

**BOROUGH OF NORWOOD
ZONING BOARD OF ADJUSTMENT
June 4, 2015
REGULAR MEETING**

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

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

Roll Call Board:

Chairman Robert Trapani	Present
Mr. Christofer Deschler	Present
Mr. Anthony Foschino	Present
Mr. Michael Casey	Present
Mr. Murray Bass	Present
Mr. Carol Leeman	Present
Mr. John Straub	Present
Mr. Sal Nobile, Alt. #1	Absent
Mr. Joseph Saccoccio, Alt. #2	Present

Also Present:

Mr. Doug Bern	Board Attorney
Mr. Dan Kaufman	Board Engineer

Chairman Trapani asked for a motion to approve the minutes for the May 7, 2015 Regular Meeting. A motion was made by Ms. Leeman and seconded by Mr. Bass. All board members voted in favor of the motion.

VARIANCE APPLICATION ZBA #15-02

445, 455 & 457 Livingston Street
Block 100, Lot 12, 13 & 14

Mr. Straub has recused himself from this application and will not be involved in Board discussion or vote.

Chairman Trapani explained that this application was closed last meeting and would be open for Board Discussion.

Chairman Trapani stated that it is important to review this application against the Master Plan. Chairman Trapani believes that this application shared common themes with the Master Plan including downtown revitalization and upgrading of the commercial districts. He stated that the Fire Department's concern with access to the rear of the building was taken seriously but 20 foot access could not be required and that access to the rear could be achieved from neighboring properties.

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Mr. Saccoccio stated that revitalization of the downtown commercial area is necessary and believes that this application follows the Master Plan. He also stated that Fire Department concerns were taken seriously but believes that there is access to the rear of the building. Mr. Saccoccio stated that he also had concerns with traffic but felt they were addressed in the second detailed traffic report done by Mr. Klein.

Mr. Bass questioned the time expected for construction. Mr. Alampi, applicant's attorney, explained that they had to finalize financing but expected that this project would begin the end of 2015 or the beginning of 2016 and is expected to take about 18 months. Mr. Alampi stated that once this project started, it will continue without delay.

Mr. Casey reviewed the timeline and stated that if financing took about 6 months and construction was estimated to be about 18 months that it is expected that this would be completed in about 2 years.

Ms. Leeman asked if the applicant would agree to an additional fire hydrant or standpipe in the rear of the building. Mr. Alampi stated that the applicant would agree to additional hydrant or standpipe in the rear.

Dan Kaufman stated that he would defer to the Fire Department to determine what would be needed and where it should be placed in the rear of the building.

Mr. Foschino stated that population in the school system has decreased and can handle some new enrollment. Mr. Foschino commented that new development in town has been low over the last several years even though the Boards have been active the last 18 months. Mr. Foschino stated that the concerns of the Fire Department and the safety of residents are very important but 20 foot access could not be required even though recommended. He believes that this is a good application, and although not perfect will benefit the town.

Mr. Deschler stated that the Mayor and Council have a vision for Norwood Downtown. He believes that the Board has operated with the best interests of Norwood and its residents. Mr. Deschler stated that all interests have been heard and that the Board tries to address any issues. He believes that this building is safe. Mr. Deschler commented that parking issues and questions with the crosswalk were addressed by the applicant. Mr. Deschler noted that other developments which could be proposed for this space could be detrimental or not as beneficial. He believes that this application offers more positives than other applications which could be proposed.

Mr. Deschler offered a motion to approve this application, ZBA 15-02, with the following qualifications:

- (1) Fire Department to determine necessary fire hydrant in the rear of the building
- (2) Safety Engineer must monitor construction

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- (3) Applicant request to the County regarding crosswalk and no left turn
- (4) Construction to proceed no later than 9 months (on or about April 1) and continuing for 18 months

This motion was seconded by Mr. Foschino. The following board members voted in favor of the motion: Mr. Bass, Mr. Casey, Mr. Saccoccio, and Chairman Trapani. Ms. Leeman voted to deny the motion.

With 6 affirmative votes the application is approved.

The meeting was opened to the public with a motion from Mr. Foschino that was seconded by Mr. Saccoccio.

Councilwoman Orecchio, 401 D'Ercole Court, came forward and stated that she is against mixed use in the commercial area on Livingston Street and was disappointed with the Board's vote on this application.

With no other members of the public wishing to be heard, a motion to close the meeting to the public was made by Mr. Deschler and seconded by Ms. Leeman.

The board discussed concern regarding time limits for commercial development and follow up on enforcement of zoning issues. Mr. Bern will follow up on Norwood's Sunset provision and the State Extension Act and how it impacts development in Norwood.

Board went into closed session to discuss a matter involving pending litigation. It was noted that the Board would return after closed session to vote on necessary follow up from the closed session.

The Board returned from closed session and a motion was made by Mr. Foschino to provide legal counsel to a Zoning Board member for pending litigation involving an application heard before the Zoning Board. Mr. Deschler seconded the motion and all Board Members in attendance voted in favor of the motion.

With no other business before the Board, Mr. Deschler offered a motion to adjourn the meeting and it was seconded by Ms. Leeman. All Board Members voted in favor of the adjournment.

Respectfully submitted,

Meg Smith
Board of Adjustment Secretary