

PLANNING BOARD
AUGUST 23, 2016

The Mountainside Planning Board met on Tuesday, August 23, 2016 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, Ford, Garran, Jakositz, Parker, Tomaine, Zawislak, Attorney Loughlin, and Secretary Rees.

ABSENT: Messrs. Matlin and Younghans

The minutes of the July meeting were approved as presented.

MEMORIALIZATIONS:

David Meltzer, 1000 Mary Allen Lane, Block 7.02, Lot 7 – Applicant proposed to install a 54-inch open rail fence in the front yard of a single-family dwelling. Mr. Zawislak made a motion to approve the resolution and Mr. Parker seconded the motion. All were in favor.

Mountainside Real Estate Associates LLC, 1191 Route 22, Block 23, Lot 4 – Applicants proposed to construct or install a fabric indoor tennis structure in the rear yard of existing indoor tennis courts. Mr. Zawislak made a motion to approve the resolution and Mr. Parker seconded the motion. All were in favor.

NEW BUSINESS:

Mr. Tomaine announced that three applications that had been placed on the August agenda had all requested postponements. The applications were:

- Western Pest Control for a roof sign replacement
- Madison Honda for the outdoor storage of vehicles on a gravel parking lot
- Eugene Lord for the construction of twelve age-restricted townhouses

The board discussed future applications with Mr. Disko, Borough Engineer.

Mr. Tomaine then announced that these three applications would be heard on October 25, 2016. No new noticed would be required.

NEW BUSINESS:

Board of Adjustment:

Aranjo of 1254 Route 22, Block 16.01, Lot 48, Klimas of 1257 Poplar Avenue, Block 16.01, Lot 11 and McCloskey of 1251 Poplar Avenue, Block 16.01, Lot 12 – Applicants proposed a major three-lot subdivision for transfer of property from Block 16.01 (16.A), lots 11 and 12 to Lot 48. Existing variances include Lot 48 – front yard under 30 feet where 20.01 feet exists, lot width under 200 feet where 163.02 feet exists, ground floor under 4,000 square feet where 1,998 square feet exists, insufficient parking, front yard parking, and an existing shed in the rear yard. Lot 11 – existing width under 100 feet where 95 feet exists, existing lot area within 150 feet, and existing driveway in the side yard with a 2.6 foot setback, where 110 feet is required. Lot 12 – existing lot width under 100 feet where 76 feet exists, and existing lot area within 150 feet exists. New variance includes lot area under 26,000 square feet on Lot 48 where 24,238 square feet was proposed.

Attorney Loughlin duly swore in Mr. Manuel Aranjo, the property owner at 1254 Route 22, and James and Carolyn McCloskey of 1251 Poplar Avenue. Mr. Richard Schkolnick, Esq. represented John and Carolyn Klimas of 1257 Poplar Avenue.

Mr. Aranjo stated that due to discrepancies on his survey, it was determined that a shed that was built on his property many years ago, was actually on Mr. McCloskey's property.

Exhibit B-1: Mr. Chadwick's report

Attorney Loughlin duly swore in Mr. Wayne Ingram of High Bridge as Mr. Aranjo's planner. Mr. Ingram gave his credentials to the board.

Mr. Ingram explained that there was an error on Mr. Aranjo's survey. Permits had been issued for the shed many years ago. The error of the property line was discovered when Mr. McCloskey had his property surveyed when he purchased the property several years ago, and it showed that the shed was located on his property line.

When Mr. Aranjo learned of the discrepancy, he contacted the neighbors so that lot line adjustments could be made and the shed would remain on his property.

Mr. Aranjo, Mr. and Mrs. McCloskey and Mr. and Mrs. Klimas were all in agreement of the property line adjustments.

The portion of land that would be conveyed to Mr. Aranjo had not been accessible to the other two property owners due to the fact that both properties are on the other side of a stream.

Mr. Ingram stated that there would be no negative impact to the surrounding area.

Attorney Loughlin duly swore in Mr. James McCloskey as one of the property owners.

Mr. McCloskey testified that he purchased the property in 2007, and that his survey overlay was not correct. It showed that the property line as off by approximately ten feet.

Mr. Tomaine inquired if there would be any changes to Mr. Aranja's business. Mr. Aranja testified that there would be no expansion to his business. The business would remain the same, and that there would be no other improvements to the property.

Mr. Ingram reviewed Mr. Chadwick's report regarding Mr. Aranja's existing sign. The sign was not included in the original resolution of 1981, however, permits were issued for the sign. Mr. Disko stated that permits were received in 1987 and 1988 for the sign. The sign did not go before the board.

Mr. Chadwick stated that benchmarks should indicate on the revised survey showing the stream and wetlands. Mr. Ingram agreed to do this.

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

AUDIENCE PARTICIPATION:

Attorney Loughlin duly swore in Mr. Richard Kress of 1169 Ridge Drive. Mr. Kress did not have any objections to the application. Mr. Kress than gave a history of the area on Route 22 where Mr. Aranja had his business. It was discovered that many of the surveys were off by ten feet after the state widened Route 22 and changed the center line in the mid-1950's. Therefore, the properties behind that area of Route 22, including Mr. Aranja's property were also off by ten feet.

End participation:

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

CONDITIONS:

- The subdivision could be recorded by deeds.
- A revised survey should be submitted in accordance with Mr. Chadwick's report, item No. 2; all the improvements, paved areas, and Lots 11 and 12.
- The revised survey must be submitted before the subdivision deed could be signed.

ROLL CALL VOTE:

AYES: Mr. Disko

NAYS: 0

Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Parker
Mr. Jakositz
Mr. Ford

MOTION: Approved

Having no further business, the meeting was duly adjourned at 8:05 p.m.

Ruth M. Rees
Secretary

