

**PLANNING BOARD  
DECEMBER 21, 2017**

The Mountainside Planning Board met on Thursday, December 21, 2017 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, Parker, Tomaine, Younghans, Zawislak, Attorney Loughlin and Secretary Rees.

ABSENT: Mr. Jakositz

The minutes of the November 28, 2017 meeting were approved as presented.

MEMORIALIZATION:

Alison Griggs, 323 Partridge Run, Block 3.09, Lot 2 – Applicant proposed to construct an addition onto a single-family dwelling. This application was denied. A motion was made and seconded to approve the resolution. All were in favor.

NEW BUSINESS:

County of Union, Watchung Reservation at Trailside Nature Center, 452 New Providence Road, Block 2, Lot 4 – Courtesy review for sensory trail improvements and gazebo construction.

Mr. Steve Merman, Esq. represented Trailside Nature Center.

Attorney Loughlin duly swore in Ms. Patricia Bertsch, director of the Trailside Nature Center and Mr. Steve Remoine the architect.

Ms. Bertsch explained that the proposed sensory trail would allow people with disabilities to enjoy nature in the reservation and at the nature center. The trail would also include part of the “loop”. The boardwalk would be handicapped (wheelchair) accessible and would help adults and children with audio and visual disabilities as well as people with autism.

The improvements would include a boardwalk with guide ropes, Braille signage, a gazebo, two areas for classrooms, and a fire pit.

The new sensory trail would start at the nature center and go east and west for about 3/10<sup>th</sup> of a mile.

Exhibit A-1: Picture of the Watchung Reservation and project improvements.

Mr. Ramoine gave a summary of the improvements that would be constructed at the nature center.

The proposed gazebo would be surrounded by all types of plants and shrubbery.

The proposed improvements would meet all ADA requirements.

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

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

ROLL CALL VOTE:

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

NAYS: 0

MOTION: Approved

John and Lisa Dent, 217 Evergreen Court, Block 15.11, Lot 6 – Applicants proposed to enclose an existing porch. Existing variances included front yard under 30 feet where 19.29 feet existed, side yard under 10 feet or 10 percent width where 9.28 feet existed, rear yard under 30 feet where 28.92 feet existed. Previously granted variances included lot coverage over 30 percent where 35.5 percent was granted, and front yard coverage over 30 percent where 34.3 percent was granted. New variances included foundation area over 15 percent where 22.8 percent was proposed, and floor area ratio over 22.5 percent where 26.5 percent was proposed.

Attorney Loughlin duly swore in John and Lisa Dent, the homeowners.

Mr. Dent explained that they would like to convert an existing sunroom/porch and make it into a permanent room. It currently has a foundation. It would have new

windows and permanent walls. The existing screen door would now become a sliding glass door.

Mr. Disko explained that there were no changes to the footprint and the ground projection was reduced, however, the foundation area and floor area ratio increased.

Exhibit A-1: Pictures and photographs of the site.

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

Having no further discussion, Mr. Garran 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

Linda and Anthony Minnefor, 1411 Chapel Hill Road, Block 4.03, Lot 17.03 – Applicants proposed to construct an addition onto a single-family dwelling. New variances included foundation area over 15 percent where 16.01 percent was proposed, and lot coverage over 30 percent where 33.6 percent was proposed.

Attorney Loughlin duly swore in Linda and Anthony Minnefor, and Ms. Carol Hewitt as the architect.

Mrs. Minnefor explained that they would like to construct a one-story addition and the pool, which was on the plans, would be constructed in the future.

The house is currently a one-story single-family dwelling and would remain the same. The proposed addition would also be a one-story addition and constructed in the rear of the house. The kitchen and family room would be enlarged. The existing screened-in porch would be removed.

The lot coverage would be increased to 16.1 percent.

The pool would be built after the addition had been finished and the ground had settled.

Exhibit A-1: Pictures of:  
Rear elevation  
Family room  
Screened-in porch  
Garage area  
Neighborhood  
Back yard  
Right side  
Left side  
Adjacent properties

Ms. Hewitt explained that the addition would be constructed in the rear of the house. The family room would be enlarged and a break room would be added. The dining room and kitchen would be combined and a door leading to the garage would be added. A mudroom and laundry room would be included in the garage.

A master bedroom suite, consisting of a bedroom, bathroom and walk-in closet would be added. A powder room would also be added. Therefore, there would be a total of four bedrooms and two and one-half bathrooms when finished.

A portico and small dormer would be constructed in the front of the house.

Exhibit A-2: Survey showing the existing and proposed house

Exhibit A-3: Colorized survey showing the addition

Pool: The pool would be added at a later date and would be located in the rear property and a three-foot cement deck would be added around the pool. The proposed patio would be located behind the family room. Mr. Disko stated that the calculations for lot coverage included the pool and patio. The size of the sidewalk leading to the proposed pool was reduced.

Several board members expressed their concern regarding the proposed pool and if the plans that were shown on the survey were speculative. They felt that separate plans should have been submitted for the pool. Attorney Loughlin cautioned that the lot coverage should be very specific and that the plans must be used for the pool and not for a structure. Several members stated that they would like the pool plans to be separate from the addition.

Mr. Disko stated that the colorized version of the survey should be sufficient and that the plan that was submitted would be enough to go forward. Mr. Disko stated that the pavers on the right side of the pool would be more than three feet. It was noted that the applicants had not even consulted a pool contractor.

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

AUDIENCE PARTICIPATION:

Mr. Robert Luchino of 396 Ackerman Avenue inquired about any proposed drainage plans. Ms. Hewitt stated that there would be a new drainage system and that it would be better than what is there now. The new retention/detention system had already been designed. Mr. Disko stated that he must approve the proposed drainage plan before it goes to the Building Department. Shrubbery would be added. There would be no additional grading to the property. There were no plans for a swale at this time, however, when Mr. Luchino again pressed her regarding a swale, Ms. Hewitt stated that it was possible that a swale could be tied into the drainage system.

End participation.

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

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

CONDITIONS:

- The application was amended to reduce lot coverage from 33 feet to 31.78 feet
- Retention/detention plan must be submitted and approved by the Borough Engineer prior to going to the Building Department. The retention/detentions plans must be designed for both the addition and pool/patio area.
- The house was to remain a one-story house and if a second floor was proposed, they may have to go back before the board.

ROLL CALL VOTE:

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

NAYS: 0

MOTION: Approved

Stage House Tavern 3, 1099 Route 22, Block 23.03, Lot 12 – Applicant proposed preliminary and final site plan approval for expansion of their restaurant, including

outdoor seating and bar areas. Existing variances included insufficient size parking spaces, front yard parking, and aisle width. New variances included retail sales, expansion of the use variance, lot coverage over 75 percent where 87.3 percent was proposed, and a new wall over eight feet.

Mr. Steve Hehl, Esq. of Hehl and Hehl, again represented the applicants for the revised outside seating area.

Attorney Loughlin informed Attorney Hehl that the case of res judicata must be addressed and approved by the board before the application could proceed.

Exhibit B-1: Previous resolution

Attorney Hehl gave a summation as to why the revised application should not be considered res judicata. The previous application was denied by the board earlier in the year 2017.

Attorney Hehl stated that there were substantial changes to the original plans:

- The front yard setback variance would be eliminated
- The parking variances was eliminated
- There would no longer be a stage, DJ or band
- There would now be only one bar instead of the previously proposed two bars
- The outdoor seating area was reduced by almost half to less than 4400 square feet  
The number of seats would be reduced
- The wall would not exceed eight feet in height
- The total number of seats, both inside and outside, would be 667

Attorney Hehl reviewed the existing and proposed variances.

Attorney Loughlin explained res judicata to the board.

Attorney Loughlin reviewed several sections of the resolution.

Mr. Chadwick cited Supreme Court cases regarding res judicata.

The board discussed whether res judicata applied.

Having no further discussion, Mr. Zawislak made a motion to allow the revised application to proceed and Mr. Youngmans seconded the motion.

ROLL CALL VOTE:

AYES: Mr. Disko  
Mr. Zawislak  
Mr. Matlin

NAYS: Mr. Tomaine  
Mr. Garran

Mr. Parker  
Mr. Younghans

MOTION: Approved

The application would continue to be heard by the board.

The board took a break at 9:30 p.m. and resumed the public portion of the meeting at 9:40 p.m.

Attorney Steve Hehl again represented Stage House Tavern 3 for the expansion of their restaurant and outdoor seating and bar area.

Attorney Hehl stated that outdoor seating was offered at the two other Stage House restaurants and outdoor seating had become very popular with restaurant patrons.

Attorney Hehl again reviewed the previously granted and proposed variances.

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

Mr. Quinn gave an overview of the existing conditions.

There were currently 470 seats and 294 9' x 18' parking spaces. The aisle width was still less than 24 feet.

Proposed outdoor seating:

- The proposed patio would be less than 4400 square feet
- Would have 217 seats (164 table seats and 53 bar seats)
- The 24 foot aisle would be reduced
- The handicapped parking spaces would be re-stripped
- One-way "Do Not Enter" signs would be installed
- The curb line would be widened at the entrance driveway
- Landscaping would be added
- There would now be steps leading to the platform area
- There would now be an emergency access area
- Two parking spaces near the patio area would be removed
- There would now be a handicapped accessible area

Mr. Quinn described the proposed new traffic circulation.

Mr. Quinn reviewed Mr. Disko's report.

- Lights would be placed on the wall
- There would be emergency exit lights and signs

- Narrow the width of the one-way driveway coming out, as discussed per Mr. Chadwick's review comment
- Instead of a new curb line, they would line stripe the area

Exhibit A-1: Fire truck specifications.

Mr. Quinn described the proposed ingress and egress for the restaurant.

Per Mr. Chadwick's report:

The enclosed Dumpster area would be located in the rear of the restaurant.

The loading zone would be located in front of the Dumpster area. Mr. Quinn stated that there would be sufficient area for a truck to sit south of the Dumpster.

Mr. Chadwick suggested that additional landscaping be added around the parking lot; particularly, diamond-shaped plantings could be scattered throughout the parking area.

Mr. Tomaine inquired about the number of patrons that would be coming to the restaurant if the outdoor seating was approved. Mr. Quinn stated that during previous testimony, a portion of the indoor restaurant would be closed off in order to allow outdoor seating, so that the number of patrons would remain the same.

Mr. Meth, the board's traffic expert, inquired about any proposed signs for traffic circulation, etc. Mr. Quinn stated that stop bars and/or stop signs could be added.

Attorney Loughlin duly swore in Mr. Mark Nissin as the landscape architect of Westfield, NJ. Mr. Nissin gave his credentials to the board.

Exhibit 2-7: Computer-generated picture of the proposed outdoor patio and seating. The pictures showed how the patio would look during the day and night.

Exhibit 2: Overhead aerial view of the proposed wall and landscaping

Exhibit 3: Nighttime shot – proposed lights on the wall, bistro and string lights for soft lighting.

Exhibit 4: Daytime shot – overhead shot of the patio. Windows and lights on top of the wall. Proposed trees. Tree canopy. Trees would be approximately 15 ft. to 20 ft. tall

Exhibit 5: Nighttime – overhead shot

Exhibit 6: Front of the building and the staircase. Evergreen shrubbery will be planted along the wall and other landscaping had already been planted. Mr. Nissin described the landscaping and trees that would be planted around the patio, in front of the wall, and in the parking lot.

A landscaping may be submitted at the next meeting.

Exhibit 7: Bistro lights

Mr. Chadwick inquired about the lights on the wall and if they would be seen from Route 22. Mr. Nissin informed him that they would be seen from Rout 22. It was suggested that either the lights be lowered or the wattage changed.

Due to the late hour, the application would be continued at the January 23, 2018 meeting.

Having no further discussion, the meeting was duly adjourned at 11:00 p.m.

Ruth M. Rees  
Secretary



































