

**PLANNING BOARD
JANUARY 10, 2013**

The Mountainside Planning Board met on Thursday, January 10, 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.

REORGANIZATION MEETING:

OLD BUSINESS – 2012:

PRESENT: Mayor Mirabelli, Messrs. Disko, Garran, Matlin, Parker, Tomaine, Wyvratt, Younghans, Zawislak, Attorney Loughlin and Secretary Rees.

ABSENT: Co. Mortimer and Mr. Amalfe

MEMORIALIZATIONS:

County of Union, Trailside Nature Center, Block 5.A, Lot 1- Conceptual review for the construction and expansion of a greenhouse. Mr.Zawislak made a motion to approve the resolution and Mr. Wyvratt seconded the motion. All were in favor.

Liquid Church, 1180 Spruce Drive, Block 5.T, Lot 38 – Site Plan and Change of Tenancy for a new church as a conditional use. Mr. Zawislak made a motion to approve the resolution and Mr. Garran seconded the motion. All were in favor.

Schiano, 235 Summit Road, Block 5.T, Lot 22 – Addition. Mr. Zawislak made a motion to approve the resolution and Mr. Garran seconded the motion. All were in favor.

Aiello, 303 Partridge Run, Block 3.I, Lot 3.D – New deck. Mr. Zawislak made a motion to approve the resolution and Mr. Wyvratt seconded the motion. All were in favor.

Alvarez, 1443 Deer Path, Block 3.I, Lot 30 – Construction of a circular driveway. Mr. Zawislak made a motion to approve the resolution and Mr. Wyvratt seconded the motion. All were in favor.

Mr. Tomaine read his chairperson's report for 2012.

Mr. Tomaine thanked the Board Attorney, Vincent Loughlin; Board Engineer, Michael Disko; Board Secretary, Ruth Rees; and the members of the board for the all their help during 2012.

OATH OF OFFICE – 2013:

Attorney Loughlin duly swore in the following members:

Mr. Garran
Mr. Zawislak
Mr. Parker
Mr. Matlin

ROLL CALL VOTE FOR 2013:

PRESENT: Mayor Mirabelli, Messrs. Disko, Garran, Matlin, Parker, Tomaine, Wyvratt, Younghans, Zawislak, Attorney Loughlin and Secretary Rees.

ABSENT: Co. Mortimer and Mr. Amalfe

ELECTION OF OFFICERS:

Chairperson: Mr. Garran made a motion to nominate Mr. John Tomaine and Mr. Younghans seconded the motion. All were in favor. Mr. Tomaine would again serve as chairperson for 2013.

Vice-Chairperson: Mr. Younghans motion was made to nominate Mr. Theodore Zawislak and Mr. Tomaine seconded the motion. All were in favor. Mr. Zawislak would again serve as vice-chairperson for 2013.

Board Attorney: Mr. Tomaine made a motion to appoint Vincent Loughlin, Esq. as board attorney and Mr. Younghans seconded the motion. All were in favor. Attorney Loughlin would again serve as board attorney for 2013.

Mr. Tomaine, Mr. Zawislak thanked the board for their re-election and Attorney Loughlin thanked the board for his re-appointment.

That concluded the 2013 reorganization meeting.

NEW BUSINESS:

Mr. Tomaine announced that Mr. Romeo of 1429 Route 22 and Mahon Landscaping of 1207 Route 22 withdrew their applications.

The ARC of Union County, 1137 Globe Avenue, Block 23.C, Lot 8.Q – Installation of a second outdoor awning. The applicants did not appear before the board at this meeting, nor did they notify the board secretary, Borough Engineer or Board Attorney. Attorney Loughlin would communicate with the applicant that they must appear before the February 2013 meeting. The members agreed with Attorney Loughlin.

Paredes Enterprises, LLC, 2 High Point Drive, Block 7.A, Lot 1.A – Applicant proposed a minor subdivision to subdivide one lot into two conforming lots for single-family dwellings.

Mr. Antonio Paredes was the owner and applicant of the subject property.

Mr. Michael Margello, Esq. of Mountainside, NJ represented the applicant for a minor subdivision.

The minor subdivision was fully compliant with the Municipal Land Use Ordinance. There were no variances.

The board reviewed the plans and the date that the plans were drafted.

Attorney Margello informed the board that the surveyor and planner, Mr. Ed Dec would be coming to the meeting shortly.

Attorney Loughlin duly swore in Mr. Antonio Paredes of 281 Summit Road in Mountainside as the owner and applicant of 2 High Point Drive.

Mr. Tomaine inquired as to the square footage of the existing house on High Point Drive. Mr. Paredes stated that it was over 3,000 square feet.

If the subdivision were approved, there would be two single-family dwellings – one on each lot. Each home would be approximately 3,500 square feet and two and one-half stories high. The proposed colonial-style homes would have two-car garages, and not more than 30 feet high. The garages would be in the front of the houses.

Mr. Paredes would build both homes.

Mr. Tomaine inquired about the slope of the existing lot. Mr. Paredes would maintain the existing grade of the property.

The proposed single-family dwelling would be built closer to the street (High Point Drive).

Mr. Zawislak expressed his concern regarding subdividing one large lot into two smaller lots.

Mr. Disko reviewed the proposed plans. Mr. Disko stated that according to the proposed plans, the houses would be 6,000 square feet, however, Mr. Paredes stated that both houses would be approximately 3,500 square feet.

There would be utility easements across the properties, esp. 1.B, and 1.A.01 that would service all the lots. It would hook onto an existing manhole on Summit Road. Mr. Disko informed the board that in 1980, sanitary sewers were installed on the subject property. There would be city water and gas. Therefore, the easement would be limited to the sewer. **Mr. Disko informed the board that both houses would be hooked up to a private sanitary sewer line.**

Mr. Paredes also owns the property on the corner of Summit Road and High Point Drive. The land is vacant. Mr. Paredes anticipates building a house on that lot as well. The proposed house would also face on High Point Drive.

Mr. Matlin inquired as to how many trees would be removed. Mr. Paredes did not know how many trees would have to be removed.

Mayor Mirabelli inquired as to what the footprint of each house was going to be. Mr. Paredes stated that the footprints would be between 1,500 – 1,700 square feet. When Mayor Mirabelli requested architectural blueprints for the proposed home, Attorney Margello stated that they had not been drafted as yet.

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

AUDIENCE PARTICIPATION:

Ms. Susan Kelley of One High Point Drive inquired if Mr. Paredes also owned the lot on the corner and he replied that he did.

Ms. Kelley inquired about the proposed subdivision. The board explained why there were not any variances for the two lots.

Mr. Corrigan of 476 Summit Road that is located behind High Point Drive inquired about the location of the proposed houses. They would be further away from his property.

Mr. Corrigan inquired about drainage. Mr. Paredes stated that there would be less coverage than the existing house and the Borough Engineer must approve all drainage plans. Mr. Corrigan stated that there were already water problems on his property.

At this time the board took a recess at 8:25 p.m. in order to wait for Mr. Dec, the applicant's surveyor.

The board resumed the meeting at 8:40 p.m.

Attorney Margello advised the board that Mr. Dec would not be attending the meeting.

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

AUDIENCE PARTICIPATION:

Attorney Loughlin duly swore in Ms. Susan Kelley of One High Point Drive.

Ms. Kelley requested that the planning board consider the corner lot (1.B), due to the fact that now there could be three new homes in the area, not just two. Ms. Kelly believes that the proposed footprints would be much larger than what was testified. She wanted assurances that the size of the proposed homes would be in conformance to the ordinance.

The board again reviewed the proposed footprints of the homes. Mr. Disko again explained how large the homes would be.

Mr. Paredes again stated that each home would be approximately 3,500 square foot of living space and if you added the garage at 450 square feet, it would become approximately 4,000 square foot; that would change the footprint to approximately 2,000 s.f.

Attorney Loughlin advised the board regarding the proposed resolution.

Mr. Tomaine explained to the audience that the board must determine whether the applicant is compliant with the subdivision ordinance and the remainder of the Land Use Ordinance for the Borough.

Attorney Loughlin also stated that the proposed resolution must also state the size of the proposed homes.

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

Conditions:

- That the applicant would adhere to the 1,700 square foot footprint of living area
- A two-car garage would be approximately 450 square feet

Attorney Margello objected, stating that the applicant should not be limited in the square footage of the footprint. Attorney Loughlin informed the attorney that the applicant had agreed to the footprint and that it would be a stipulation.

- There would be sewer connection and I & I fee requirements prior to building permits
- Soil erosion plans must be submitted to the Engineer
- Retention/detention plans must be satisfied

ROLL CALL VOTE:

AYES: Mayor Mirabelli
Mr. Disko
Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Wyvratt
Mr. Younghans
Mr. Parker
Mr. Matlin

AYES: 0

MOTION: Carried

Having no further business, the meeting was duly adjourned at 8:55 p.m.

Respectfully submitted,

Ruth M. Rees
Secretary