

BOROUGH OF MOUNT ARLINGTON  
LAND USE BOARD  
MEETING MINUTES  
May 28, 2008

Meeting called to order at 7:32 p.m. "Pledge of Allegiance to the Flag" recited.

Roll Call: Levitt, Foley, Stanzilis, Hughes, Simard, Fostle, Galate, Ondish, and LoPonte. Wilson arrived at 7:40 p.m., vandenHende arrived at 8:35 p.m.

Motion to approve minutes of April 24, 2008 by Hughes, second by Foley. All in favor.

Motion to approve vouchers. Motion by Hughes, second by Levitt. Yes: Levitt, Foley, Stanzilis, Hughes, Simard, Fostle, Galate, Ondish and LoPonte.

Motion to deem Residence On the Park application complete and schedule for a hearing date of June 25, 2008 by Stanzilis, second by Hughes. Yes: Levitt, Foley, Stanzilis, Hughes, Simard, Fostle, Galate, Ondish, and LoPonte.

Memorialize Badgley resolution by Hughes, second by Levitt. Yes: Levitt, Foley, Stanzilis, Hughes, Simard, Fostle, Galate, Ondish, and LoPonte. Abstain: Wilson

Ondish – accepts LoPonte's letter of resignation. LoPonte will hear O'Connor application then step down.

O'Connor application continued from April 23, 2008 regular meeting. Stanzilis steps down and Margarete Wilson moves up from alternate position

Jennifer Kovach – attorney for O'Connor sworn in and credentials given. She has reviewed borough engineers letter and agrees with findings.

Phil – gives overview of technical review dated May 20, 2008. Apron at top of boat ramp is necessary (cannot be grass). Recommendation that apron should be installed at top of road. As-built to be provided after improvements are completed.

Ondish – Improvement shown to impervious coverage as well as side yard setback from neighbors yard.

LoPonte – thinks proposed house is too big for property. Aesthetics are an issue.

O'Connor – appreciates opinion from LoPonte.

Hughes – feels house will still be too close to neighbor.

O'Connor – only 8' of house will be close.

Foley – States that improvement of homes on Lake Hopatcong is the idea of the Master Plan. Applicant is improving on the impervious coverage and the encroachment on the neighbor.

Ondish – to applicant – is there any information about others houses on Bertrand's Island that are the same size as the one being proposed?

O'Connor – yes

Open to Public – 8:05 p.m.

No comment from public

Closed to public – 8:07 p.m.

Selvaggi – goes over DRAFT after borough engineer's calculations. Existing impervious coverage 65.6%, proposed impervious coverage 54.1%. Will re-write resolution with changes.

Foley – as-built survey is required to be submitted to construction department before certificate of occupancy is issued.

Daren – will check to see if as-built provision is necessary in resolution

Motion to approve and memorialize resolution with borough attorney's revisions to be signed by vice-chairman by Foley, second by Levitt. Yes: Levitt, Foley, Wilson, Simard, Fostle, Galate, Ondish. No: Hughes and LoPonte.

Break – 8:25 p.m.

Scott Levitt left meeting – 8:30 p.m.

Resume meeting – 8:43 p.m.

LoPonte resigns, Stanzilis moves into chairman position

Ondish nominates vandenHende to vice-chairman position, second by Galate.

Wilson – Alternate brought to permanent member position

Ondish will look for new member at council meeting on June 23, 2008

Board Secretary will order new nameplates for Stanzilis (chairman), vandenHende (vice-chairman), and Wilson

LeGates application – Block 107, Lot 1, 538 Curtis Avenue. Wilson steps down, lives within 200' of applicant, Simard steps up

Joseph Marra – 22 Howard Boulevard, Mount Arlington, NJ - architect and planner for LeGates. Sworn in and gives credentials. Prepared site plan.

LeGates – Sworn in and gives testimony. Wants to add 2<sup>nd</sup> story to existing ranch. Convert ranch into four bedrooms, two baths by adding 2<sup>nd</sup> story. Front and rear will be cantilevered with a 2' overhang.

VandenHende – variances being sought are side yard and floor area

Marra – pre-existing non-conforming conditions are: minimum tract size, minimum tract width, front yard setback, side yard setback, rear yard setback, and impervious coverage. No accessory structure permitted in side or front yard.

Galate – recommends a decrease to impervious coverage

LeGates – some gravel to be removed and grass planted. Shed can be moved.

Phil – if gravel is removed as indicated by applicant it could eliminate variance for impervious coverage. Resolution and final survey should indicate removal of gravel. He will inspect before signing off.

Selvaggi – variance can be granted conditioned upon applicant not increasing impervious coverage more than 21.8%

vandenHende – small shed should be removed and not be put back

Phil – Applicant lives on a corner lot. Accessory structure cannot be in front yard.

Selvaggi – Applicant has two front yards. Shed and garage are in front yard.

vandenHende – by moving garage back 3 – 4’ would it eliminate setback variance?  
By removing shed and gravel, it would eliminate impervious coverage variance.

Selvaggi – a variance would be needed for the garage because no accessory structure is allowed in the front yard. Garage would need to be 15’ from the rear and no closer than 20’ in the front. Shed would need to be eliminated.

Open to public – 9:40 p.m.

Wilson – 536 Curtis Road (neighbor) supports what Mr. & Mrs. LeGates are proposing to do

Closed to public – 9:42 p.m.

vandenHende – proposing four bedrooms, two baths – will there be sufficient parking?

Phil – yes, two parking spaces are required per borough ordinance

Selvaggi – motion to approve bulk variance, shape and location of property cause hardship

vandenHende – motion to accept application w/proposed changes, second by Hughes. Yes: Foley, Stanzilis, Hughes, vandenHende, Simard, Fostle, Galate, and Ondish

Stellman application – Block 98, Lot 21, 605 Stanley Place

Bryan Stellman applicant sworn in – would like to construct a first and second-story addition onto an existing one-story dwelling. Needs room for family. House has been vacant for approximately two years. Addition will be going where grass is.

Phil – applicants proposed addition has more than required setback on one side, not enough on the other side.

vandenHende – impervious coverage is an issue. If secondary driveway and shed were to be removed it would eliminate variance

Galate - would applicant consider eliminating sidewalk?

Stellman – keep sidewalk for access to walkout basement.

Stanzilis – number of proposed bedrooms?

Stellman – four bedrooms

Stanzilis – what will be done about the retaining walls?

Stellman – part of wall will be removed for addition, the remaining walls will stay

VandenHende – what about drywell?

Stellman – drywell will be installed and maintained

Open to public – 10:10 p.m.

Closed to public – 10:11 p.m.

Selvaggi – variances needed according to technical review by borough engineer are 20% floor area, front yard setback, and impervious coverage. Proposed addition is consistent with the neighborhood.

Motion to approve application by Hughes, second by Simard. Yes: Foley, Stanzilis, Hughes, vandenHende, Simard, Fostle, Galate, and Ondish

James Grant – 90 Rogerene Way. Questioned why 86 Rogerene Way is a two family home in a zone classified as a single-family zone?

Ondish – speak to borough zoning officer, Al Thompson

Motion to adjourn at 10:17 p.m. by Simard, second by Hughes. All in favor.

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Carolyn O'Connor