

PLANNING BOARD
June 13, 2013

The Mountainside Planning Board met on Thursday, June 13, 2013, at the Mountainside Municipal Building, 1385 Route 22, Mountainside, NJ 07092.

In compliance with Chapter 231 OPEN PUBLIC MEETINGS ACT in the State of New Jersey, adequate notice had been given to all members of the Planning Board and the newspaper that had been designated to receive notice, The Local Source.

PRESENT: Messrs. Disko, Garran, Parker, Tomaine, Wyvratt, Younghans, Councilman Mortimer, Attorney Loughlin and Secretary Rees.

ABSENT: Messrs. Amalfe, Matlin, Zawislak, and Mayor Mirabelli.

The minutes of the May 9, 2013 meeting were approved as presented... All were in favor.

MEMORIALIZATIONS:

DeZagon, Blair, 13634 Birch Hill Road, Block 15.A Lot 1 – Applicant proposed to construct an addition onto the rear of a single-family dwelling. A motion was made and seconded to approve the resolution. All were in favor.

Ford, Myriam and Michael, 285 Timberline Road, Block 16.H, Lot 33 – Applicants proposed to construct an addition onto the rear of a single-family dwelling. A motion was made and seconded to approve the resolution. All were in favor.

NEW BUSINESS:

Levi-Cory House, 90 New Providence Road/903 Mountain Avenue, Block 14, Lots 15.A, and 15.C - The Mountainside Restoration Committee was seeking a conceptual review to relocate the Levi-Cory House from its present location to Constitution Plaza. The Planning Board acted as an advisory board.

Attorney Loughlin duly swore Mr. Daniel Falcone of Mountainside as the architect to relocate the Levi-Cory House.

Attorney Loughlin duly swore in Mr. Scott Daniels of Mountainside as the chairperson of the Mountainside Historic Committee. Mr. Daniels described what the historic committee was and when it was formed. It is an all volunteer committee that is appointed by the Mayor and Council.

Attorney Loughlin duly swore in Mr. Michael Lanzafama of Casey and Keller in Millburn as the engineer for the project. He did not have to give his credentials.

Mr. Lanzafama reviewed the site plan that was submitted to the board.

A walkway would be constructed between the Hetfield House and the Levi-Cory House.

Several trees would have to be removed

A small retaining wall would have to be constructed due to the topography of the property.

Mr. Tomaine opened up the floor to the audience for questions. There were none.

A new foundation and crawl space would have to be built.

The house would be used as a museum. Due to the fact that the house used to be Children's Specialized Hospital, the proposed museum would have a children-related theme, such as scouting programs, sports, history of the school, and the Watchung stables during the 1800's. There would be special events throughout the year as well as open houses once a month.

It was determined that the house was stable enough to move.

The maintenance of the house would be provided by the historic committee. The landscaping and utilities would be provided by the Borough.

Mr. Tomaine opened up the floor to the audience for questions.

It was anticipated that the house would be moved in August 2013.

Having no further discussion, a motion was made and seconded to approve the relocation of the Levi-Cory House.

ROLL CALL VOTE:

AYES: Co. Mortimer
Mr. Disko
Mr. Tomaine
Mr. Garran
Mr. Wyvratt
Mr. Younghans
Mr. Parker

NAYS: 0

MOTION: Approved

CONTINUATION:

Don Don Realty, 90 New Providence Road/903 Mountain Avenue, Block 14, Lots 15.A and 15.C – Applicants were proposing a site plan and development of a new commercial building for possible retail sales.

Mr. Peter Wolfson, Esq., again represented the applicants for a site plan and development. A revised plan had been submitted to the board.

Attorney Wolfson requested a postponement until the July 11, 2013 meeting due to the fact that comments from the board's experts could be reviewed by the applicants.

Attorney Wolfson stated that the drive-through had been eliminated, eliminated access to one of the county roads, addressed the circulation, pulled the proposed building back from the corner, etc.

Re-notification would be required within 200 feet.

Application to be continued.

Iloglu, 122 Mill Lane, Block 24.D, Lot 2.02 – Applicant proposed an expansion of a patio in the rear yard of a single-family dwelling. Existing variances include height over 30 feet and driveway in the side yard. A new variance included lot coverage over 30 percent where 32.2 percent is proposed.

Attorney Loughlin duly swore in Mr. Iloglu as the homeowner.

Mr. Iloglu stated that the existing patio and deck would be removed to make way for a new patio. It would be a tiered patio. A walkway would be constructed.

The proposed patio would be approximately 250 square feet larger than the old one.

Mr. Tomaine opened up the floor to the audience for questions or comments. There were none.

Upon discussion regarding a retention/retention pit, Mr. Disko stated that a pit would not be required. It was determined that a trench drain would also not be required.

Having no further discussion, Mr. Garran made a motion to approve the application and Mr. Younghans seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko	NAYS: 0
Mr. Tomaine	
Mr. Garran	
Mr. Wyvratt	
Mr. Younghans	
Mr. Parker	

MOTION: Approved

Lott, 232 Evergreen Court, Block 15.I, lot 9 – Applicant proposed to construct an addition onto a single-family dwelling on a non-conforming lot. Existing variances included front yard under 30 feet where 24.7 feet existed, side yard under 8 feet or 10 percent width where 6 feet existed, lot width under 100 feet where 75 feet existed and driveway in the side yard. A new variance was for lot area under 15,000 square feet where 10, 125 feet existed.

Attorney Loughlin duly swore in Michelle Lott as the homeowner.

Mrs. Lot stated that she would like to convert a screened-in porch into a family room, all year round room. The footprint of the room would remain unchanged.

The reason she had to appear before the board was due to the fact that it was a non-conforming lot.

The roof would go from a flat roof to a pitched roof.

Mr. Tomaine opened up the floor to the audience for questions or comments. There were none.

Having no further discussion, Mr. Younghans made a motion to approve the application and Mr. Wyvratt seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko	NAYS: 0
Mr. Tomaine	
Mr. Garran	
Mr. Wyvratt	
Mr. Younghans	
Mr. Parker	

MOTION: Approved

Renner, 737 Hillside Avenue, Block 11, Lot 3.B, - Applicant proposed the construction of an addition and make renovations and alterations onto a single-family dwelling. A new variance included height over 30 feet where 30 feet 8 inches was proposed.

Attorney Loughlin duly swore in Mr. Gregory Renner as the homeowner.

Mr. Renner stated that the proposed height of the addition is only slightly over the current ordinance of 30 feet. He would like to match the left side to the right side of the house. One portion of the house was built in the 1700's and another portion of the house was built in the 1800's. The left side of the house has to be re-built.

There were no other variances.

Mr. Tomaine opened up the floor to the audience for questions or comments. There were none.

Having no further discussion, Mr. Wyvrat made a motion to approve the application and Mr. Parker seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko
Mr. Tomaine
Mr. Garran
Mr. Wyvrat
Mr. Younghans
Mr. Parker

AYES: 0

MOTION: Approved

Jakositz, 1470 Woodacres Drive, Block 3.A, Lot 21.A – Applicant proposed to construct an addition onto a single-family dwelling on a non-conforming lot. Variances included lot width under 100 feet where 78+/- feet exists, existing lot area within 150 feet and existing driveway in the side yard.

Attorney Loughlin duly swore in Mrs. Cathy Jakositz as the homeowner.

Mr. Tomaine reviewed the variances.

Mrs. Jakositz stated that she would like to add a new master suite and another bedroom on the second floor and the rear of the house.

Mr. Tomaine opened up the floor to the audience for questions or comments. There were none.

Having no further discussion Mr. Garran made a motion to approve the application and Mr. Wyvrat seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko
Mr. Tomaine
Mr. Garran
Mr. Wyvrat
Mr. Younghans
Mr. Parker

AYES: 0

MOTION: Approved

DISCUSSION:

Shehady application/resolution

Attorney Loughlin informed the board that he received correspondence from Mr. Shehady's attorney requesting a modification, correction and/or amendment to the resolution regarding front yard coverage. The applicant's attorney stated that it should not have been made a condition.

Attorney Loughlin advised the board that if the board did not agree to the correction, the resolution would stand and the applicant may have to file another application.

The board discussed what had transpired during the meeting as well as the resolution.

Mr. Disko stated that the attorney was saying that there was a variance for front yard coverage of over 30 percent but the condition to get it to 30 percent did not exist but that they were granted the variance. The board addressed No.4 of the resolution. The attorney was disputing the language of No. 4 in the resolution.

Mr. Disko stated that the applicants are not proposing any changes to the front yard coverage. There was never any intention to make any changes. It is already over the 30 percent. There are no changes. Attorney Loughlin stated that there were changes due to the fact that there would have been a reconfiguration of the driveway and the garage would be revised. The garage would not impact the front yard coverage and would now be in compliance.

Mr. Tomaine informed the board that Attorney Loughlin should communicate with the applicant's attorney stating that the board did not agree with the request for modification. The applicant could present a transcript of the tapes or come back before the with a modification request of the variance.

The board continued with the discussion regarding the front yard coverage.

Having no further discussion, the board voted to have Attorney Loughlin communicates with the applicant's attorney.

C.F.G.R., 151 Wild Hedge Lane – The board also discussed when C.F.G.R. would continue their application before the board and whether or not they would be required to re-notice.

Having no further business, the meeting was duly adjourned at 8:50 p.m.

Respectfully submitted,

Ruth M. Rees
Secretary

Having no further business, the meeting was duly adjourned at 11:10 p.m.

Respectfully submitted,

Ruth M. Rees
Secretary

