

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD
REORGANIZATION MEETING MINUTES
JANUARY 11, 2006

Meeting called to order 7:40 p.m. "Pledge of Allegiance to the Flag" recited.
Roll Call: Michael Stanzilis, Nita Galate, John Song, Robert van den Hende, Frank Hughes, Ken Morris, JoAnne Sendler, Scott Levitt, John Driscoll, Art Ondish and Johanna LoPonte.

Approval of minutes from December 14, 2005 meeting postponed. Motion to approve minutes from November 30, 2005 and December 7, 2005 by Levitt, second by Hughes. All in favor.

Motion to nominate Chairperson of Board: Levitt nominates Johanna LoPonte, second by van den Hende. Hold motion, need to swear in new members of the Board. Dennis McCole and Melissa Fostle sworn in by Michael Selvaggi as new alternate members of the Board. Motion continues by Levitt, second by van den Hende. Ayes: Stanzilis, McCole, Fostle, Galate, Song, van den Hende, Hughes, Morris, Sendler, Levitt, Driscoll, Ondish. Abstain: LoPonte. Motion approved.

Motion to nominate Vice Chairperson of Board: Hughes nominates Scott Levitt, second by van den Hende. Ayes: Stanzilis, McCole, Fostle, Galate, Song, van den Hende, Hughes, Morris, Sendler, Driscoll, Ondish, LoPonte. Abstain: Levitt. Motion approved.

Motion to nominate Clerk of Board: Sendler nominates Carolyn Rinaldi, second by LoPonte. Ayes: Stanzilis, McCole, Fostle, Galate, Song, van den Hende, Hughes, Morris, Sendler, Levitt, Driscoll, Ondish and LoPonte. Motion approved.

Motion to nominate Board Attorney: Levitt nominates Courter, Kobert & Cohen (Michael Selvaggi), second by van den Hende. Ayes: All in favor. Motion approved.

Motion to nominate Board Engineer: Levitt nominates Suburban Consulting Engineers (Daren Phil), second by Hughes. Ayes: All in favor. Motion approved.

Motion to nominate Board Planner: van den Hende nominates Kimball and Kimball, second by Sendler. Ayes: All in favor. Motion approved.

Motion to name the Daily Record and the Roxbury Register as the official 2006 newspapers for the Board: motion by Levitt, second by Hughes. All in favor, motion approved.

Motion to accept the Second (2nd) Wednesday of the month for Regular Meetings and the Fourth (4th) Wednesday of the month for Work Sessions for the year 2006 and January 2007 as follows:

Regular Meeting Dates

Work Session Dates

January 11, 2006 (previously published)	January 25, 2006
February 8, 2006	February 22, 2006
March 8, 2006	March 22, 2006
April 12, 2006	April 26, 2006
May 10, 2006	May 24, 2006
June 14, 2006	June 28, 2006
July 12, 2006	July 26, 2006
August 9, 2006	August 23, 2006
September 13, 2006	September 27, 2006
October 11, 2006	October 25, 2006
November 8, 2006	November 29, 2006
December 13, 2006	December -No work Session

Note: The Engineer, Planner and Attorney will be present at work sessions only when requested. The Attorney and Engineer will be present at all regular and special meetings. The Planner will be present at regular and special meetings only when requested.

Motion by Morris, second by Levitt. All in favor.

Motion to advertise said schedule by Levitt, second by van den Hende.

Motion to deem Water's Edge Design Block 18, lot 5.01 application complete and schedule for hearing date of February 8, 2006 by Levitt, second by Hughes. All in favor.

Motion to deem Dunmyer, Block 89, Lot 4 application complete and schedule for hearing date of February 8, 2006 by Levitt, second by van den Hende. All in favor.

Motion to postpone resolution memorializations for Martin Block 10 lot 39, Arlington Homes Block 123 lot 1.02, Conklin Block 119 lot 29 and Levitt Block 96 lot 3 to January 25, 2006 work session by van den Hende, second by Hughes. Ayes: Stanzilis, McCole, Fostle, Galate, Song, van den Hende, Hughes, Morris, Sandler, Driscoll, Ondish and LoPonte. Abstain: Levitt. Motion approved.

Michael Selvaggi – discusses Pay to Play Legislation reporting and resolution requirements regarding attorney, engineer and planner appointments. Appoint firms as opposed to individuals.

Motion to take a five-minute break by Sendler, second by Hughes. All in favor.

Return from break, begin hearing old business, Season Associates / Shadow Woods application, van den Hende acting Chairman for this portion of meeting. LoPonte, Morris, Levitt, Fostle and McCole step down. Van den Hende – executive session? Motion by Ondish due to potential litigation issue, second by Galate, all in favor.

Members leave room for executive session

Motion to return to hearing by Mayor Ondish, second by Hughes. All in favor.

Van den Hende – reviews December 7, 2005 meeting decision to continue tonight. Motion to accept draft resolution for Shadow Woods Season Associates application by van den Hende, second by Stanzilis. Any typographical errors will be addressed by Mr. Selvaggi's office. van den Hende questions if Board members have any questions or comments about section three. Selvaggi – wording is based on testimony by Ken Fears. Hrabal “adequate capacity to handle anticipated additional traffic as a result of this project” board concurs. #2 – all dwelling units change to “10 single family homes” #3 – van den Hende – where is water collected? Hrabal – minor detention basin. Ondish – detention basins maintained by Borough? Never finished discussion. Driscoll – should not be in resolution, should be in developers agreement. Ondish agrees. Ondish make recommendation per Selvaggi - #21 agreement must address issue re: ownership and management of drainage facilities.

Ondish – are homes in association? Sendler asked at last meeting. Ondish recommendation from this Board should go to Mayor and Council for discussion.

#4 – 25 foot buffer or 50 foot buffer – van den Hende reads through revised plan, shows 50' buffer? Hrabal – 50' set back, 25' buffer.

#5 – should change to read wide as 17' narrow as 10'.

#6 – Mr. O'Brien only says “Mr.”

#7 – strike “lot”

#8 – van den Hende – comments from Board? Wetlands on property?

Ondish – near wetlands, not affected? Hrabal – adjacent on Pia Costa.

Condition of approval needs Letter of Interpretation from State for Pia Costa portion.

#9 – clarifies underground for utilities, subdivision requirement.

#10 – Art – Roxbury water? Not an option, delete Roxbury keep United Water.

#11 – delete? Item should be addressed in developer's agreement.

#12 – eliminate Roxbury Township.

#13 – Galate – only soil no rock discussed, change to excess “materials” not soil. Selvaggi – construction equipment – record road before and after

condition at preconstruction meeting, maintenance of road responsibility of builder.

#14 – Galate – restrict heights of walls? Hrabal explains what was proposed on plans.

Van den Hende – wording re: homes landlocked by PUD not included- should that be incorporated? Hrabal – in developer’s agreement. Selvaggi – condition of Homeowners Association agreement – would be reviewed by Nancy Gage, must include easement re: 2 single family homes referring to.

Van den Hende – parking? Selvaggi – include that.

Ondish – include in developers agreement unused land will be dedicated to or deed restricted to Borough for open space. Conservation agreement included in resolution. Deed restricted for open space.

1.8 acres Orben Drive area- conservation easement? Who owns? (72.01 lot 3) deed restricted.

#15 – Selvaggi – include language what can’t be done on property – details of restricted used. Hrabal – language re: RSIS. Some other typos being addressed by Selvaggi’s office already.

Driscoll – United Water cost not borne by Seasons Glen? Ondish – believes already included in agreement with United Water will verify. Separate agreement.

Van den Hende – referenced in consent order? Separate agreement not in consent order.

Selvaggi summarizes conditions, discussed throughout application, and included in draft resolution.

Selvaggi – vote is whether or not approve this project, he will include all conditions in a formal resolution. Conditions agreed upon motion continues made by van den Hende, second by Stanzilis. Ayes: Stanzilis, Galate, Song, van den Hende, Hughes, Sandler, Driscoll and Ondish. Motion approved.

Motion to adjourn by Galate, second by Stanzilis. Motion approved.

Meeting adjourned at 9:55 p.m.

Carolyn Rinaldi
Clerk / Secretary