

**PLANNING BOARD
NOVEMBER 29, 2016**

The Mountainside Planning Board met on Tuesday, November 29, 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, Matlin, Parker, Tomaine, Younghans, Zawislak, Substitute Attorney Keith Loughlin, and Secretary Rees.

The minutes of the October meeting were approved as presented.

Mr. Tomaine announced that Pumbal Builders LLC on at 1244 Virginia Avenue for a subdivision was not on the agenda and would not be heard at this time.

MEMORIALIZATION:

Bovella's 22 Real Estate Group LLC, 1085 Route 22, Block 23.03, Lot 15 – Applicants proposed to convert a former restaurant into a commercial bakery and café-restaurant combined use. A motion was made and seconded to approve the resolution. All eligible voters were in favor.

Western Pest Control/Signarama, 1048 Route 22, Block 24.07, Lot 1 – Applicants proposed to replace an existing non-conforming roof sign. A motion was made and seconded to approve the resolution. All were in favor.

NEW BUSINESS:

Vince Auto Sales/Madison Honda, 152 Glen Road, block 24.10, Lot 3 – Applicants proposed an outdoor storage of vehicles. Existing variance includes side yard parking. New variances included shared parking, commercial motor vehicle storage, insufficient parking ingress/egress aisle width, and insufficient parking.

Mr. Meth, the board's traffic expert, advised the board that he did work for Madison Honda about ten years ago; however, he is no longer associated with the company.

Ms. Marsha Moore, Esq. of Post, Polak, Goodsell, MacNeill and Strauchler in Roseland, NJ, represented the applicants to allow Madison Honda to store vehicles on a gravel parking lot.

Attorney Moore stated that there was an existing commercial building on the site that consists of warehouse and office space.

JMK Auto Sales received approval in 2014 to store their vehicles on a different parking lot on the site. The proposed Madison Honda gravel parking lot would be completely separate from the JMK Auto Sales parking lot.

Attorney Loughlin duly swore in Mr. David Lee as Madison Honda's general manager. He gave his credentials to the board.

Mr. Lee testified that Madison Honda stored their vehicles in Newark, NJ approximately fifteen years but lost their lease. They are currently storing 125-140 vehicles at the 152 Glen Road site due to the fact that they were unaware that they required board approval for outdoor storage of vehicles. Madison Honda heard about the parking lot in February or March of this year.

Upon questioning from Attorney Moore, Mr. Lee testified that:

- Approximately 126 new vehicles would be stored on the site.
- Hours of operation would be from Monday through Saturday 9:00-4:00.
- There would be between five to six trips per day.
- The vehicles were driven down from Madison, prepped and driven back up to Madison. The cars were individually driven. The car carriers come from the port to Madison, and then the cars are driven down to Mountainside.
- There would be no commercial vehicles stored at the site, only passenger vehicles.
- There would be no customer access.
- There would be no servicing of the vehicles.
- Security cameras were installed at the other parking lot for JMK but not for this parking lot.
- No used cars would be stored at the site, only new vehicles.
- The historical vehicles that were currently stored in the parking lot would be removed.
- There would be no servicing, maintenance or cleaning of the vehicles.

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

Attorney Loughlin duly swore in Mr. Richard Keller of Casey and Keller in Millburn, NJ. as the applicant's engineer and planner. He did not have to give his credentials to the board.

Mr. Keller described the 10.62 acre site.

Exhibit A-1: Preliminary and final site plan. Photographs of the site.

The gravel parking lot was located behind the AMC movie theater in the Limited Industrial Zone, in the back of Cornell Parkway.

Exhibit A-2: Aerial view of the property.

Mr. Keller described what vehicles were currently on the site. He informed the board where the employees park. There are thirty employees, however, only thirteen to fourteen employee cars were there every day. Employees either carpool or take public transportation.

Madison Honda's proposed parking lot would be located directly behind the building.

Mr. Keller described the proposed traffic circulation in the parking lot.

Exhibit A-3: Site plan showing the loading docks and loading bays.

There are 127, 9' x 18' striped parking spaces; one handicapped parking space.

Mr. Keller reviewed the parking requirements, use variance and an existing driveway variance (previously granted). He testified that the application met the positive and negative criteria.

Mr. Keller testified that the parking lot was currently under-utilized. The parking lot cannot be seen from Route 22

Mr. Tomaine inquired about security. The entire parking lot is fenced in. There has been no vandalism. There are no plans to add any additional security.

Mr. Matlin inquired as to why Honda has not found a site where it would be zoned appropriately. Honda had not yet found an area that was closer to Madison.

Mr. Meth inquired if the applicants had done a traffic study. They did not.

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

AUDIENCE PARTICIPATION:

Mrs. Lorraine Forcus who owns a business at 1086 Globe Avenue inquired about the speed limits on surrounding streets, such as Glen Road. Mr. Disko stated that it was a 25 MPH speed limit. She expressed her concern that cars being driving down from Madison may speed in that area.

End participation:

Attorney Moore gave her summation to the board.

Several board members gave their comments regarding the application.

CONDITIONS:

- No car carriers
- Hours of operation would be from 9:00 a.m. – 4:00 p.m. Monday through Saturday
- No maintenance to be done on the vehicles
- No washing of the vehicles
- Clean up the property
- Passenger cars only in the parking lot
- Keys to the parking lot to be given to emergency personnel

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

ROLL CALL VOTE:

AYES: Mr. Disko
Mr. Garran
Mr. Parker
Mr. Younghans

NAYS: Mr. Tomaine
Mr. Zawislak
Mr. Matlin

MOTION: DENIED

Stage House Tavern 3, 1099 Route 22, Block 23, Lot 12 – Applicants proposed a site plan and development for an expansion of a new restaurant, including outdoor seating and bar areas. New variances included a use variance for the restaurant, retail sales, front yard-50 feet on Route 22 where 43.8 feet was proposed, lot coverage over 75 percent where 90.2 percent was proposed, front yard parking, insufficient parking, trash enclosure in the rear yard setback, and number of wall signs. Existing variances included insufficient parking space size, and insufficient parking lot aisle width.

Mr. Joseph Paparo, Esq. of Hehl and Hehl in Union, NJ represented the applicants.

Attorney Paparo reminded the board that Stage House Tavern 3 had come before the Board of Adjustment for approval for a Change of Tenancy for the restaurant and interior renovations.

The restaurant was going before the board for approval for:

- Covered patio
- Open patio area

- Outdoor seating
- Live entertainment at the outdoor patio area
- Outdoor Stage
- Relocating the two outdoor refrigeration units. The refrigerators would be on a platform and would have a six-foot high fence around them.
- Trash enclosures
- Adding circulation aisles
- Re-stripping of the parking lot
- New lighting system
- Parking spaces from 292 to 291 striped spaces
- Adding 4,500 square feet of impervious surface, including a gravel area underneath the patio area
- Three wall signs
- 9' x 18' parking spaces
- Concrete wall surrounding the outdoor seating area
- There would be 699 seats for both the restaurant and outdoor patio area

Mr. Chadwick inquired if the applicants would provide a noise report. Attorney Paparo informed him that one could be provided if required.

Attorney Loughlin duly swore in Mr. Thomas Quinn of Scotch Plains, as the site engineer. He did not have to give his credentials to the board.

Mr. Quinn stated that the restaurant was located on a 3.6 acres site. Mr. Quinn described the site and the surrounding area.

It was converted from a catering facility to a full service restaurant.

The applicants would like to provide outdoor tables and bar areas with live entertainment.

All the variances were reviewed.

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

Attorney Loughlin duly swore in Ms. Carol Hewitt of Westfield, NJ. She did not have to give her credentials to the board.

Exhibit A-1: Rendering from Route 22 westbound to Route 22 eastbound lane.

Proposed wall: The wall would consist of a concrete eight foot high wall, fourteen inches thick, and 4" in depth. Decorative lanterns would be placed on top of the wall. Landscaping would be added outside the wall. There would be hanging wrought-iron hanging baskets for flowers inside the wall. The wall would be "putty" color; earth tone, natural color.

The entire building would be painted.

Patio structure: There would be a roof over part of the patio. The sides would be open. There would be a cover over one of the bars. There would be a peak roof. There would be two bar areas; one regular bar and one bar for smokers. The smokers bar would not have a roof. There would be live trees around the patio area. The patio area would not be heated. It would be closed off during the winter.

The existing structure was 35 feet high and the new structure would be 31 feet high.

Roof sign: The sign on the roof tiles would say "Stage House Tavern" and would be four feet high. The sign would be on both sides of the roof. A variance would be required.

Exhibit A-2: Two-sided exhibit board with photographs and photographs of their Somerset, NJ restaurant.

Mrs. Hewitt described the existing conditions and the interior renovations.

Exhibit A-3: Proposed exterior - patio deck, and stage

Exhibit A-4: Parking calculations. Mrs. Hewitt reviewed the existing and proposed number of parking spaces.

Outdoor seating: Mrs. Hewitt explained that customers would not be able to go directly onto the patio. They would have to go through the restaurant and be greeted by a hostess. The bar areas (bar and smokers bar) would have 69 seats. The tables would have 196 seats.

Mr. Disko reviewed the occupancy rate for the restaurant and the proposed occupancy rate for the patio area would have to be determined.

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

AUDIENCE PARTICIPATION:

Mrs. Lorraine Forgas who has a business on Globe Avenue inquired whether the 699 seat included the employees. Mrs. Hewitt stated that the number of seats did not include the staff.

Mrs. Forgas also inquired about the trash enclosure. It would be located on the southeastern area of the parking lot. Mrs. Forgas stated that it would be located right next to her property and asked if it could be relocated. Mr. Quinn stated that the containers would be enclosed on three sides.

End participation:

Due to the late hour the application would be continued at the December meeting.

Having no further business, the meeting was duly adjourned at 11:25 p.m.

Ruth M. Rees
Secretary

