

**BOROUGH OF MOUNTAINSIDE
PLANNING BOARD
JOHN TOMAINE, CHAIRMAN**

Regular Meeting
December 16, 2021

OFFICIAL MINUTES
Adopted: 1/25/22

Chairman Tomaine called the regular meeting to order at 7:30 pm. He then led the flag salute to the American flag and board members identified themselves for the record.

ROLL CALL

Mike Disko, P.E.	Steve Matlin
John Tomaine, Chairman	Thomas Jakositz
Ted Zawislak, Vice-Chairman	Karen Dillon Alt. #1
Mayor Mirabelli (absent)	Victor Kostin, Alt. #2 (absent)
Councilman Matejek	James Foerst, Esq.,
Ted Zawislak	John Chadwick, PP
Todd Garran	Theresa Snyder, Board Clerk
Thomas Parker	

MINUTES

On motion by Mr. Zawislak, seconded by Mr. Jakositz, the minutes for the Regular Meeting of October 26, 2021, were adopted based on the following roll call vote:

Roll Call:

Ayes:	Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran, Mr. Parker, Mr. Jakositz, and Ms. Dillon
Nays:	
Not Eligible:	Mr. Matlin
Abstain:	
Absent:	Mr. Kostin

RESOLUTIONS

Resolution PB 21-R26
CASE NO.: 21-20; John David
322 Central Ave.
BK: 5.06 LT: 10
R-2 ZONE
Approved: 10/26/21

On motion by Mr. Zawislak, seconded by Mr. Parker, the resolution was memorialized based on the following roll call vote:

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Councilman Matejek,
Mr. Zawislak, Mr. Garran, Mr. Parker, Mr. Jakositz, and
Ms. Dillon
Nays:
Not Eligible: Mr. Matlin
Abstain:
Absent: Mayor Mirabelli and Mr. Kostin

Resolution PB 21-R27
CASE NO.: 21-23; Arrigoni
1353 Stony Brook
BK: 15.02 LT: 20
R-2 ZONE
Approved: 10/26/21

On motion by Mr. Garran, seconded by Mr. Zawislak, the resolution was memorialized based on the following roll call vote:

Roll Call:

Ayes: Mr. Disko, Mr. Zawislak, Mr. Garran, Mr. Parker,
Mr. Jakositz, and Ms. Dillon
Nays:
Not Eligible: Chairman Tomaine and Mr. Matlin
Abstain:
Absent: Mr. Kostin

Chairman Tomaine announced the resignation of Mr. Thomas Parker from the Planning Board after 16 years of service. Chairman Tomaine commended Mr. Parker as a great asset to the Board who used his expertise and knowledge of construction throughout his years of service. The Board wished Mr. Parker well as he pursued other endeavors.

PLANNING BOARD

CASE NO.: 21-06; POMBAL BUILDERS
350 SUMMIT ROAD
BK: 7.07 LT: 26
Represented By: Alcides T. Andril, Esq.
R-2 ZONE

Mr. Al Andril, Esq. entered his appearance on behalf of the applicant. He requested an extension of 180 days to complete the perfection of the subdivision plats.

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Mr. Disko wrote a letter to Union County in September to encourage the continuance of this project.

Mr. Garran was not in favor of the extension or the initial subdivision application.

Chairman Tomaine expressed concern with the magnitude of the length of time requested. His preference was to grant a shorter period of time with the possibility of the applicant returning to the Board if needed.

On motion by Mr. Zawislak, seconded by Ms. Dillon, the Board granted an extension of ninety days based on the following roll call vote:

Roll Call:

Ayes:	Mr. Disko, Chairman Tomaine, Councilman Matejek, Mr. Zawislak, Mr. Parker, Mr. Matlin, Mr. Jakositz, and Ms. Dillon
Nays:	Mr. Garran
Not Eligible:	
Abstain:	Mayor Mirabelli and Mr. Kostin
Absent:	Mr. Kostin

BOARD OF ADJUSTMENT

CASE NO.: 21-24; Miranda
1454 Force Drive
BK: 3.04 LT: 23
R-2 ZONE
Expiration Date: 1/12/22

Mr. Michael Miranda was sworn in to give testimony. Mr. Gregory Blasi, R.A., having a business address of 552 Westfield Ave., Westfield, NJ, was sworn in to give testimony. He gave his credentials and was accepted by the Board as a professional.

Mr. Miranda testified that he and his wife purchased the house in 2012. They have three children, and their extended family moved close to them. He and his wife loved to host guests. He expressed his pleasure with the addition that Mr. Blasi's designed. Mr. Miranda wanted to move forward with plans for a deck in the rear of the property and expressed appreciation for the Board's consideration.

Mr. Blasi testified the proposed deck would increase the ground projections from 3.75% to 4.2%. He showed A-101 in which the deck would be extended to the end of the house toward the side yard setback. A-300 depicted a deck addition of 3.8 ft. to the left of the stairs which would provide more room and safety.

The meeting was open to the public.

On question of Ms. Dillon, the applicant would not need a variance if the deck was removed and a patio was installed in its place.

On motion by Mr. Zawislak, seconded by Mr. Jakositz, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran,
Mr. Parker, Mr. Matlin, and Mr. Jakositz

Nays:

Not Eligible:

Abstain:

Absent:

CASE NO.: 21-25; Levy-Cohen
1405 Outlook Drive West
BK: 4.03 LT: 18.04
Represented By: Derek W. Orth, Esq.
R-2 ZONE
Expiration Date: 2/25/22

Mr. Derek W. Orth, Esq. entered his appearance on behalf of the applicant. He represented the subject property was located in the R-2 Zone with pre-existing conditions for front yard coverage, location of the driveway, and lot coverage. The applicant sought approval for the installation of an emergency generator in the side yard of property.

Mr. Levy-Cohen was sworn in to give testimony. He testified that he purchased the home on May 5, 2021. He described his neighbors and neighborhood as nice. He considered it a beautiful place to live. He testified that a storm event not too long ago brought unexpected flooding. A tree fell causing his property to lose power for 10 days. He expressed the need for a back-up generator as critical. He consulted with 3 different contractors each of which told him to place the generator close to the electrical panel. The placement of the generator would be alongside the two existing air conditioning units. The unit would have to be tested weekly during the day for approximately 10 mins.

Mr. Zawislak asked if the unit could be moved to the backyard.

The meeting was opened to the public.

On motion by Mr. Zawislak, seconded by Mr. Jakositz, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran,
Mr. Parker, Mr. Matlin, and Mr. Jakositz

Nays:

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Not Eligible:
Abstain:
Absent:

CASE NO.: 21-26; Silva
260 Knollcrest
BK: 16 LT: 105
R-2 ZONE

Mr. Hugo Silva the property owner and applicant was sworn in to give testimony. He testified that the family purchased the home in 2017. He has two small boys. He loves the town and enjoys spending time with his neighbors. As a way to spend more time with the neighbors, he proposed the installation of a front porch which would require 3 variances.

Mr. Joseph Primiano, R.A. having a business address of 26 Old Trenton Road, East Windsor, NJ, was sworn in to give testimony. He gave his credentials and was accepted by the board as a witness. Mr. Primiano testified that the porch would square off with the front corner of the house. The finished porch would be 35 ft. wide. The ground projections would increase to 4.54%. To enhance the look of the house, they added a dormer above the proposed roof of the porch which would also provide light for the family room. He testified that it was difficult to find any negative impacts of this application.

The meeting was opened to the public.

On motion by Mr. Zawislak, seconded by Mr. Matlin, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran,
Mr. Parker, Mr. Matlin, and Mr. Jakositz
Nays:
Not Eligible:
Abstain:
Absent:

EXECUTIVE SESSION

On motion by Chairman Tomaine, seconded by Mr. Garran, the Board entered Executive Session based on the following roll call vote:

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran,
Mr. Parker, Mr. Matlin, Mr. Jakositz, Ms. Dillon, and Mr.
Kostin
Nays:
Not Eligible:
Abstain:
Absent:

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The Board closed the executive session and returned to the regular meeting.

ADJOURNMENT

The Board unanimously voted to adjourn the meeting at 9:16 p.m.

Respectfully Submitted,



Theresa Snyder
Board Clerk