

**BOROUGH OF NORWOOD  
ZONING BOARD OF ADJUSTMENT  
MARCH 6, 2014**

The Public Meeting of the Zoning Board of the Borough of Norwood was held at Borough Hall on the above date.

Chairman Robert Trapani called the meeting to order at 7:30 PM.

Chairman Trapani stated that the meeting was being held in accordance with the Open Public Meetings Act and indicated the exit locations.

2014 Roll Call:

|                                   |         |
|-----------------------------------|---------|
| Chairman Robert Trapani           | Present |
| Vice-Chairman Christofer Deschler | Present |
| Mr. Mike Casey                    | Present |
| Mr. Murray Bass                   | Present |
| Mrs. Carol Leeman                 | Present |
| Mr. Anthony Foschino              | Present |
| Mr. John Straub,                  | Present |
| Mr. Sal Nobile, Alt #1            | Present |
| Mr. Joseph Saccoccio, Alt. #2     | Present |

Also Present:

|                     |                |
|---------------------|----------------|
| Mr. John Conte, Jr. | Board Attorney |
| Mr. Dan Kaufman     | Board Engineer |

Chairman Trapani then welcomed Councilwoman Marianne Orecchio who was in attendance.

**VARIANCE APPLICATION #ZBA-13-006**

**D'Ercole Farms**

**Stonebridge Manor**

**518 Tappan Rd.**

**BLOCK 126, LOT 3.01**

**BLOCK 122 LOT 16, 17**

Chairman Trapani then asked Mrs. Falkenstern to certify that all services were in order. Mrs. Falkenstern noted for the record that while all notices did go out and the publication was done, the information contained in the notice is that of the original application and does not reflect the revisions that have been made since the original application. Chairman Trapani asked Mr. Conte whether or not the notice was sufficient. Mr. Conte stated that while the notice is not perfect it does include the mandatory information such as time, date, and place of the meeting, location of the subject property, and what relief is being sought. Because this is basic information is included, the

Board should determine whether they feel it is sufficient, but it is his opinion that the notice is sufficient. Mr. Watkins stated that he sent the notice out in that manner because other revisions may be made and he believes that the notice is sufficient. With no board member having an objection to hearing the application Chairman Trapani continued the meeting.

Chairman Trapani then described for the public how the meeting would proceed. He stated that Mr. Watkins would be describing any revisions that the applicant is offering, although no new plans have been received for review. He further stated that the Board would then comment and then the meeting would be open to the public for their comment. Following public comment Mr. Watkins will offer a final statement followed by Board discussion and a vote on the application should any Board member make a motion to proceed to a vote.

Mr. Watkins confirmed that he would not be offering any additional expert testimony tonight.

Mr. Watkins offered as a condition of approval the following revisions:

- Unit #8 would be removed from Building B
- Unit #9 would be removed from Building C
- Unit #5 would be removed from Building D

This would result in the development consisting of 35 units in total. He further stated that if the board voted favorably and asked for these units to be removed Mr. Hubschman would work with the Borough Engineer to make the changes acceptable to the Borough. Mr. Watkins feels these revisions would alleviate the concerns of the Board with respect to density and lot coverage.

Chairman Trapani then asked Mr. Watkins why he did not submit revised plans so that the Borough Engineer could review and advise the Board prior to the meeting so that they would know how the revisions change the variances requested and the engineering calculations.

Mr. Watkins stated that he did not want to reopen the hearing to expert testimony, he is simply reducing the impervious coverage and density as a result of the Board's comments and would submit complete plans in the event of an approval and he will stipulate that his client will abide by any requirements of the Borough Engineer.

He feels that since the plan will have to be revised to include any and all conditions of the Board, he should wait until the Board makes a decision on the use variance and then in the event of an approval, offer revised plans that include his revision and any conditions of approval that the Board mandates.

Chairman Trapani expressed his reticence to vote on a plan without having the exact calculations of all the C variances included due to the offered revision.

Mr. Deschler asked Mr. Conte to weigh in on whether a vote without new plans being submitted is appropriate.

Mr. Conte stated that the Board does have the ability to approve the D variance for the use and then the applicant can come back for site plan approval. He did however remind the Board that while the use variance requires 5 affirmative votes, site plan approval for C variances would only require a majority of those Board members present at the hearing.

The Board asked for clarification of the D variance vs. the C variances and whether or not they can be considered separately. Mr. Conte stated that typically when granting D variance for a use, the C variances are subsumed within that approval.

Mr. Watkins clarified that the revisions he offered earlier include simply removing the three buildings referenced so that the intensity would be reduced. He then showed on the large set of plans which buildings would be removed.

Mr. Nobile asked why those buildings were removed.

Mr. Watkins explained that the decisions on the revisions offered were based on the comments of Borough Planner.

Mr. Foschino then asked if he would stipulate to 35 units total regardless of which three units were removed should the Board like to remove 3 different units.

Mr. Watkins said the applicant would comply with removing which ever three units the Board sees fit.

The Board and Mr. Watkins, with input from Mr. Kaufman then engaged in a lengthy discussion on the merits of removing certain units as opposed to others.

Board members then commented that the design discussions may be premature if the Board hasn't yet decided to approve the use. A discussion then ensued as to whether it is prudent to vote on the Use variance separately from the site plan approval and C variances.

Mr. Watkins feels confident that if the Board votes affirmatively on the Use, he will be able to satisfy the requirements of the Board as to the variances within the site. He also stated that if an agreement cannot be reached on the C variances, he would stipulate that he would be forfeiting the approval of the Use. He suggested that a vote on the Use variance would be contingent on a future site plan approval including the C variances.

Chairman Trapani then asked for a motion to open the meeting to the public. A motion was offered by Mr. Deschler, seconded by Mr. Bass and approved by all to open the meeting to the public.

The following members of the public spoke in opposition of the plan for a townhouse development:

Ann Barratta  
497 Tappan Rd.  
Norwood, NJ

Jim Elling  
263 Summit St.  
Norwood, NJ

Mr. Elling is a member of the Environmental Commission and wanted to read a statement into the record from the Commission. Mr. Watkins objected as the statement was not written by Mr. Elling himself. Mr. Elling then spoke on his own behalf and expressed his desire for single family homes rather than a townhome development.

Sam Banoub  
2 Virgil Rd.  
Norwood, NJ

Darren Kotler  
510 Summit St.  
Norwood, NJ

Scott Feeney  
519 Tappan Rd.  
Norwood, NJ

Audrey Lapham  
502 Tappan Rd.  
Norwood, NJ

Paul Haverman  
41 Tappan Rd.  
Norwood, NJ

Cesar Argenti  
486 Tappan Rd.  
Norwood, NJ

Liz Phillips  
11 Virgil Rd.  
Norwood, NJ

Natasha Hosein  
510 Summit St.  
Norwood, NJ

There being no other members of the public wishing to speak, Mr. Deschler made a motion to close the meeting to the public. Mrs. Leeman seconded the motion and all Board members approved.

The Board then engaged in more conversation as how to proceed and whether or not to vote on the Use variance separately from site plan approval.

Mr. Deschler made a motion to carry the application to the next meeting to give the applicant an opportunity to present new plans. Mr. Bass seconded the motion. On Roll Call vote Mr. Deschler, Mr. Bass, Mr. Casey, Mr. Straub, and Mr. Foschino voted in favor of the motion. Mrs. Leeman and Chairman Trapani voted against. The motion was carried.

Mr. Watkins will be required to re-notice ahead of the next meeting. The next meeting is scheduled for April 3, 2014 at 7:30 p.m.

Mr. Casey asked to make a motion to vote for the Use tonight. Mr. Conte stated that Mr. Deschler's motion made that impossible, so Mr. Casey withdrew his motion.

Mrs. Leeman made a motion to adjourn. The motion was seconded by Mr. Bass and approved by all.

The meeting was adjourned at 9:39 p.m.

Respectfully submitted,

Julie Falkenstern  
Zoning Board Secretary