

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

Regular Meeting
March 22, 2022

OFFICIAL MINUTES
Adopted 4/26/22

Chairman Tomaine called the regular meeting to order at 7:30 pm. He then led the flag salute to the American flag and board members identified themselves for the record.

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.	Thomas Jakositz
John Tomaine, Chairman	Karen Dillon
Ted Zawislak, Vice-Chairman	Victor Kostin, Alt. #1 (absent)
Mayor Mirabelli (absent)	Mark Gioioso, Alt. #2
Councilman Matejek	Vince Loughlin, Esq.,
Ted Zawislak	Theresa Snyder, Board Clerk
Todd Garran	
Steve Matlin	

MINUTES

On motion by Mr. Zawislak, seconded by Ms. Dillon, the Regular Meeting Minutes, February 22, 2022 (2/22/22), were adopted based on the following roll call vote:

Roll Call:

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

RESOLUTIONS

RESOLUTION PB 22-R10
CASE NO.: 22-04; Calderone
446 Summit Road
BK: 7.03 LT: 19
R-2 ZONE
Approved: 2/22/22

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

Roll Call:

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

RESOLUTION PB 22-R11
CASE NO.: 22-03; Fabio
341 Short Drive
BK: 5.03 LT: 8
R-2 ZONE
Approved: 2/22/22

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

Roll Call:

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

APPLICATIONS

PLANNING BOARD

Case No.: 22-07; NJAW Courtesy Review
NJAW Coles Ave BPS - Municipal Approvals

Mr. Jim Floystrop represented New Jersey American Water in the proposed project to upgrade the existing facilities on Drift Road.

Mr. Loughlin explained that the Board had jurisdiction to conduct a courtesy review because the property to be reconstructed was owned by Union County who authorized NJAW.

Mr. Floystrop was sworn in to give testimony. He was in charge of the plans on the water company's side of the project as well as overseeing the engineer consultant. The site was located on a county easement. The applicant was seeking to upgrade the existing facilities. The proposed project pre-dated Greenacres. The county has been very supportive of the project. He showed the existing site plan. The existing driveway would be paved. The pump station was at the end of its useful life and was located in an area that caused traffic safety concerns.

Mr. Loughlin asked the applicant to label the letter dated 4/8/21 as A-1- report on sub-station.

Mr. Floystrop also entered into exhibit A-2- Plot Plan, NJAW- dated 2/20/22, consisting of three sheets. Sheet V-100-1/19/22, showed the existing conditions on the site. The photos were to show the board what was currently located on the site. The pump station was located underground and at the end of its useful life. They wanted to vacate the old pump station. The existing gravel driveway on Coles Ave. would be paved, and the tank would be modified as part of the project. C-100- 1/19/22- Stone swales would capture run-off. The new building would have a low profile with a pitched, steel roof. A-200- Building Elevation- 2/2022- No one will be able to see the new building on the hill. In an effort to keep a low profile of the building, a significant amount of work will be done below ground.

Frank Marascia, senior operations manager for NJAW, was with the company for 6 years. An essential part of the improvements was to create a safer environment for their staff. The masonry building would allow the equipment to be above ground. The project would create no visual impact and would maintain reliable service to the customers.

Mr. Floystrop informed the board that they were still tweaking the design with the county to determine how many trees would be removed. Originally, the proposal was for the removal of eleven trees, and currently, they proposed the removal of three.

On question of Mr. Matlin concerning a back-up generator, Mr. Floystrop responded that there would not be a generator installed on the site; however, there would be a hook up for a portable generator.

On question of Chairman Tomaine regarding an electrical component, Mr. floystrop responded they would run the electric underground up the driveway and include new electric supplies. Once the transfer to the new location was done, the old station would be dismantled and re-done as a seepage pit.

On question of Mr. Zawislak concerning the pump station, Mr. Floystrop responded that once the pump was filled it would stop. It would take approximately six to eight hours to fill the tank, and usually this activity was done overnight.

The meeting was opened to the public. There were no comments from the public.

On motion by Mr. Zawislak, seconded by Mr. Garran, the courtesy review was approved based on the following roll call vote:

Roll Call:

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

BOARD OF ADJUSTMENT

CASE NO.: 21-04; Artis Seniors
1020-1024 & 1028 Springfield Ave.
Represented By: Stephen F. Hehl, Esq.
BK: 24.04 LTS: 10.01 & 10.04

Mr. Hehl, Esq., entered his appearance on behalf of the applicant. Present with him was J. Allan Hicks the applicant and coordinator of development for Artis Seniors. The applicant was seeking an extension of approval to expire on December 20, 2022. The Board carried the extension request to the April 26th meeting to be heard in conjunction with the Wonder Truck use currently occupying part of the parking lot on the site.

CASE NO.: 22-02; Cozzali
284 Garrett Road
BK: 15.13 LT: 17
R-2 ZONE

Mr. John Cozzali, owner and applicant, was sworn in to give testimony. He testified that he was retired, and had the hobby of racing cars since he was fourteen years old. He currently housed a trailer on his property, and was before the board to seek approval to legally keep the trailer parked on the site. The trailer was 8' x 26' and weighed 4,000 lbs. without the race car. With the race car, the trailer would weigh 6,000 lbs. He stores the car in his garage until race days.

He testified that he would be willing to move the shed on his property to make room for the storage of the trailer.

On question of Mr. Loughlin as to whether the applicant was seeking a d(1) use variance, Mr. Disko responded yes, and provided Exhibit B-1- Ordinance on Trailers.

On question of Chairman Tomaine regarding the moving of the trailer on the property, Mr. Cozzali responded that he moves the trailer with his truck.

The meeting was opened to the public.

Lisa Sanguiliano, 278 Indian Trail, opined the sound of the car was quite loud as it idled because of the size of the engine.

Tracy Martin, 299 Indian Trail, testified the sound of the car scares her pets when it starts. She lived in town for 15 years, and opined that Mountainside was not a place for that type of activity.

Jay Brown, 278 Indian Trail, suggested that the Ordinance was established to avoid trailers being parked on properties throughout the Borough, and he would not like if others sought the same variance.

Mr. Cozzali responded that he had no other place to park his trailer and that racing was part of his life. He was trying to do the right thing.

Mr. Garran opined the issue was not with the car, but with the trailer. He would be opposing the application.

Mr. Disko informed the board that he approached the applicant's wife about the issue, and was told the trailer would be moved within two weeks. It was not. He showed the board B-2- pictures of the trailer. The trailer had done damage to the bituminous on the edge of the road. He would not be in favor of the application.

Chairman Tomaine stated that it was apparent from the language of the Ordinance that the trailer would be permitted in an enclosed garage. There were other non-conformities on the lot. None of the proofs for a use variance were met.

Mr. Zawislak was sympathetic with the landowner, but suggested the applicant rent a storage facility for the vehicle.

On motion by Mr. Garran, seconded by Mr. Matlin, the application was denied based on the following roll call vote:

Roll Call:

Ayes:

Nays:

Mr. Disko, Chairman Tomaine, Mr. Zawislak, Mr. Garran,
Mr. Matlin, Ms. Dillon, and Mr. Gioioso

Not Eligible:

Abstain:

Absent: Mr. Jakositz and Mr. Kostin

ADJOURN

The Board unanimously voted to adjourn.

Respectfully Submitted,



Theresa Snyder
Board Clerk