

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

**Regular Meeting**

July 25, 2023

**OFFICIAL MINUTES**

Adopted 08/22/2023

The regular meeting was called to order at 7:30 pm. Board members and members of the public saluted the American flag.

Notice of this meeting was given pursuant to the Open Public Meetings Act N.J.S.A. 10:4-6 et. seq. Notice was posted on the Borough website, at Borough hall, and was given to *The Courier News*, *The Star Ledger*, *The Westfield Leader*, and *The Local Source*.

**ROLL CALL**

Mike Disko, P.E.

John Tomaine, Chairman

Steve Matlin, Vice-Chairman

Mayor Mirabelli (absent)

Councilman Matejek (absent)

Ted Zawislak

Todd Garran

Thomas Jakositz

Karen Dillon (absent)

Victor Kostin, Alt. #1 (absent)

Mark Gioioso, Alt. #2

Vincent K. Loughlin, Esq.,

John T. Chadwick, IV, PP

Kristine Moran, Recording Clerk

**MINUTES**

On motion by Mr. Zawislak, seconded by Mr. Matlin, Regular Meeting Minutes for June 27, 2023, were adopted based on the following roll call vote:

**Roll Call:**

**Ayes:** Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran, Mr. Matlin,  
Mr. Jakositz, and Mr. Gioisos

**Nays:**

**Not Eligible:**

**Abstain:**

**Absent:** Ms. Dillon

RESOLUTIONS

RESOLUTION PB-23-07 Redi-Farms  
CASE NO: 23-07  
855 Mountain Avenue  
BK: 13, Lots 6/7  
Approved: 06/27/2023

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

Roll Call:

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

RESOLUTION PB-23-05 LOMBARDO  
CASE NO: 23-05  
1125 Sawmill Road  
BK: 5.16, Lot 14  
Approved: 06/27/2023

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

Roll Call:

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

APPLICATIONS

BOARD OF ADJUSTMENT

CASE 23-07 BHANDARI

1054 Belair Court

BK: 7.0, Lot 4.01

R2 Zone ZONING REVIEW 6099

Mr. and Mrs. Bhandari of 1054 Belair Court were sworn in as applicant witnesses. They have requested an adjournment until August meeting. The Board has agreed to the adjournment without further notice.

CASE 23-08 RAMOS

1127 Peachtree Lane

BK: 5.18 Lot 17

R2 Zone ZONING REVIEW 6186

Mr. Thomas Ramos and Mrs. Jennie Ramos of 1127 Peachtree Lane were sworn in as applicant witnesses. As the applicants advised they had not received Mr. Chadwick's memo dated 7/24/2023, they have requested an adjournment until the August meeting to properly prepare to answer the memo. Board has agreed to adjournment without further notice.

CASE 23-09 PATEL

294 Garrett Road

BK: 15.2 Lot 21

B Zone ZONING REVIEW 6161

Jalu Patel and Mireille Patel of 294 Garrett Road have been sworn in as applicant and witness. Seeking to add a full second floor to existing residence for their growing family.

Andrea Carminio, Architect having a business address of 515 Coleman Place, Westfield, NJ was sworn in to testify. She gave her credentials as a licensed architect and was accepted by the Board as an expert witness.

Ms. Carminio advised that the house footprint is unchanged. They are planning to add a second floor exactly over the first floor. In doing so it triggers a side yard variance. She advised they are proposing a modest overhang and creating a front porch entry way. This adds 203 sq. ft over the existing that brings them to 5.47% over the projections. The existing house is 4.35%. The overhang allows the water to run away from the house and gives an eave to vent the attic.

Chairman Tomaine opened the meeting to the public for questions of the architect and applicant.

Mr. Maurice Feigenbaum residing at 301 Indian Trail was sworn in to ask questions, he asked if they are aware of any flooding issue on the property.

Ms. Carminio answered no, and advised they are not changing the footprint only adding a little and not changing the grade.

Mr. Patel advised that they cut the deck of their pool down and they did not have to come in for a variance to install the pool/deck.

Mr. Feigenbaum voiced his concerns of adding impervious coverage and concerns of flooding issues on Indian Trail.

Mr. Feigenbaum voiced his objections to the variances requested. He presented 4 pictures of his back-yard flooding that were taken by him about 2 years ago which are marked as Exhibit O-1. It was indicated that Mr. Feigenbaum's house is behind and to the right of the applicant's house

Mr. Feigenbaum presented an engineer's letter marked as Exhibit O-2. Mr. Disko confirmed that certain improvements are not required to have additional drainage based on the amount of disturbance. You get a one-time 400 sq. ft exemption on lot coverage before mitigation. Mr. Feigenbaum was advised that he was asking the Board to go where the Board can't go.

Mr. Disko advised that the added elements were replacing previous elements.

Mr. Feigenbaum voiced his strong objection to the variance.

Ms. Carminio summarized.

Board voiced concerns over total ground coverage due to previous added elements – shed, fire pit and gravel walkway.

The applicant has no objection to removing the shed and the gravel walkway. The removal will be put in as a condition for approval if granted.

Chairman Tomaine closed the public hearing.

Board discussion

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

Roll Call:

Ayes: Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran, Mr. Matlin, Mr. Jakositz, Mr. Gioioso

Nays:

Not Eligible:

Abstain:

Absent: Ms. Dillon

CASE 23-06 MENESIS  
1368 Route 22  
BK: 15.09 Lot 1  
R2 Zone ZONING REVIEW 6179

This matter was carried without further notice to the August meeting.

ADJOURN

The Board unanimously voted to adjourn the meeting at 9:07 pm

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Kristine Moran", with a long horizontal flourish extending to the right.

Kristine Moran  
Recording Clerk