF DUELKS: We can put just
4 revisions to the plans for the egress for the
5 front of the building. Like we've discussed
6 before how the three doors that are all coming
7 together, that they have to push back the
8 staircase.

9 MS. HARRISON: That can all be in
10 the same revision package; right?

11 MR. MASCERA: Sure.

12 CHAIRMAN ASH: Yeah.

13 MS. HARRISON: The house is
14 currently shown at 31-feet in the architectural
15 plans. You're allowed to go to 32. Since the
16 house is over 35 next doors, can you make the
17 house 32-feet tall?

18 MR. MASCERA: So the new house will
19 be 32-feet tall?

20 MS. HARRISON: It's the maximum
21 allowable.

22 CHAIRMAN ASH: With those conditions
23 as enumerated by Counsel, I would make a motion to
24 approve.

25 MR. SAMMET: Let's hear a second.

1 COUNCILMAN DARDIA: Second.

2 MR. SAMMET: By Councilman Dardia.

3 Thank you. Mayor Brindle.

4 MAYOR BRINDLE: Yes.

5 MR. SAMMET: Mr. Ceberio. Excuse
6 me, he had abstained. Chief Duelks.

7 CHIEF DUELKS: Yes.

8 MR. SAMMET: Ms. Harrison.

9 MS. HARRISON: Yes.

10 MR. SAMMET: Mr. Goldstein.

11 MR. GOLDSTEIN: Yes.

12 MR. SAMMET: Ms. Jansveld.

13 MS. JANSVELD: Yes.

14 MR. SAMMET: Ms. Carreras.

15 MS. CARRERAS: Yes.

16 MR. SAMMET: Ms. Freedman.

17 MS. FREEDMAN: Yes.

18 MR. SAMMET: Chairman Ash.

19 CHAIRMAN ASH: Yes.

20 MR. SAMMET: And Councilman Dardia.

21 COUNCILMAN DARDIA: Yes.

22 MR. SAMMET: Thank you. It's
23 approved.

24 MR. HEHL: Thank you very much for
25 your time and attention. And we will make sure

1 those revised plans get submitted as soon as
2 possible. Well in advance of the next meeting.

3 CHAIRMAN ASH: We're going to go
4 into recess for five minutes.

5 (Break taken.)

6 CHAIRMAN ASH: We're back. And it's
7 our last application of the evening, and it is
8 PB 22-7, Westfield Senior Citizens Housing Corp
9 and Westfield Senior Citizens, 1133 Boynton
10 Avenue, Block 4901, Lot 30. Counsel, can we have
11 your appearance?

12 MR. HEHL: Yeah. Steven Hehl
13 representing the Applicant. It's great to see you
14 all. You're stuck with me for a third case
15 tonight. This is an application -- and we've
16 received Mr. Sammet's report dated May 31 -- it's
17 for a new replacement of an existing free-standing
18 sign. We do not require any variances. There is
19 no notice required. But it does indicate that we
20 need to appear before the Planning Board for
21 approval of the sign. So what I'd like to do is
22 call upon our architect and have Mr. Steven Cohen
23 take us through -- he has a board -- and the plans
24 were submitted to the Board, but the Board through
25 where it's located and the size of the sign and

1 discuss the information.

2 STEVEN COHEN, having been duly
3 sworn, was examined and testified as follows:

4 CHAIRMAN ASH: Please proceed.

5 MR. COHEN: My name is Steven Cohen.
6 My address is 63 Moran Avenue in Princeton. I'm a
7 registered architect in the State of New Jersey.
8 I got my initial license in the mid-70s. And I
9 have a degree in architecture and engineering. As
10 I said, I'm a licensed architect. I'm also a
11 licensed planner. And I have architectural
12 licenses in around 15 to 20 other states.

13 MR. HEHL: And all of your licenses
14 are in full force and effect?

15 MR. COHEN: They are.

16 MR. HEHL: And I know you've
17 testified before -- I don't know if this Board,
18 but --

19 MR. COHEN: I think it was this
20 Board about four or five years ago.

21 CHAIRMAN ASH: We'll accept Mr.
22 Cohen as an expert in architecture.

23 MR. HEHL: Great. Mr. Cohen,
24 obviously, you're familiar with the site, the
25 project. If you could briefly describe to the

1 Board the signage that's proposed and the reason
2 -- you know, it's faded now -- the replacement.

3 MR. COHEN: Well, basically I'll
4 show you the drawing here. I'll have to stand in
5 front of it. The existing sign is at the end of
6 basically Boynton Road as you come into the
7 property. Boynton is here, you come around the
8 property. There was an existing sign here. It
9 was taken down because of -- it was not in good
10 shape, and you really couldn't read the letters
11 anymore. So that sign was taken down and there's
12 a temporary sign in its place. What we propose to
13 do is put a new free-standing sign in, in
14 something a little more aesthetically pleasing in
15 brick stucco with metal letters, and put two small
16 ground lights on it. I've reviewed your sign
17 ordinance and Mr. Sammet's memo, and we are
18 requesting lighting. The sign will not be
19 back-lit. The sign will be lit by two small
20 ground lights which I have pictures of here.
21 They're six-by-six, 6-inches-by-6-inches. They'll
22 sit about 3-feet away from the sign. The light
23 source is shielded. It will be in a dark bronze.
24 And that's the whole thing. I'll show you a
25 picture.

1 MR. HEHL: Now, that plan, that was
2 part of this package that was submitted?

3 MR. COHEN: Yeah. There were two
4 sheets submitted. This Sheet A 0.1, and then,
5 A 1.01. The sign itself, as Mr. Hehl said, is a
6 free-standing brick sign. It's got a very
7 decorative articulated brick base. It sits about
8 a little over 5 1/2-feet high. The main portion
9 of sign is about 7-feet wide. And the sign area
10 itself conforms to the requirement of
11 16-square-feet. And it's a stucco background with
12 cast black letters on it. The idea behind it is
13 that right now the visibility of the sign as you
14 come into the property is not good. And for
15 emergency vehicles and emergency personnel, there
16 should be a decent sign there that's well-lit so
17 you can see it at all hours and direct you to one
18 of the two buildings. And that's the purpose of
19 this.

20 MR. HEHL: So that is the nature of
21 our request. Again, basically, having signage is
22 important to a facility like this both for, as
23 Mr. Cohen mentioned, emergency personnel and for
24 patrons and visitors and the like. It's really a
25 step up to what was previously certainly more than

1 a temporary sign but was there before. And nicely
2 designed and aesthetically pleasing. And having
3 it not internally, but having the external light
4 source, again, provides an attractive look. I
5 have no further witnesses at this time.

6 MS. FREEDMAN: Could you talk about
7 the font? I know a lot of the town facilities --
8 I realize it's a leasehold -- but the town owns
9 the property. Would you consider having a font
10 that's similar to the font of other -- for
11 instance, the Westfield Pool complex?

12 MR. COHEN: I think we can work that
13 out. I don't see that as a problem.

14 MS. FREEDMAN: I think that would be
15 an attractive amenity.

16 MR. COHEN: Sure.

17 MS. FREEDMAN: Also, one other
18 question. You have 2-inches, the letters are
19 2-inches tall for the address. Do you think they
20 should be a little bigger?

21 MR. COHEN: Two-inches would be
22 visible, but we can make them 3-inches.

23 MS. FREEDMAN: Yeah. I know you
24 mentioned emergency vehicles a minute ago, so...

25 MR. COHEN: We can make them

1 3-inches.

2 MS. FREEDMAN: Sounds good.

3 MR. COHEN: And the only question in
4 Mr. Sammet's memo, the only comment that
5 Mr. Sammet had was the light itself if we were
6 going -- this is a copy of the light. It's a
7 small ground-mounted light. It's that tall and
8 that wide (indicating) and it has a shielded light
9 source and it will be 3-feet away from the sign
10 directed up towards the letters.

11 MR. HEHL: As long as you're picking
12 it up and showing it, why don't we mark that as
13 A-1 so it's part of the record.

14 (Whereupon, Applicant's Exhibit A-1,
15 GROUND-MOUNTED LIGHTING IMAGE, was marked for
16 identification.)

17 CHAIRMAN ASH: Anyone else? Any
18 members of the public have questions for
19 Mr. Cohen?

20 MR. HEHL: I think I've actually
21 summed up already, Chairman Ash. But again it's a
22 request, and I think it's an attractively designed
23 sign. And thank you for the suggestions. We will
24 incorporate those into our design.

25 CHAIRMAN ASH: Any members of the

1 public have comments with regard to this
2 application? Board?

3 MS. HARRISON: I have a question.
4 Is it owned by the town or is it a separate
5 business?

6 MAYOR BRINDLE: It's owned by the
7 town. The property is owned by the town, but it's
8 leased to the organization.

9 MS. HARRISON: Do we have any sign
10 standards for town-owned properties, Don?

11 MR. SAMMET: No.

12 MS. HARRISON: Fonts and all that?

13 MR. SAMMET: No.

14 CHAIRMAN ASH: The Memorial Pool is
15 a good reference.

16 MS. HARRISON: That is a good one.

17 MS. FREEDMAN: But there are
18 similarities like the "W" when you enter
19 Westfield.

20 MS. HARRISON: It's nice to keep the
21 branding the same. Do we know what color the
22 lettering would be?

23 MS. FREEDMAN: Black.

24 CHAIRMAN ASH: Anyone else? We need
25 to approve the sign. Motion to approve?

1 MS. HARRISON: So moved.

2 CHAIRMAN ASH: Second?

3 MR. CEBERIO: Second.

4 MR. SAMMET: Roll call.

5 Chairman Ash.

6 CHAIRMAN ASH: Yes.

7 MR. SAMMET: Mayor Brindle.

8 MAYOR BRINDLE: Yes.

9 MR. SAMMET: Mr. Ceberio.

10 MR. CEBERIO: Yes.

11 MR. SAMMET: Councilman Dardia.

12 COUNCILMAN DARDIA: Yes.

13 MR. SAMMET: Chief Duelks.

14 CHIEF DUELKS: Yes.

15 MR. SAMMET: Ms. Harrison.

16 MS. HARRISON: Yes.

17 MR. SAMMET: Mr. Goldstein.

18 MR. GOLDSTEIN: Yes.

19 MR. SAMMET: Ms. Jansveld.

20 MS. JANSVELD: Yes.

21 MR. SAMMET: Ms. Carreras.

22 MS. CARRERAS: Yes.

23 MR. SAMMET: And Ms. Freedman.

24 MS. FREEDMAN: Yes.

25 MR. HEHL: Thank you all.

1 CHAIRMAN ASH: Thanks to Mr. Hehl
2 who went for the hat trick tonight.

3 MR. GOLDSTEIN: Amazing scheduling.
4 Well done.

5 MR. HEHL: Great to see you all
6 again, and great to be here in person.

7 CHAIRMAN ASH: We need a motion to
8 adjournment.

9 COUNCILMAN DARDIA: So moved.

10 MR. CEBERIO: Second.

11 CHAIRMAN ASH: All in favor.

12 BOARD MEMBERS: Aye.

13 CHAIRMAN ASH: We're adjourned.

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16 (The meeting was adjourned at

17 10:07 p.m.)

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0	12.87-foot [1] - 13:20 120-foot [2] - 16:21, 17:12 13 [1] - 41:10 134-foot [5] - 33:8, 42:3, 42:12, 42:14, 43:5 134-square-foot [1] - 100:2 135.35-foot [1] - 16:22 14 [1] - 41:9 15 [2] - 4:12, 111:12 15-foot [1] - 16:2 16-square-foot [1] - 113:11 16.6-by-14.8-wide [1] - 63:25 1700s [2] - 18:20, 18:25 1705b [1] - 101:7 178-foot [1] - 13:11 179-foot [1] - 41:17 1865 [1] - 18:21 1868 [2] - 54:24, 95:24 1887 [1] - 18:22 1900s [1] - 104:5 1906 [1] - 54:9 1930 [1] - 65:19 1966 [4] - 14:16, 14:18, 15:8, 27:8 1967 [1] - 15:10 1968 [3] - 5:4, 71:7, 71:10 1969 [1] - 67:19 1981 [1] - 61:24 1984 [2] - 11:19, 61:25 1985 [1] - 11:20 1986 [1] - 15:21	22-7 [2] - 5:10, 110:8 22-8 [3] - 2:5, 4:16, 31:22 22-by-22 [2] - 65:10, 65:14 23 [1] - 97:22 24-foot [2] - 43:24, 51:25 24-foot-wide [1] - 101:13 24.3 [2] - 43:11, 43:14 240 [2] - 4:17, 31:22 2405 [4] - 4:17, 31:22, 35:18, 102:5 241 [2] - 54:23, 96:22 25.6-foot [1] - 43:11 258 [1] - 11:17 26,145-square-foot [1] - 17:8 276 [1] - 16:13	36-inches [1] - 19:21 37 [1] - 5:1 38 [1] - 5:2 38,145-square-foot [1] - 12:14 3905 [3] - 4:5, 9:14, 12:13	6,840 [1] - 41:11 6-foot [1] - 64:18 6-foot-8 [1] - 75:3 6-inches-by-6-inches [2] - 19:21, 112:21 6.4-foot [1] - 101:2 60 [4] - 42:13, 53:9, 53:19, 80:16 60-foot [2] - 33:5, 96:15 60-foot [6] - 39:11, 39:13, 42:1, 53:9, 54:2, 54:3 61 [2] - 4:20, 97:21 63 [1] - 111:6 66 [1] - 5:3		
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