

PLANNING BOARD
MARCH 22, 2016

The Mountainside Planning Board met on Tuesday, March 22, 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, Matlin, Jakositz, Parker, Tomaine, Younghans, Zawislak, Attorney Loughlin, and Secretary Rees.

The minutes of the February 23, 2016 meeting were approved as presented.

MEMORIALIZATIONS:

Regina Burchala, 1141 Corrinne Terrace, Block 5.t, Lot 14 – Applicant proposed to install solar panels onto the roof of a single-family dwelling. A motion was made a seconded to approve the resolution. All were in favor.

Wojtkunski/Palchik, 1144 Maple Court, Block 5.P, Lot 8 – Applicants proposed the construction of a shed in the rear yard of a single-family dwelling. Mr. Disko made a motion and Mr. Zawislak seconded the motion to approve the resolution. All were in favor.

NEW BUSINESS:

Kevin McGovern Trustee/SMS L. P./Verizon Wireless, One Cornell Parkway, Block 24.J, Lot 4.B (24.I, Lot 4.02) – Applicants proposed to install a diesel generator on a concrete pad with an acoustical enclosure, next to a commercial building. New variances included the location of the generator and a proposed wall surrounding the wall.

Mr. Thomas Molica, Esq. of Morristown, NJ represented the applicants.

Attorney Loughlin duly swore in Mr. Frank Colasurdo of Mount Olive, NJ as the architect. He gave his credentials to the board.

Mr. Colasurdo testified that the generator would be located in the rear of the building. After Tropical Storm Sandy, Verizon Wireless decided to install generators at all the facilities in the event of a power failure. The generator would be located on the southern side of the property; approximately 12'6" from the property line.

Site Plan 1: Showed the front along Cornell Parkway.

Exhibit A-1 and A-2: Plan of the proposed concrete pad with a wall surrounding the generator.

Exhibit A-3: Showed the proposed wall. The wall would be approximately one foot higher than what was allowed by ordinance in order to reduce noise levels.

Mr. Calasurdo described the generator. The generator would be used for emergency purposes only, in the event of a power failure. The generator would run once a week for about 45 minutes for maintenance purposes.

There would be both an inner and outer tank. There would be a leak detector.

Mr. Calasurdo reviewed Mr. Disko's report and the variances were reviewed. Mr. Tomaine opened up the floor to the audience for questions or comments. There were none.

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

ROLL CALL VOTE:

AYES: Mr. Disko
Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Matlin
Mr. Parker
Mr. Younghans

NAYS: 0

MOTION: Approved

Donald Rinaldo, 228 Evergreen Court, Block 15.09, Lot 8 – Applicant proposed to install an air conditioning compressor in the side yard of a single-family dwelling. Existing variances included lot area under 15,000 square feet where 10,125 square feet existed, lot area under 100 feet where 75 feet existed, foundation area over 15 percent where 17.06 percent was granted, and lot area within 150. feet. New variances included the air conditioning compressor with a side yard setback of 12.5 feet where 15 feet was required.

Attorney Loughlin duly swore in Mr. Donald Rinaldo, the homeowner.

Mr. Rinaldo explained that when he came before the Board of Adjustment for approval to build his new house, he did not realize that the air conditioning system would be an issue if it was located on the side of the house instead of the rear of the house.

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

AUDIENCE PARTICIPATION:

Mr. Irwin Liebman of 233 Evergreen Court expressed his concern regarding the noise from the air conditioning system. Mr. Rinaldo stated that with the new systems, the noise level would be very low and Mr. Liebman would not hear the air conditioner and that Mr. Liebman's house was located at least 150 feet across the street.

Mr. Liebman inquired of the air conditioning compressor could be located in the rear yard. Mr. Rinaldo informed him that most air conditioning systems were located in the side of the house.

Attorney Loughlin duly swore in Mr. Liebman due to the fact that he wanted to make comments regarding the proposed air conditioning compressor.

Mr. Liebman stated that due to the noise of the air conditioner, he would like the compressor to be located in the rear of the property. Mr. Rinaldo again assured him that he would not hear the compressor.

Mrs. Michelle Lott of 232 Evergreen Court also objected to the compressor being located on the side of the house, also due to the noise level. Mr. Lott would also like the compressor moved.

Mr. Rinaldo stated that he would be installing a six-foot high vinyl fence around the property and would help mitigate the noise.

Exhibit L-1: Mr. Lott submitted a letter of objection and photographs of the side of the house, to the board.

Mr. Rinaldo stated that in addition to the fence, he would be willing to plant landscaping around the compressor.

Upon discussion with the board, Mr. Rinaldo agreed to relocate the compressor at the rear corner of the house but still remain on the side of the house.

Mrs. Lott requested that a revised plan be submitted so that she could see exactly where the compressor would be located.

CONDITIONS:

- A solid vinyl fence would be installed in the rear of the house
- Landscaping would be planted around the compressor

- The compressor would be relocated to one foot from the back corner of the house.

Having no further discussion, Mr. Zawislak made a motion to approve the application with the above conditions and Mr. Garran seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko
Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Matlin
Mr. Parker
Mr. Younghans

NAYS: 0

MOTION: Approved

Alpine Ridge at Mountainside LLC, 1490 and 1496 Route 22 West, Block 3, Lots 17 and 18 – Applicants proposed an inclusionary multi-family residential site plan with six buildings, containing 30 age-restricted units, including six affordable units. Proposed variances included the following: Density over six dwelling units per acre (where 6.01 dwelling units per acre were proposed, insufficient buffer area under 25 feet where 22 feet was proposed, and retaining walls over six feet where fourteen feet was proposed.

Mr. Steven Tripp, Esq. in Woodbridge, NJ represented the applicants for preliminary and final site plan approval.

Attorney Tripp stated that this was an application for thirty age-restricted units in the permitted R2AH Zone per the agreement between the Borough and the courts in order to meet the Borough's affordable housing plan.

The complex would be located on 4.98 acres.

The retaining walls would be approximately ten feet high where there is a maximum height of six feet.

There is also an ordinance against look-a-like houses that are located next to each other, however, for conformity, townhouses usually look alike and the market-rate townhouses and the affordable housing townhouses should look alike.

Mr. Disko's report was reviewed.

Attorney Loughlin duly swore in Mr. Thomas McGrath of Matawan, NJ as the professional engineer. He gave his credentials to the board.

Exhibit A-1: Existing conditions. This plan was revised in March 2016.

Mr. McGrath testified that the development consisted of two lots for a total of 4.98 acres. The proposed development would be located in the R2AH Zone, on Route 22. Mr. McGrath described the surrounding area.

Exhibit A-2: Preliminary and final site plan, including the utilities

Exhibit A-3: Copy of the proposed landscaping plan and how it would relate to the surrounding area.

The development would have six buildings. Five buildings would be market-rate, age-restricted townhouses and one building would be the affordable housing townhouses which would be located directly off the Route 22 entranceway into the development. Mr. McGrath described the proposed buildings, roadways, sidewalks and crosswalks throughout the development.

The market-rate townhouses would each have a two-car garage and the affordable housing townhouses would have only a one-car garage. The garages would be located side by side so that they would look like the market-rail units.

There would be eight, two bedroom units, twenty-two, three bedroom units. There would be no one bedroom units.

Mr. McGrath described the proposed lighting and landscaping throughout the complex. There would be landscaping, such as shrubbery on both sides the entranceway leading into the development, along the roadways and evergreen and shade trees around the perimeter and cul-de-sac of the development.

The detention/retention basin would be located behind the affordable housing building and would be surrounded by plantings and landscaping. Two six-foot retaining walls would be constructed behind Building 3 and landscaping would be planted along the retaining walls, and a fence would be constructed on top of the retaining wall. A black chain-link fence would run along the property line with landscaping in front of the fence. There would be no affect to the existing wooded area with the installation of a fence.

Mr. McGrath described the properties behind the development. They would be substantially higher than the applicant's property. Some of them were eight to ten feet higher than the applicant's property.

Mr. Zawislak inquired about the property line dispute between the homeowners of 237 South Fork Road and the developers. According to the architect, the house and pool are not on the applicant's property, but the deck is on the applicant's property. The architects were standing by their survey and they had not yet received a current survey

from the homeowner. The architects suggested that an easement could be drawn up and a fence could be installed around the deck.

The applicants received approval from the NJ DEP to fill in the pond that is currently located on the property. The pond would be drained. There would be no affect to the surrounding neighbors. A letter was also received from the DEP regarding Flood Hazard Applicability Determination for Lots 17 and 18 that stated that the Flood Hazard Control Act did not apply.

Mr. McGrath discussed the proposed storm water management and control plan, as well as the detention/retention basin that would be installed along Route 22 and run into an inlet. The retention basin would be dug into the ground and the wall will be at grade.

Sign: The ground sign would be located at a central location.

The variances were reviewed.

Mr. Disko discussed the proposed retaining walls. The retaining wall around the basin would be on the north side. There would be a ten-foot wall around the perimeter of the development. There would be a four-foot chain link fence on top of the basin. Mr. McGrath discussed the options of having either a two-tier wall or a one-tier wall.

Landscaping would be planted along Route 22.

At this point, the board took a break at 9:50 p.m. and resumed the public portion of the meeting at 10:05 p.m.

Attorney Tripp and Mr. McGrath reviewed Mr. Disko's reports from February 16th and March 16th regarding the proposed ground sign, buffer requirements, and the row of evergreen trees, fences, sight triangle easement, and future sewer fees.

Garbage disposal: There would be curbside pick-up. There would not be a central trash location. It would be the responsibility of the future homeowners' association to contract with a disposal company. Recycling would be picked up by the Borough.

Visitors parking: There would be seventeen visitors parking spaces located in three separate areas in the development.

Mr. Chadwick would like increased landscaping along the property line than what was proposed by the landscaped architect.

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

AUDIENCE PARTICIPATION:

Mrs. Ernestina Almeida of 237 South Fork Road inquired about a 2004 survey that referenced a different map and she would like a copy of that map.

Mr. Scott Kline of 242 South Fork Road inquired about the proposed lighting plan. Mr. McGrath described the carriage-type lighting that would be installed around the site. The lights would be facing down to reduce spillage onto surrounding properties. They would be installed at the intersections and along the roadway.

Mr. Nicholas Barbera of 1466 Force Drive inquired about the line-of-sight distance along Route 22. Vegetation would be cut back at the access driveway.

Mr. Joseph Kannaley of 1479 Force Drive inquired about a run-off that may occur due to the development. Mr. McGrath described the existing infrastructure. There is a 60 inch pipe on the site that goes to Route 22. They would also put in another 36 inch pipe and tie it into the 60 inch pipe.

Mr. Giodano of 1489 Force Drive inquired about the Environmental Impact Statement that was submitted. The DEP granted the applicants permission to fill in the pond. He also inquired if alternatives were considered regarding the drainage and water flow. He was informed that there were no alternatives and that alternatives were not required.

Mr. Chadwick gave a history of the site to the audience as well as the history of the Council on Affordable Housing and how the municipality settled their COAH obligations in the courts.

Mr. Unchester of 1467 Force Drive inquired about the distance along the back of the buildings two and three. Mr. McGrath informed that behind building three would be 180 feet long and behind building two would be 210 feet long. Mr. Unchester expressed his concern regarding any proposed drainage. Mr. McGrath stated that the applicant's property was lower than the properties behind it. Therefore, the properties behind it would drain onto the applicant's property. Mr. McGrath proceeded to explain what type of piping would be installed for the proposed drainage system.

Mr. Unchester also inquired if there would be any patios or decks. Mr. McGrath stated that some of the units would have elevated patios and others would have on-grade patios. All of the patios would be outside the buffer area.

At this time Mr. Tomaine adjourned the application until the next meeting, on April 26, 2016. No new notice would be required.

Application to be continued.

Having no further business, the meeting was adjourned at 11:10 p.m.

Ruth M. Rees

