

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

Regular Meeting
September 28, 2021

OFFICIAL MINUTES
Adopted 10/26/21

Chairman Tomaine called the regular meeting to order at 7:30 pm.

ROLL CALL

| | |
|-----------------------------|---|
| Mike Disko, P.E. | Steve Matlin |
| John Tomaine, Chairman | Thomas Jakositz |
| Ted Zawislak, Vice-Chairman | Karen Dillon Alt. #1 |
| Todd Garran | Victor Kostin, Alt. #2 |
| Thomas Parker | Vincent K. Loughlin, Esq., Board Attorney |
| | Theresa Snyder, Board Clerk |

Chairman Tomaine read the statement indicating the meeting was being conducted according to the Sunshine Law and the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. He then led the flag salute to the American flag and board members identified themselves for the record.

MINUTES

On motion by Mr. Zawislak, seconded by Mr. Parker, the minutes for the Regular Meeting of August 24, 2021, were adopted based on the following roll call vote:

Roll Call:

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

RESOLUTIONS

RESOLUTION PB 21-R22
Case No. 21-14; Las Medulas
1239 Rt. 22
Bk: 23.02 Lt: 1 & 4
Represented By: Stephen F. Hehl, Esq.
L-I Zone
Approved 8/24/21

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

Roll Call:

Ayes: Mr. Disko, Mr. Zawislak, Mr. Parker, Mr. Jakositz, and Mr. Kostin

Nays:

Not Eligible: Chairman Tomaine, Mr. Garran, Mr. Matlin, and Ms. Dillon

Abstain:

Absent:

RESOLUTION PB 21-R23
CASE NO.: 21-21; Fiorenza
1287 Poplar Ave.
BK: 16.01 LT: 3
R-2 ZONE
Approved 8/24/21

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, Mr. Zawislak, Mr. Parker, Mr. Jakositz, and Mr. Kostin

Nays:

Not Eligible: Mr. Garran, Mr. Matlin, and Ms. Dillon

Abstain:

Absent:

PLANNING BOARD

CASE NO.: 21-18; Rodrigues
1066 Belair Court
BK: 7.03 LT: 6.01
Represented By: Alan A. Siegel, Esq.
R-2 ZONE
Expiration Date: 12/20/21

On motion by Chairman Tomaine, seconded by Mr. Disko, the Board unanimously agreed to adjourn the application until the regular meeting on October 26, 2021.

BOARD OF ADJUSTMENT

CASE NO.: 21-12; Abdelshahed
1450 Dunn Parkway
BK: 10.06 LT: 13
Represented By: Brian J. Aloia, Esq.
R-2 ZONE

Mr. Aloia continued to represent Dr. Abdelshahed in his application for the installation of an inground pool. Mr. Aloia stated the applicant revised his plans based on the questions and concerns of the board from the previous meeting.

Dr. Abdelshahed remained under oath. He explained there was a setback concern that was mitigated on the revised plans dated 8/9/21. The plans included the pool being moved to the side of the house eliminating the setback concern. He removed part of the patio to accommodate for the pool. He flipped the fire pit to the other side of the patio. He removed the walkway from the side of the house. He reduced his coverage to 35.9% from 39% on the original plan.

In response to Mr. Garran's question about water retention as it relates to pools, Mr. Disko responded the lot coverage calculation takes that element into account. It is part of the retention and detention requirement. A consideration may be for the applicant to include a perforated pipe around the pool.

Mr. Aloia stated the grading slopes down toward the creek.

The meeting was opened to the public. There were no questions from the public.

On motion by Mr. Matlin, seconded by Mr. Kostin, the application was approved with conditions 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:

CASE NO.: 21-22; Viscuglia
275 Knollcrest Rd.
BK: 16.11 LT: 4
R-2 ZONE
Expiration Date: 11/13/21

Mr. Nicholas Viscuglia and Ms. Hildie Lazar were sworn in to give testimony.

Ms. Hildie Lazar, having a business address of 328 Park Ave., Scotch Plains, NJ 07076, gave her credentials as an architect and was accepted by the board as a witness. Ms. Lazar informed the board that the architect of record was Gregory Ralph. Because he was unable to attend the meeting, she was standing in for him. She was familiar with the application.

Mr. Viscuglia testified that the proposed addition would allow for his 91-year-old mother-in-law to live with them. His mother-in-law was no longer able to live by herself. They planned to do the addition awhile, but due to the increase in costs, they were not able to do the project.

Ms. Lazar showed the plans prepared by M. Ralph. She entered as an exhibit A-1-“3-D Model.” The left side of the exhibit was the existing house and the right side of the exhibit was the proposed addition. She testified that the front of the house would align with the house in front. The portico created the setback variance. She testified that there was a side patio that would be demolished and moved to the back.

Ms. Lazar entered as an exhibit A-2: “Sheet 3, dated 6/2/21”- which showed the 354 sq. ft. addition. The home would have three bedrooms. The homeowner would essentially flip the kitchen to the other side.

Exhibit A-3: “Sheet B-1, dated 6/2/21” showed the zoning table. The home was located in the R-2 Zone. The required lot size is 15,000 sq. ft. The homeowner’s lot was 12,501. Ms. Lazar opined that the depth of the yard is causing the front yard setback. The home is one-story. The building coverage should be would go from 13.9% to 17%. The impervious coverage was proposed to be 33%. The addition would add 354 sq. ft. to the footprint of the home. The garage is on the right side of the house which makes the driveway longer. The paver patio on the right side of was being reduced.

Exhibit A-4: “Photos, dated 9/28/21” showed the applicant’s home compared to the other homes in the area.

The meeting was opened to the public. There were no comments from the public.

On motion by Mr. Zawislak, seconded by Mr. Jakositz, the application was approved with conditions 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:

ADJOURNMENT

The Board unanimously voted to adjourn the meeting at 8:12 p.m.

Respectfully Submitted,



Theresa Snyder
Board Clerk