

PLANNING BOARD
APRIL 24, 2014

The Mountainside Planning Board met on Thursday, April 24, 2014, 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: Mayor Mirabelli, Messrs. Disko, Garran, Jakositz, Matlin, Parker, Tomaine, Wyvrat, Youngmans, Zawislak, Attorney Loughlin, Secretary Rees.

ABSENT: Co. Mortimer

The minutes of the March 2014 meeting were approved as presented.

MEMORIALIZATIONS:

United Partners, 1243-47 Route 22, Block 23.A, Lot 1 – Applicant proposed to make alterations, including dormers, to an existing office building. Mr. Youngmans made a motion to approve the resolution and Mr. Wyvrat seconded the motion. All were in favor.

MEMORIALIZATIONS:

JMK Auto Sales Inc., 152 Glen Road, Block 24.J, Lot 3 – Applicant proposed to construct a gravel parking area for outdoor storage of vehicles. A motion was made and seconded to approve the resolution. All were in favor.

Thienvanich, 1214 Route 22, Block 16.A, Lot 39 – Applicant applied for a certificate of non-conformity to continue to use the property as a single-family dwelling. A motion was made and seconded to approve the resolution. All were in favor.

DeRoberts, 363 Summit road, Block 5.I, Lot 21 – Applicant proposed to construct a circular driveway in the front yard of a single-family dwelling. A motion was made and seconded to approve the resolution. All were in favor.

Slepoi, 1121 Sylvan Lane, Block 6.A, Lot 6 – Applicant proposed to install solar panels onto the roof of a single-family dwelling. A motion was made and seconded to approve the resolution. All were in favor.

NEW BUSINESS:

Czapek, 1138 Maple Court, Block 5.P, Lot 7 - Applicant proposed to construct a two-story addition onto a single-family dwelling. Existing variances included lot area under 15,000 square feet where 14,374 square feet existed and required lot area within 150 feet. New variances included foundation over 15 percent where 17.4 percent was proposed, ground projections over 3.75 percent where 6.2 percent was proposed, and lot coverage over 30 percent where 30.5 percent was proposed.

Attorney Loughlin duly swore in Christopher and Christine Czapek as the homeowners and Mr. Ted Socha, Mrs. Czapek's father, who drafted the plans.

Mr. Tomaine reviewed the variances.

Mr. Disko had no objections to the proposed project.

Mr. Tomaine expressed his concern regarding the proposed ground projection at 6.2 percent, which was 65 percent over the maximum allowable by our ordinance. Mrs. Czapek stated that there was a discrepancy between their calculations and Mr. Disko's calculations. Mr. Disko stated that the difference in the calculations were due to the proposed front porch. Mr. Garran stated that he liked the look of the proposed porch.

The homeowners reviewed the proposed addition. Mr. Disko stated that the first floor would be a guest bedroom "bump out". The calculations were again reviewed by both Mr. Disko and the homeowners.

There was an existing deck in the rear of the house and a porch would be added to the front of the house.

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

Exhibit A-1 and 2: Photographs of houses. What the proposed addition may look like. Houses in the area.

Mr. Disko stated that he would like the retention/detention plans be made a condition.

Mr. Zawislak commented on the application. The footprint would only be 15.9 percent.

Mr. Disko stated that a Road Opening Permit would not be required.

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

CONDITION:

Retention/detention to be approved by the Borough Engineer

AYES: Mr. Disko
Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Parker
Mr. Wyvratt
Mr. Younghans

NAYS: 0

MOTION: Approved

PUBLIC HEARING ON THE MASTER PLAN AMENDMENTS:

Mr. John Chadwick, the board's planner, presented a report for revisions to the Master Plan on the Housing Element, Fair Share Plan and Limited Industrial Zone

Mr. Chadwick was reminded that he was still under oath that he took in January 2014 and would remain throughout the year.

All the surrounding communities, the County and the Department of Transportation were notified.

A-1 and 2: Proposed areas for affordable housing component of the Borough's housing element that was certified by the Courts and Court Master.

Mr. Chadwick report follows a format cited in the Municipal Lane Use Law.

This purpose of the plan is to build and provide affordable housing in Mountainside and to pre-empt any Mt. Laurel lawsuits.

Limited Industrial Zone: Mr. Chadwick stated that there was a need to expand the existing traditional L.I. Zone to thus providing for medical arts, recreational uses, technical communications uses, etc.

If the board approved such changes, an ordinance would be drafted by the Mayor and Council and then given back to the Planning Board.

Affordable Housing Locations: There are six proposed locations; three properties are vacant and three are not vacant.

Mr. Chadwick described the six locations. The zoning for the developed locations would become an “overlay” zone and the zoning would remain the same until the owner decides to sell. The standards would be the same as the vacant properties and be allowed to provide both townhouses and condominiums.

Buffer Zone: There would be a buffer zone between two zones. It would have its own setbacks and buffer area.

There would be at least one age-restricted (62 and over) complex, currently known as “The Ponds”, located along the westbound lane of Route 22. The other five sites may not be age-restricted.

Twenty percent of each proposed project, or one out of every five unit, would be set aside for low to moderate income units. Mr. Chadwick described the definition of low income families.

Other sites that have been ear-marked for high density housing were the Barnes Tract and Air Con, which would be located behind Brighton Gardens.

The board reviewed the language of the drafts for the Housing Element and Fair Share Plan and several corrections were made.

At a future date, the Planning Board must address the Land Use Element.

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

AUDIENCE PARTICIPATION:

Attorney Steven Hehl of Hehl and Hehl located in Union, NJ represented Mr. Thomas Murphy at a previous application to the board. Attorney Hehl requested that property located on Mountain Avenue behind Vine Republic, be re-zoned from a residential zone to extend the office building zone in order for the property to be developed for a farmer’s market. However, Mr. Tomaine informed him that the board did not have the jurisdiction to change any zoning areas. Mr. Chadwick stated that an office building zone did not allow retail so that that property should not be re-zoned to office building.

Mr. Joseph Sinisi inquired about the term “age-restricted”. He was under the impression that it would be 55 and over, however, Mr. Chadwick informed him that it would be age restricted and consistent with the court’s decision.

Having no further discussion on the Master Plan, Mr. Younghans made a motion to approve the draft of the Housing Element and Fair Share Plan and Mr. Zawislak seconded the motion. All were in favor.

Mayor Mirabelli commended Mr. Chadwick, Mr. Post and Attorney Loughlin on their hard work in preparing these drafts.

EXECUTIVE SESSION:

At 8:30 the board went into executive session and resumed the regular public meeting at 9:20 p.m.

Having no further business, the board adjourned the meeting at 9:20 pm.

Respectfully submitted,

Ruth M. Rees
Secretary

