

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD
MEETING MINUTES
March 8, 2006

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

Vouchers:

Suburban Consulting Engineers

Schneider escrow \$225.00

Gil escrow \$18.75

Dunmeyer escrow \$75.00

Levitt Development II escrow \$93.75

Conklin escrow \$ 37.50

Water's Edge Design \$18.75

Michael Selvaggi

1st and 2nd quarter retainer \$2400.00 (\$1200.00 per quarter)

Parker Publications

Daily Record Land Use Board meeting dates advertisement \$28.37

Motion to approve vouchers by van den Hende, second by Galate. Ayes: Galate, Morris, Stanzilis, van den hende, Fostle, Sendler, Driscoll, Ondish and LoPonte. Abstain: Levitt.

Old Business:

Water's Edge Design Group Block 89 Lot 4 – Jeff Rawding owner and architect, 25 Windemere Avenue. 100 x 355' lot. Provides description of property details 4 bedroom 4 ½ bath demo existing building and regrade existing driveway to access house. 50 % disturbance as a result of driveway work.

A1 exhibit detailing 15% grade. Driveway 10' width consistent for length of plans.

Selvaggi – current drive conforming to slopes? Phil – no. 17% grade. Rawding – existing conditions of site in excess of impervious coverage already, proposing 23.5% surrounding lots are in excess of impervious coverage as well. Proposed construction 60' from water – consistent / comparable to site of surrounding homes to water. Could move house back, however, doesn't feel would significantly impact percentages.

Building height variance – 3 story dwelling proposed refers to Borough ordinance conditions re: basement. Concurs with engineer determination that this constitutes 3 stories.

Excavation – feels can make adjustments and work with Mr. Phil to negate the need for this type of variance. Van den Hende – paving entry way of drive? Rawding – yes, repaving.

Selvaggi swears in Mr. Richard Smith, 60 Washington Street, Morristown. (licensed surveyor).

Smith – driveway was paved, portion broken up patchwork with gravel. Selvaggi – gravel, paving same calculation for impervious coverage.

Van den Hende – neighboring property owners discussed this project? Rawding, yes some would have their view impacted.

Driscoll – hardship?

Rawding – A3 exhibit to scale profile of lot feels this is least amount of slope on property for construction.

Galate – where is existing house – Rawding shows on exhibit A3.

Galate – grages would be on flat asphalt area? Rawding – yes.

Phil – refers to topography map middle of property has least amount of slope, not where Mr. Rawding referring to. Van den Hende – feels alternatives to what is being proposed, less impervious coverage as well.

A2 exhibit LoPonte asks for clarification about location of proposed house in relation to neighboring properties.

Chairperson LoPonte asks the record to reflect Margarett Wilson arrived at 8:25.

Phil – percentage of impervious coverage, feels increases will create situation to come back before Board. Drainage also must be clarified.

Rawding – 10' wide drive used for calculations, will verify. Phil – need details of plans to include access to water (gravel?) preexisting nonconformances? If any should clarify.

Selvaggi – points out houses Rawding refers to as comparable really aren't, they are set back as far as possible on their lots. To Daren – if house moved significantly, impacts variances?

Daren – depends on house size, thinks proposed house exceeds minimal slope area of property. Access for emergency vehicles? Change to facilitate access to property.

Technical items need to be address from Mr. Phil's report of 11/1/05.

LoPonte to Rawding – prefer a vote or adjustments and come back? Mr. Rawding prefers to come back and is advised of deadline of March 31st for any additional information for Board to review in order to be on April 12, 2006 agenda.

- 5 minute break -

New application – Dunmyer, 82 Rogerene Way, Block 89 Lot 4. Mr. Timothy Dunmyer, applicant sworn in to give testimony. Proposing a 1 bedroom addition, would not increase height of building or footprint. Doesn't interfere with neighboring properties. Violates 20% increase ordinance, was a 2 bedroom previously according to neighbors. Board of Health concurs with septic for 2 bedroom home.

Phil – reviews technical issues, compliances. Off street parking is available so not an issue. Levitt – all previous existing non conformance conditions.

Open to public, no comments. Close to public.

Motion to approve by van den Hende, second by Levitt. All in favor motion approved.

Old Business:

Windemere Associates, Bloc 38 Lot 4 – driveway. Mr. Morris Leo Greb attorney for applicant. Mr. Greb summarizes testimony up until 11/9/2005.

Propose driveway and parking for access to property, ultimately to access boathouse. Mr. Spataro (owner) agrees to part time use of boathouse, with no intention to build an additional structure on the property, would require Board approval.

12/14/05 Suburban Engineer letter items addressed.

B1 exhibit – color version to show driveway and parking area. – Driscoll to Phil – is driveway practical at this point? Phil – yes. Safe egress from this property now. Driscoll – one structure will this be a deed restriction? Greb – will conform with zoning ordinance, doesn't feel applicant should be penalized by deed restriction.

LoPonte – to Mr. Spataro – how do you plan construction for boathouse? Spataro – driveway created to pint for safe access to proeprty. Will walk from parking area to Boathouse (construction also).

Open to public –

Rob van den Hende, 505 Windemere Avenue – gravel on property not included on B1 exhibit, what will happen? Impervious coverage?

Spataro – temporary – strictly to access boathouse for construction purpose. Will be removed and seeded.

Van den Hende – turns on drive addressed? Phil – revisions provided by Mr. Spillane provided larger radius for turn around addressed this issue.

Va den Hende – run off addressed? Phil – items being addressed with Mr. Spillane will be provided with revisions.

Spataro – concurs being addressed. No run off will go on neighbor's proeprty.

Sendler – feels resolution should not include stipulation of part time / full time residency (include in motion).

Motion to approve by Levitt, second by Morris. Ayes: Morris, Sendler, Levitt, Driscoll and Ondish. No: Galate. Motion approved (these were members eligible to vote)

Van den Hende returns to Board.

New application Gil, 4 Windemere Avenue Block 26 lot 15. Levitt recused.

Second story addition proposed. Frank Dooley attorney for applicant. Non conforming use – proposing to expand 6' forward to include garage, second story also proposed.

Discusses house plan.

Driveway to two car garage – run off will be addressed.

Van den Hende – questioning vacant lot on corner.

Sworn in – John Ingleza, architect/engineer has testified before boards previously.

Ingleza – lot not vacant, belongs to house that fronts Altenbrand Avenue.

Selvaggi – possible subdivision? Ingleza – doesn't know if request made to owever.

Dooley - spoke to property owners, not interested in selling off portion of lot.

Van den Hende – number of parking spaces?

Dooley – minimum of 4, 2 in garage, 2 in driveway. Van den Hende – consider soil?

How drywells may not be possible (boulders)?

Ingleza – have not researched yet.

Daren review his 10/17/05 report. Height variance? Applicant will provide calculations to show it is conforming.

Basement – 3 ½ stories? Attic finished now 4 stories? Will need to address. Driveway and garage will alleviate parking concern all variances referenced on plans.
Safe egress? Proposed driveway safer egress than existing driveway.
Additional technical items would need to be addressed prior to construction, applicant agrees to comply with items.

Selvaggi – reviews ordinance with gable roof and room constitutes 3 ½ story, not 4. Open to public, no comments, close to public. Motion to approve by van den Hende, second by Galate. Ayes: Galate, Morris, Stanzilis, van den hende, Wilson, Fostle, Driscoll and Ondish. No: Sendler and LoPonte. Motion approved.

Motion to adjourn by van den Hende, second by LoPonte. All in favor. Meeting adjourned 10:30 pm.

Carolyn Rinaldi
Clerk/Secretary