

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

Regular Meeting
July 26, 2022

OFFICIAL MINUTES
Adopted 8/23/22

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 the 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 (absent)
John Tomaine, Chairman	Karen Dillon (absent)
Steve Matlin, Vice-Chairman	Victor Kostin, Alt. #1
Mayor Mirabelli (absent)	Mark Gioioso, Alt. #2 (absent)
Councilman Matejek	Vincent K. Loughlin, Esq.,
Todd Garran	John T. Chadwick, IV, PP
Ted Zawislak	Theresa Snyder, Board Clerk

MINUTES

On motion by Mr. Zawislak, seconded by Mr. Garran, the Regular Meeting Minutes, June 28, 2022, were adopted 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:	
Abstain:	
Absent:	Mr. Jakositz, Ms. Dillon, and Mr. Gioioso

RESOLUTIONS

RESOLUTION PB 22-R19
CASE NO.: 22-10; Zurita
1269 Poplar Ave.
BK: 16.01 LT: 8
Represented By: Stephen F. Hehl, Esq.

R-2 ZONE

Denied: 6/28/22

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

Planning Board

CASE NO.: 22-13; NCBP Metals, LLC

1050 Bristol Road

BK: 7.04 LT: 36

Represented By: Michael M. Kayam, Esq.

L-I ZONE

Mr. Michael M. Kayam, Esq. an out of state attorney had Mr. Jay Bohn, Esq. appear in his stead. Mr. Bohn entered his appearance as counsel for the applicant who was seeking a change in tenancy at the subject property. The applicant was in receipt of the memos from the Board professionals. Mr. Bohn would present one witness to testify.

Mr. Kristopher Steele, having a business address of 535 Old Tarrytown Rd., White Plains, NY, was sworn in to give testimony. Mr. Steele testified the applicant would operate the building the same way it had operated for the past 20 years. The name on the building would be changed. The applicant was buying the business not the building. The applicant manufactured roofing materials.

Mr. Bohn informed the Board that the applicant was in receipt of Mr. Disko's report, and in response to the comments made in Mr. Disko's memo, Mr. Bohn shared the applicant would comply with removing the storage on site. Further, Mr. Bohn informed the Board that a small area of the site was set aside for environmental testing. The testing was required by law triggered by the change in tenancy. A company was hired to come to the site test. Mr. Bohn ensured the Board the storage area would be cleaned once the testing was completed and the report for the testing was issued.

In response to Mr. Disko's comments, Mr. Steele informed the Board that the parking lot would be restriped within the next two weeks which would be in accordance with the 1994 site plan. Mr. Disko informed the applicant that the parking lot required 2 ADA accessible spaces which should be placed in close proximity to the building.

On question as to whether vehicles or trucks are parked overnight, Mr. Steele responded there is one truck currently onsite which would remain.

Mr. Bohn informed the Board that the dumpsters would be included on the approved site plan and further to Mr. Chadwick's comments about screening the dumpsters, agreed to the requirement. Referring to Mr. Disko's pictures, #4, Mr. Bohn requested the dumpster be placed in the area showing more screening. Mr. Disko responded that it looked like a dumpster was already there.

On question of Mr. Zawislak concerning parking, Mr. Disko responded the parking for that size building required 40 spaces. In 1994 a total of 19 spaces were on the site.

Mr. Bohn reminded the Board that the fenced area could not be disturbed during the soil testing.

Mr. Dennis Maziekieh, as owner, was sworn in to give testimony. He testified that the sale of the business triggered the testing. What was tested so far has come up clean, and there was no schedule as to when the testing would be complete.

Mr. Bohn, referring to pictures #7 and #8, informed the Board the drainage had been cleaned out.

Concerning the proposed sign change, Mr. Maziekieh testified the sign was 36" in height with no power or electric. There were two post out of the ground. He made it himself. Mr. Steele testified the new sign would be the same size and same location.

Mr. Disko entered Exhibit B-1, photos, he then went through his report. Mr. Steele responded that the manufacturing process will remain the same. The same workers will remain on staff. The phone number would stay the same. The computer system would be new. The customers pick up their orders. There are 1-3 deliveries a day. The carriers that ship to the location are private. The company does some deliveries on a flat bed. There would be no additional noise from the property. There is one driveway. There are loading docks in the front. The traffic on site will circulate the same way as before. There will be 10-12 employees.

On question of Mr. Matlin concerning hazardous material generated on site, Mr. Maziekieh responded that there would be no hazardous material generated on site as the custom of the business was post finishing. They manufactured gutters and leader heads.

The applicant agreed to work with Mr. Disko about the placement of the dumpster.

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, Chairman Tomaine, Councilman Matejek,
Mr. Zawislak, Mr. Garran, Mr. Matlin, and Mr. Kostin

Nays:

Not Eligible:

Abstain:

Absent: Mayor Mirabelli, Mr. Jakositz, Ms. Dillon, and Mr. Gioioso

DISCUSSION

CASE NO.: 22-09; Safeguard Mountainside
1096 Rt. 22
BK: 7.04 LT: 16
L-I ZONE
Expiration: 9/21/22

The Board adjourned the application with further notice to a later date.

The meeting was open to the public.

ADJOURN

The Board unanimously voted to adjourn.

Respectfully Submitted,



Theresa Snyder
Board Clerk