

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

**Regular Meeting [Virtual]  
May 25, 2021**

**OFFICIAL MINUTES  
Adopted June 22, 2021**

Chairman Tomaine called the regular meeting to order at 7:00 pm.

**ROLL CALL**

Mike Disko, P.E.	Steve Matlin
John Tomaine, Chairman	Thomas Jakositz
Mayor Paul Mirabelli (Absent)	Karen Dillon Alt. #1
Councilman Steven Matejek	Victor Kostin, Alt. #2
Ted Zawislak, Vice-Chairman	Vincent K. Loughlin, Esq., Board Attorney
Todd Garran (Absent)	John T. Chadwick, PP, Board Planner
Thomas Parker (Absent)	Theresa Snyder, Board Clerk

Chairman Tomaine read the statement indicating the meeting was being conducted according to the Sunshine Law, the Municipal Land Use Law requirements, in compliance with the CDC and the DCA for emergency meeting protocol, 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. Disko, the minutes for the Regular Meeting of April 27, 2021, were adopted based on the following roll call vote:

**Roll Call:**

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

**RESOLUTION PB 21-R12  
CASE NO.: 21-05; WARD  
337 CHERRY HILL ROAD  
BK: 5.12 LT: 7  
Represented By: Stephen F. Hehl, Esq.  
R-2 ZONE  
Approved: 3/23/21**

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

RESOLUTION PB 21-R14

Case No. 21-06; Pombal Builders

350 Summit Road

Bk: 7.07 Lt: 26

Represented By: Alcides Andril, Esq.

R-2 Zone

Approved: 4/27/21

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

Roll Call:

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

RESOLUTION PB 21-R15

Case No. 21-09; NG Construction

1140 Globe Avenue

Bk: 23.03 Lt: 8.01

R-2 Zone

Represented By: Stephen F. Hehl, Esq.

Approved: 4/27/21

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

Borough of Mountainside  
Planning Board  
Regular Meeting  
May 25, 2021

Roll Call:

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

RESOLUTION PB 21-R16

Case No. 21-08; Brito

561 Woodland Ave.

Bk: 21 Lt: 12

R-2 Zone

Approved: 4/27/21

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

Roll Call:

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

RESOLUTION PB 21-R17

Case No. 21-11; Wessel

1352 Wood Valley Road

Bk: 15.02 Lt: 3

R-2 Zone

Represented By: Derek Orth, Esq.

Approved: 4/27/21

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

Roll Call:

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

Borough of Mountainside  
Planning Board  
Regular Meeting  
May 25, 2021

PLANNING BOARD

Case No. 21-10; SELA Realty, LLP & RENARS, LLC

1140 Rt. 22/1148 Rt. 22

Bk: 5.20 Lt: 34 & 35

Represented By: Stephen F. Hehl, Esq.

L-I Zone

Stephen F. Hehl, Esq., entered his appearance on behalf of the applicants. He described the project as two adjacent property owners working together to submit a site plan. Sela Realty which operates printer sales, proposed an expansion of their warehouse. They wanted to move their existing warehouse operations to Mountainside. Renars, LLC operates a window shade company. They proposed an increase to their warehouse space. Both businesses did not propose any change to their operations. The purpose of the proposed joint applicant was to mitigate site circulation between the two property after the installation of the warehouse additions at each location. The two property owners were seeking to have a cross-access and cross-parking agreement. The principle uses at each location would still comply with the zone. Mr. Hehl contended these two businesses did not require significant parking. The applicants and their professionals were in receipt of Mr. Disko's memo dated 5/22/21 and Mr. Chadwick's memo dated 4/6/21.

On question of Chairman Tomaine, Mr. Hehl confirmed that each property was owner occupied.

Chairman Tomaine referred to the Table for Variance of page 2 of the site plans, and pointed out that Item #3: minimum off-street parking could have been flipped.

Tom Quinn, PE, having a business address of 328 Park Ave., Scotch Plains, was sworn in to give testimony. He gave his qualifications, his license was in good standing, and he was accepted by the board as a professional. Mr. Quinn referenced EKA Cover Sheet Revised date 2/17/21. He described the property being located on the northern side on Rt. 22 in the L-I Zone. Using Sheet 9 of the site plan, he described the existing conditions. The applicant was seeking a parking stall width waiver.

Mr. Hehl confirmed that only the parking schedule was flipped on the variance table. All other items were listed properly.

Mr. Quinn continued his testimony using Sheet 2. The same tenants will remain at each location. On Lot 34, the existing building would remain with the appending warehouse addition in the rear. The applicants would eliminate one of the driveways, and would create a green area in the front. The handicap stall would be re-created while expanding the parking lot. The number of stripped parking stalls on the lot would increase. On Lot 35, the existing building would remain with the appending warehouse addition in the rear. The existing conditions of this lot were not

Borough of Mountainside  
Planning Board  
Regular Meeting  
May 25, 2021

ADA compliant. The applicant would provide an ADA stall in the middle of the site with a lift to the door.

Mr. Quinn said there were two ways to calculate parking either by the zone or by the use. He gave the following calculations:

Lot 34	Zone-	29 stalls required
	Use-	27 stalls required
Lot 35	Zone-	53 stalls required
	Use-	36 stalls required

Mr. Quinn continued his testimony using Sheet 3- Grading Plan. He opined that the largest impact would be on Lot 34. He explained the run-off of the property. To mitigate run-off, the applicant would mill and re-pave the back half of the parking lot. There would be an upgrade to the lighting utilizing LED technology. Between the two lots there was proposed 14 new lights. The applicants received soil-erosion approval from the county. There will be a trash compactor on Lot 35 in the rear of the building.

Referring to Mr. Disko's memo, Mr. Quinn stipulated to Item #7 the removal of three parking spaces if needed. As per Item #9, Mr. Quinn testified there would be a reciprocal easement agreement. As per Item #11, Mr. Quinn testified there would be some spill over of light on the northern side to which he agreed the applicant would reduce the spill over of light by possibly reducing the height of the light.

On question of Mr. Loughlin, Mr. Quinn testified there was no easement or formal access agreement between Lot 33 and Lot 34. Mr. Hehl confirmed that no existing common driveway between the two lots and no recorded easement.

In response to Mr. Chadwick's comment, Mr. Quinn responded the applicant would request guidance from DOT for striping and access striping to clarify the entrance for Lots 33 and Lots 34. Mr. Hehl suggested that signage was proposed to guide vehicles to the correct entrance.

On question of Chairman Tomaine, Mr. Quinn responded that each site has dual ingress/egress driveways with conforming parking widths which should allow for trucks to enter and exit the lots while vehicles are parked.

On question of Mr. Chadwick, Mr. Quinn testified that the fence would be removed and a green area created in its place.

On question of Mr. Matlin as to whether there would be an increase in the facility and operations, Mr. Hehl responded the warehouse in Springfield would be eliminated and moved exclusively to Mountainside.

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

Marios Lachanaris, having a business address of 1610 Center Ave., Fort Lee, NJ, was sworn in to give testimony as an architect. He gave his qualifications, his license was in good standing,

Borough of Mountainside  
Planning Board  
Regular Meeting  
May 25, 2021

and was accepted by the board as a professional. Mr. Lachanaris began his testimony with a description of Lot 34. He testified to the existing building being 55 ft. in length and 44 ft. in width. The addition of the warehouse would add 55 ft. to the length. The building would have an enclosed loading area. The front of the building could be accessed by the proposed ramp. The plans called for a metal building; however, due to the price increase of building materials, the applicant might use cinder blocks to build the walls. One of the changes proposed to the front elevation was sloping the roof to mitigate the problems triggered by the existing flat roof design. The building height would be 35 ft. from average grade. The rear of the warehouse would have an overhead garage door with a set of stairs and a door. The right and left sides of the building were almost identical. A free-standing canopy was proposed for over the front entrance.

Mr. Loughlin raised a concern he had with the testimony of a pre-fab structure that might be building block instead. He suggested this as a condition to approval.

Mr. Disko also expressed concern with the use of different materials being used instead of what was on the plans.

Mr. Lachanaris testified to the front of the building remaining the same. The building height, windows and slopes would remain the same. He described the cinder blocks as having a split face and would be the color gray. If the applicant had to use the blocks to reduce cost, the blocks would be CMU.

Mr. Disko understood this to be an appropriate surface.

Mr. Zawislak suggested the block be approved by the engineer.

Mr. Loughlin suggested it be included as a condition of approval.

Mr. Hehl said the applicants would have no objection to this condition.

On question of Mr. Chadwick about replacing the proposed ramp with a lift, Mr. Lachanaris said the lift would have to be enclosed to cover both the lift and the front patio. He further opined that the lift could be exposed to weather, but it was not a good idea for the maintenance of it.

On question of Mr. Disko concerning the run on the ramp, Mr. Quinn said there would have to be a landing area for the ramp.

Mr. Lachanaris continued his testimony with a description of Lot 35. He gave a description of the existing conditions on the site. The existing building was 96 ½ ft. in length and 40 ft. in width. There were exterior stairs that led to a platform. The area in the front of the building was a work area, and the building was separated by a wall. With the warehouse addition, the proposed building length would be 111 ft. and the width would remain at 40 ft. To make the building AHA compliant, there would be a lift with a covered area leading to the first floor. The roof would be consistent from the front of the building to the back of the building. A new trash compactor was proposed to be placed in the rear of the building. The second floor would house offices, showrooms, meetings room, three bathrooms, and a kitchen. The existing basement would be a work area, bathroom, and utility room. The exterior of the proposed building would consist of masonry stone. There would be a loading dock in the back of the proposed warehouse with a covered roof.

On question of the board, Mr. Lachanaris responded that the building would be composed of CMU bricks painted gray to give it a uniform look. This look would be consistent with the existing building.

On question of Mr. Chadwick, Mr. Lachanaris responded the selection of the windows were chosen to provide a lot of interior wall space inside the warehouse portion of the building.

On question of Mr. Chadwick about recessing the loading dock further into the warehouse, Mr. Lachanaris responded that the owner would lose square footage.

On question of Chairman Tomaine about shared parking, Mr. Hehl responded that both properties had in and out driveways and the businesses could share parking towards the back of the site.

The Board took a short recess.

Mr. Zeev Sela, having a business address of 1140 Rt. 22 was sworn in to give testimony. He was the owner of the company. Mr. Sela's company is a service provider for the printing industry. The company buys and sells equipment and services equipment. Mr. Sela's business does not have any walk-in customers, and they have been in operation since 1997. There is a total of eight employees. The hours of operation are from 8:30 am – 5:30 pm. Most of the work done by Mr. Sela's company is done at the customer's site. Presently, Mr. Sela's warehouse is in Springfield. Because of the location of the warehouse, many times, Mr. Sela's employees are not present to receive deliveries. Mr. Sela testified that he only needed approximately eight or nine parking spaces even with the warehouse moving to Mountainside. Mr. Sela testified to no common easement between Lot 33 and Lot 34. Mr. Sela stipulated to the condition of including signage between Lot 33 and Lot 34. Mr. Sela stipulated to the condition that in the event of using masonry materials to construct the warehouse instead of metal, he would comply to Mr. Disko's and Mr. Chadwick's approval. Mr. Sela stipulated to the condition of installing a lift, and would be subject to the fire department's review.

Mr. Disko reached out to the fire official who had no comment on the project.

On question of Chairman Tomaine, Mr. Sela would request the tree service company to move their trailer off of his property. Chairman Tomaine informed Mr. Sela that any shared parking would have to be approved by the Planning Board.

On question of Mr. Matlin concerning any emissions or toxins from the testing of machinery, Mr. Sela responded that his company tests computers which did not present environmental concerns.

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

Mr. Girts Kalains, having a business address of 1148 Rt. 22, was sworn in to give testimony. Mr. Kalains is the owner of Shades By Matiss. Mr. Kalains company did window shade assembly. Presently, the company did not have a place for clients to go. The hours of operation are weekdays 7 am – 5 pm and Saturdays 8 am – 3 pm. There are twenty employees. The purpose of the warehouse would be to store more materials. Usually, the deliveries are from box trucks;

however, every other day they have truck deliveries. Mr. Kalains testified to only needing parking for 15 cars and stipulated to any conditions set forth by Mr. Disko and Mr. Chadwick.

Chairman Tomaine asked what the inducement to have the proposed shared parking between the two lots.

Mr. Hehl contended the shared parking would show compliance with the Ordinance. The two properties did not present a need for increased parking. The proposed cross-access allowed for the maneuvering of vehicles on the two sites.

Mr. Craig Peregoy, having a business address of 245 Main Street, Chester, NJ, was sworn in to give testimony. He gave his credentials and was accepted by the Board as a witness. Mr. Peregoy opined in the spirit of cooperation, two businesses have come together. He testified the only way for both of the properties to function correctly, there needed to be cross-access. The cross-access would be a traffic improvement. He testified to a potential of 15 trips a day with the increase of 1 trip during peak hours. He testified that the applicants would comply with DOT for striping and a stop line. Mr. Peregoy stipulated to review of Mr. Disko.

On question of Mr. Chadwick, Mr. Peregoy testified the telephone pole between Lot 33 and Lot 34 would remain and the applicant would stipulate to removing the parking in the front and one additional space.

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

Mr. James Watson, having a business address of EKA 328 Park Ave., Scotch Plains, NJ, was sworn in to give testimony. He gave his credentials and was accepted by the Board as an expert. Mr. Watson testified to the two applicants complying with zoning use. The project would allow each business to accept traffic onto each property. He testified that any run-off would be mitigated. He opined the proposed cross-access improved the circulation of traffic around both lots. He stipulated that the applicants would comply with the building size, and opined there were no substantial detriments to the zoning plan.

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

Mr. Hehl gave his summation.

Mr. Loughlin read the conditions into the record.

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

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Councilman Matejek,  
Mr. Zawislak, Mr. Matlin, Mr. Jakositz, Ms. Dillon, and  
Mr. Kostin

Borough of Mountainside  
Planning Board  
Regular Meeting  
May 25, 2021

Nays:  
Not Eligible:  
Abstain:  
Absent: Mayor Mirabelli, Mr. Garran, Mr. Parker

*The following applications were carried to the June 22<sup>nd</sup> regular meeting without further notice.*

Case No. 21-13; Rolo  
1272 Virginia Ave.  
Bk: 16.10 Lt: 7  
Represented By: Stephen F. Hehl, Esq.  
R-2 Zone  
Expiration Date: August 27, 2021.

Case No. 21-14; Las Medulas  
1239 Rt. 22  
Bk: 23.02 Lt: 1 & 4  
Represented By: Stephen F. Hehl, Esq.  
L-I Zone  
Expiration Date: August 27, 2021.

#### DISCUSSION

The Board briefly discussed returning to in-person meetings. It was determined to keep the meeting remote for June as the two applications were carried to a virtual June meeting without further notice.

#### ADJOURN

The Board unanimously voted to adjourn the meeting at 11:15 p.m.

Respectfully Submitted,



Theresa Snyder  
Board Clerk