

PLANNING BOARD
November 23, 2015

The Mountainside Planning Board met on Monday, November 23, 2015 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, Councilman Mortimer, Messrs. Disko, Garran, Jakositz, Matlin, Parker, Tomaine, Younghans, Wyvratt, Zawislak, Substitute Attorney Keith Loughlin and Secretary Rees.

The Minutes of the October 23, 2015 meeting were approved as presented.

CONTINUATION:

Capitol Senior Housing, 1042-1050 Springfield Avenue, Block 24.D, Lots 7, 7.A, 8.A, and 8.B – Applicants proposed preliminary and final major site plan and development for construct a 79-unit assisted living facility and ancillary site improvements in the O-B Zone. Variances included use variances, height over two stories where three stories with a 50' max. was proposed, front yard under 50 feet, foundation area over 25 percent where 29 percent was proposed, side yard parking/pavement, underground parking, insufficient parking, and signs

Mr. Marc Policastro, Esq. again represented the applicants for site plan and development of a new assisted living facility on Springfield Avenue.

Mr. Daniel King, the architect for the project, was reminded that he was still under oath.

Mr. King reviewed prior submissions for the roofline of the facility; which was of a Queen Ann style that included a pitched roof. He also reviewed all the elevations of the proposed facility. He took the elevations to the final grade, above the ridge line. The original submission that included two peaks came to approximately 50-51 feet high.

Exhibit A-12: Option No. 3, is an Empire style. Proposed elevation that included the mansard-type roof. The height of this building would become 39' 6" high. The tower would now be at the entrance. Mr. King stated that there would still be stone at the base of the building, however, the colors of the siding would now be yellow/mustard and gray. The trim around the windows would now be blue.

Mr. King described where the air-conditioning units and condensers would be relocated on the roof.

Mr. Chadwick and the board discussed the revised roof height.

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

Mr. Lee Titus, the engineer, was reminded that he was still under oath.

Exhibit A-13: Revised plan per the Borough Engineer's report

Mr. Titus reviewed Mr. Disko's report.

- The Dumpster/recyclable area would be relocated
- The guardrail would be located in the westerly direction
- A stop sign would be located near the street
- There would be a space for the van
- Mr. Titus stated that he would conform to Mr. Chadwick's recommendations

Mr. Titus stated that there would be 79 units with over 90 beds. Ten percent of the units would be considered medical units.

Mr. Kauker was reminded that he was still under oath.

Mr. Kauker reviewed Option No. 3. Mr. Kauker stated that the proposed revision would be less of an impact with the surrounding neighbors than the original height of the building.

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

Mr. Tomaine reviewed all the variances, including:

- Height of the building
- Front yard
- Front yard parking
- Underground parking
- Insufficient parking
- Foundation area
- Lighting
- Buffer zone
- Relocation of the proposed building; moving it forward
- Ground sign

Mr. Younghans complimented the applicants' experts on their presentation.

Mr. Disko informed the board that several variances had been eliminated due to

revised plans – Option No. 3.

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

Having no further discussion, Mr. Zawislak made a motion to approve the application with option No. 3 and Exhibit A-13, and Mr. Younghans seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko	NAYS: 0
Mr. Tomaine	
Mr. Zawislak	
Mr. Garran	
Mr. Parker	
Mr. Wyvratt	
Mr. Younghans	
Mr. Matlin – 1 st . Alternate	
Mr. Jakositz – 2 nd . Alternate	

MOTION: Approved

Christine Durbak, 478 Summit Road, Block 7.B, Lot 3 .A – Applicant proposed to install solar panels onto the roof of a single-family dwelling. Existing variance include the driveway in the side yard. New variance includes the solar panels which are considered an accessory structure.

Attorney Loughlin duly swore in Mr. Steve Cananiano of Trinity Solar in Wall NJ, and Dr. Christine Durbak, the homeowner.

Mr. Cananiano testified that approximately twelve solar panels would be installed on the southwest side of the roof. Some of the panels would be located in front of the house, but should not be seen from Summit Road.

The equipment would be located in the basement. The equipment would be owned not leased by the homeowner.

The panels would be black on black.

The amount of electricity would be approximately 35 percent.

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. Tomaine seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko

NAYS: 0

Mr. Tomaine

Mr. Zawislak

Mr. Garran

Mr. Parker

Mr. Wyvratt

Mr. Younghans

Mr. Matlin – 1st. Alternate

Mr. Jakositz – 2nd Alternate

MOTION: Approved

Dinorscio, 1638 Larkspur Drive, Block 3.A, Lot 81 – Applicants proposed to construct a raised patio with a roof at the rear of a single-family dwelling. Existing variances include side yard under 10 feet or 10 percent width where 9.5 feet existed, and driveway in the side yard. A new variance included ground projections over 3.75 percent where 4.5 percent was proposed.

Attorney Loughlin duly swore in Thomas and Marsha Dinorscio, the homeowners.

Mr. Thomas Dinorscio testified that they would like to construct a 20' x 24.5' raised patio with a roof in the rear of the house. The proposed patio would be built of block and stone with a framed roof. It would be one foot off the ground with two steps. It would be attached to the house.

It would not be fully enclosed and would not be screened in.

There would be a fireplace at one end of the patio and the fireplace would be properly vented.

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

Mr. Disko indicated that a retention/detention pit would be required.

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

CONDITIONS:

- Retention/detention is required
- Patio to remain open, not enclosed
- Chimney for the fireplace must meet code requirements

ROLL CALL VOTE:

AYES: Mr. Disko

NAYS: 0

Mr. Tomaine

Mr. Zawislak

Mr. Garran

Mr. Parker

Mr. Wyvratt

Mr. Younghans

Mr. Matlin – 1st. Alternate

Mr. Jakositz – 2^{ns} Alternate

MOTION: Approved

Menza and Beissel Communities/Fox Chase Reserve, 1350 and 1360 Route 22, Block 15.I, Lots 48.A and 48.B – Applicants proposed a site plan and development for the purpose of constructing a 23-unit residential townhouse development with five building, nineteen market rate units and four affordable housing units. Variances required are height over 36 feet where 39.5 was proposed, side yard under 25 feet where 11.0 feet was proposed, and sign over 50 square feet where 81 square feet existed and will be relocated.

Mr. Stephen Hehl, Esq. of Hehl and Hehl in Union NJ represented Menza and Beissel Communities.

Attorney Hehl gave an overview of the proposed townhouse complex.

Attorney Loughlin duly swore in Mr. Thomas Barton of Norristown PA as the architect. Mr. Barton gave his credentials to the board.

Exhibit A-1: Color rendered of the landscape plan.

Mr. Barton testified that there would be a total of twenty-three units; nineteen market rate units and four affordable housing (COAH) units. The driveway would go from Route 22 and through the Brighton Gardens property to 1360 Route 22.

The five buildings would be built around a cul-de-sac. All the units would face the street.

Exhibit A-2: Model or unit A:

Mr. Barton described one of the proposed units. The unit would consist of a master bedroom on the first floor and one to two bedrooms on the second floor. It would have a two-car garage with a garage door opener, and a full basement; several of the units would have walk-out basements.

The smallest unit would be 2,450 square feet.

Each of the units would have its own laundry area.

Mr. Barton described the remaining units, such as the kitchen/pantry, bathrooms and living room.

Each model would be distributed evenly in each building.

Each unit would have its own private entranceway. There would be no common area.

Each of the buildings would have a sprinkler system, and would be handicapped accessible.

The COAH units would be located in one building only. Mr. Barton described what the COAH units would have, such as the number of bedrooms. Mr. Chadwick advised the board as to the CAO standards regarding the number of bedrooms/bedroom mixes that would be required. He also advised the board as to what was sanctioned by the court. Attorney Hehl stated that the proposed plan should meet all the COAH requirements as well as the settlement agreement.

Therefore, there would be three, two-bedroom and one three-bedroom units. The third bedroom would be located in the walkout basement. Each COAH unit must have at least one and one-half bathrooms. Although the COAH units would look like all the other market-rate units, the COAH units would not have a driveway or garage. Parking for those units would be across the street.

Exhibit A-4: Colored version of the proposed elevations, and the color version of the front of the townhouses.

Mr. Barton described the colors of the buildings, and the different types of siding, stone, shingles, trim, and roofs on each one of the buildings.

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

AUDIENCE PARTICIPATION:

Mr. Frank Kelly, owner and developer of 255 Old Tote Road, inquired about the proposed elevations behind his property as well as to the depth of the buffer area. The would be different elevations. The building from the property line may be at least 33 feet.

End:

Attorney Loughlin duly swore in Ms. Daphne Galvin of Eatontown, NJ as the civil engineer and planner. She gave her credentials to the board.

Exhibit A-5: Surrounding areas

Ms. Galvin again stated that the property was currently vacant. A portion of the property is located in wetlands and would have to satisfy any wetlands requirements.

Ms. Galvin described the currently elevations of the property.

Ms. Galvin also described how the proposed drainage system would tie into the existing drainage system in the rear of Brighton Gardens. She also described the proposed storm water management system.

A 25-foot setback was required and the proposed would be 33 feet. Patios would be located within the 25-foot setback.

Retaining walls, fences and landscaping are proposed along the property lines.

A gazebo would also be constructed north of the pond.

A retaining wall would be constructed near the pond. It would be tied in with the Brighton Gardens barrier. A guardrail may also be constructed around the pond.

A landscaping plan would be submitted at a later date.

Most of the units would have decks that would face Brighton Gardens. The decks would be built higher than the driveway. The decks would overlook the second floor of Brighton Gardens. The decks have to be raised due to the elevations of the basement.

Mr. Disko requested conservation easements along sensitive areas that would be determined at a later date. Mr. Chadwick with the agreement from Mr. Disko stated that the conservations easements should be defined in great detail. It should be restricted from any structural improvements and there should be a tree management program.

An operations and maintenance manual must be submitted to provide routine inspections of stormwater features.

A fire hydrant would be installed within the townhouse complex.

Common driveway: A common driveway would run along the side of Brighton Gardens to get to the townhouse property. It would be a two-lane driveway and the only driveway to and from the site. The width of the driveway would be 24 feet. There would be no other access to the site. There should be no basic improvements, nor walking trails within the conservations areas.

Mr. Zawislak inquired about the COAH units/garages. There would be no garages or driveways for those units. Mr. Zawislak expressed his concern that parking would be located across the street, so that the homeowners would have to carry packages, etc. across the street. Ms. Galvin stated that there would be an insufficient amount of space from the four units.

Mr. Disko also requested off-tract improvements, specifically the sanitary sewer downstream of the project.

Mr. Matlin expressed his concern that with the amount of unused space in the basement that could be converted into another bedroom or an apartment. Mr. Barton stated that the basement could be redesigned so as to prevent situations such as that.

Parking: Mr. Chadwick indicated that parking should be restricted to passenger vehicles only; no RV, boats, trailers, trucks, etc. would be allowed.

Snow removal: Snow could be put along the westerly area, along the curb line.

Dumpsters: There would be no Dumpster area. Trash removal would be by private haulers only, usually set up by the homeowners' association.

Again, there would be one fire hydrant located on the premises per review from Police Chief Allan Attanasio. The fire hydrant would be relocated to the other side of the access driveway.

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

AUDIENCE PARTICIPATION:

Mr. Richard Leonardis of 239 Old Tote Road inquired about the elevations of the proposed complex and possible grade changes. Ms. Galvin described what the grade changes would be.

Mr. Frank Kelly of 155 Old Tote Road inquired if there would be a fence along the property line or in the buffer area. There would be a six-foot high vinyl fence, a four-

foot high retaining wall and a line of spruce trees in the buffer area. There would be a fifteen-foot buffer from the property line and the retaining wall.

Mr. Kelly inquired if the fence could be placed on top of the retaining wall as well as planting a line of trees along the property line.

Mr. Zawislak inquired if the proposed fence could be an open-style fence instead of a solid vinyl fence. Mr. Tomaine stated that a fence may not be required and he stated that the applicants could be considered creating a buffer without a fence.

Due to the hour, the application was adjourned to the following month. No new notice would be required.

Having no further business, the meeting was duly adjourned at 11:00 p.m.

Ruth M. Rees
Secretary

