

**PLANNING BOARD
DECEMBER 27, 2016**

The Mountainside Planning Board met on Tuesday, December 27, 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, Parker, Tomaine, Younghans, Zawislak, Substitute Attorney Keith Loughlin, and Secretary Rees.

ABSENT: Mr. Jakositz

The minutes of the November meeting were approved as presented.

MEMORIALIZATION:

Vince Auto Sales/Madison Honda, 152 Glen Road, Block 24.10, Lot 3 – Applicant proposed an outdoor storage of Vehicles. Mr. Disko made a motion to approve the resolution and Mr. Parker seconded the motion. The application was denied. The resolution was approved by those who were eligible to vote.

NEW BUSINESS:

Pombal Builders, LLC, 1244 Virginia Avenue, and 311 Central Avenue, Block 16.10, Lot 1 – Applicant proposed a three lot minor subdivision for three single-family dwellings.

Mr. Alcides Andril, Esq. of Elizabeth, NJ represented the applicants for the proposed subdivision.

Attorney Loughlin duly swore in Mr. Adnan Khan of Montville, NJ as the Professional Engineer for the application. Mr. Khan gave his credentials to the board.

Mr. Khan testified that the lot was located at the corner of Virginia Avenue and Central Avenue.

Mr. Khan described the lot and the existing conditions. The lot is currently vacant except for a garage and shed.

The lot would be subdivided from one lot into three lots. All three lots would be conforming, and the corner lot would be the largest lot.

Mr. Khan described the proposed grading plan as well as the storm water system and proposed drywell system. The proposed drywell system would be relocated at the suggestion of Mr. Disko, Borough Engineer. An E.I.S. report was submitted to the board.

Mr. Matlin inquired how many trees would have to be removed. Mr. Khan indicated that at least nine trees would be removed. They would not be able to save those trees.

The board discussed whether or not the street was going to be paved in the near future. Mr. Disko stated that there were no plans to pave the street. The board also discussed whether or not Belgium block curbing should be installed by the developer while the houses were under construction. Mr. Disko explained that the front of the property near the street would have to be cut back in order to accommodate the granite block curbing. The applicants agreed that they would install the curbing, if required.

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

Attorney Loughlin duly swore in Mr. Roger Winkle of Plainfield, NJ as the architect. He gave his credentials to the board.

Mr. Winkle testified that there would be three single-family dwellings. All of them would be a different design, as designated by our zoning ordinance. The stone and vinyl that would be used on each house would be different.

Exhibit A-1: Views of the different designs and elevations for lots 1.01, 102 and 1.03 (the corner lot).

Each of the homes would be 2.5 stories high, four bedrooms on the second floor and a guest bedroom on the first floor, and each house would have a two-car garage.

The corner lot may face the Central Avenue. Mr. Winkle described what each of the homes would look like, their style, and what materials would be used.

Mr. Tomaine expressed his concern regarding the style and size of the proposed homes in relation with the existing homes in the neighborhood.

Mr. Younghans inquired if patios or decks could be constructed without variances. Mr. Winkle stated that variances should not be required.

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

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

Attorney Andril gave his summation to the board.

Attorney Loughlin inquired if monuments would be required. Mr. Disko stated that monuments would be required. No performance bond would be required and the subdivision could be filed by either deed or plat.

Several members gave their comments regarding the subdivision, regarding the sizes of the proposed buildings, the ordinance that allows for the size of the houses and whether to make the developers put in the curbing or make a contribution towards future curbing. Mr. Disko stated that it could be determined where the curbing would go and what the cost estimate would be.

Attorney Loughlin advised the board regarding the application for a minor subdivision. The size and design of the proposed house were not for the board to decide due to the fact that the lots were in compliance to our ordinance.

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

CONDITIONS:

- Comply with the look-alike section of the ordinance and consistent with Exhibit A-1.
- Colors of the homes should be of earth tone colors.
- The nine trees that would have to be removed for construction would be replaced.
- Must comply with the affordable housing ordinance, contributions required under the ordinance, and sewer fees.
- Maintenance of the storm water drainage system.
- Relocate the proposed drywell so that additional tree removal was not required.
- Subdivision could be filed by deed.
- Add a walkway on Lot 1.0
- If curbing was to be installed, a bond may have to be put up.

ROLL CALL VOTE:

AYES: Mayor Mirabelli
Co. Fech-Caccamo
Mr. Disko
Mr. Tomaine
Mr. Zawislak
Mr. Garran
Mr. Matlin
Mr. Parker
Mr. Younghans
Mr. Ford – 1 Alt

NAYS: 0

MOTION: Approved

CONTINUATION:

Stage House Tavern 3, 1099 Route 22, Block 23, Lot 12 – Site plan and development for an expansion of a new restaurant, including outdoor seating and bar areas.

Attorney Steve Hehl of Hehl and Hehl again represented the applicants for the outdoor seating and bar areas.

Attorney Hehl reviewed that revised plans that were previously submitted to the board.

Attorney Hehl recalled Mr. Thomas Quinn of Scotch Plains as the applicant's site engineer. He was reminded that he was still under oath.

Mr. Quinn testified:

- The proposed deck and wall area would be pulled back by approximately three feet
- The number of parking spaces would be increased from 293 to 297
- There would only be one wall-mounted sign
- The refrigerator unit would be eliminated
- Approximately five to ten feet of landscaping would be added. Mr. Quinn described the types of landscaping that would be planted
- The amount of impervious coverage would be reduced
- The amount of wattage for the proposed lighting would be increased
- The easement would remain open

There was concern about whether or not emergency vehicles, such as fire trucks, could reach the entire structure. Exhibit A-5: Showed that a fire truck and ladder could reach most of the structure.

Mr. Quinn testified that the number of proposed seating would now be; 564 restaurant seating and 116 bar areas (both indoors and outdoors). Mr. Matlin inquired if the applicants would consider reducing the seating capacity to eliminate the parking variance. The fire inspector usually assigns the occupancy seating.

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

Attorney Hehl recalled Mrs. Carol Hewitt as the architect. She was reminded that she was still under oath.

Exhibit A-6: New rendering showing the changes

Exhibit A-7: Pictures of other buildings in the area

Exhibit A-8: Landscaping plan. Landscaping that would be planted on the site.

Mrs. Hewitt testified that the proposed wall would be moved back by three feet. There would now be a ten-foot buffer area. The size of the proposed deck would be reduced by 850 square feet bring the deck to a total of 9,686 square feet, which includes the entire exterior. The total number of tables would be reduced as well as the number of seats at the bars. The tables would be on the deck and the bar areas would be located on pavers. The proposed roof over the deck area would be lowered from 30 feet 11 inches to 26 feet 8 inches. The roof over the deck area was pulled back 3 feet. The roof over the bar area was reduced from 50 feet wide to 42 feet wide.

Wall: The proposed reinforced concrete wall would be fourteen inches thick and eight feet high. Mrs. Hewitt described the construction of the wall. Mr. Chadwick inquired if the wall would stop a truck. He would like the wall to be certified that it would stop a truck in order to protect the patrons. Mrs. Hewitt stated that it could be done during the construction phase. Attorney Loughlin inquired why the wall could not be certified now. Mr. Chadwick stated that it was a public safety issue. Mr. Zawislak wanted to know what type of vehicle the wall would stop, and before the construction phase. The board discussed the proposed wall.

All the parking would be located in the back of the restaurant.

There would be two main entrances; one in the front and one in the rear. There would be a hostess station at each entrance.

There would be one illuminated wall sign in the front of the restaurant. Mr. Chadwick suggested that at some point they may want a wall sign in the back due to the fact that the parking was located there.

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

Attorney Loughlin duly swore in Mr. Thomas Britt of Matawan as the owner and manager of the Stage House Taverns.

Mr. Britt described the restaurants in Scotch Plains and Somerset.

Exhibit A-9: Described the operation of the Mountainside restaurant.

Mr. Britt testified that they would close a section of the restaurant when the outside patio was open. There was a section in the back of the restaurant that has approximately 108 seats that they would close.

Regarding live entertainment at the outside deck, the bands would never play after 10:00 p.m. The two to three piece bands would play from approximately 6:30 – 9:30 p.m., two to three days a week.

The proposed indoor stage would be elevated by three feet high that would accommodate a four piece band and the outdoor stage would be 42 inches high that would accommodate a two-three piece band.

There would be televisions located in the outside patio. The televisions would be not seen from the highway. Mr. Britt also described the audio system. The board expressed their concern regarding the sound system at the deck and patio areas. Mr. Britt did not believe that there would be any sound issues that would disturb surrounding property owners.

Mrs. Hewitt testified that outdoor pavers would be 2,900 square feet and the deck would be 6,785 square feet. The deck was reduced 850 square feet. Mr. Tomaine stated that there was a discrepancy between Mr. Quinn's testimony and Mrs. Hewitt's testimony has to how big the deck and paver areas would be.

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

At this time, the board took a break at 9:45 p.m. and resumed the public meeting at 9:56 p.m.

Mrs. Hewitt again testified regarding the outside deck area:

- Pavers: 2,971 square feet
- Deck 5,865 square feet
- Total 8,836 square feet

Attorney Loughlin duly swore in Mr. Joseph Staigar of Chester, NJ as the professional engineer, traffic engineer, sound expert and air quality expert. He gave his credentials to the board. Attorney Loughlin expressed his concern regarding his field of expertise as a sound expert. Mr. Staigar informed the board of all the municipalities his had testified at, and his experience and training as a sound expert.

Mr. Staigar had submitted the traffic study to the board. The traffic study was conducted on a Friday and Saturday evenings on Route 22 and Mill Lane. When the weather is nice, patrons would usually choose to eat outside rather than in the restaurant. Mr. Staigar reiterated that certain sections in the inside would be closed off when the outside deck and bar areas were open. Mr. Staigar stated that there would not be a significant increase in traffic.

There would now only be one curb cut on the westerly side of the parking lot.

Employees would park their cars in front of the proposed wall in order to further protect the customers.

The applicants have applied to the DOT for an access permit. Mr. Meth inquired if Mr. Staigar identified the number of trip limits. Mr. Staigar stated that he did and

that they complied with the number of trip limits. There would also be an alternative access onto Mill Lane. Mr. Staigar stated that approximately 15 percent of vehicle traffic would exit onto Mill Lane, usually on Friday and Saturday nights.

Mr. Staigar stated that there should be sufficient parking on the site for the restaurant, based on the fact that Mr. Britt would close off a portion of the restaurant when the deck area was open.

Mr. Meth suggested that a guardrail could be installed in order to keep the cars traveling along Route 22 from coming onto the property. It could be a more appropriate protection for the site. Mr. Staigar stated that there would be at least three rows as form protection already in place; landscaping, the line of cars and the wall. Mr. Meth stated that guardrails were specifically designed to keep cars on the road. Mr. Staigar agreed; stating that it could be a more appropriate solution.

Attorney Loughlin duly swore in Mr. Gary Cantagallo as Mountainside's Fire chief. He gave his credentials to the board.

Mr. Cantagallo stated that their ladder truck could reach over the westerly side of the wall, however it would probably not reach the roof from all sides of the building. When discussing landscaping, Mr. Cantagallo stated that shrubbery was alright, but not trees.

Mr. Cantagallo expressed his concerns regarding closing off the first driveway. In the event of an incident, they would need to move many people out of the area as quickly as possible. He felt that both driveways should be kept open on Rout 22. Also, vehicles would be directed onto Mill Lane as emergency vehicles would be coming into the driveways.

Due to the late hour, the application was adjourned until the January 2017 meeting.

Having no further business, the meeting was duly adjourned at 11:10 pm.

Ruth M. Rees
Secretary

