

BOROUGH OF MOUNT ARLINGTON  
LAND USE BOARD  
MEETING MINUTES  
June 25, 2008

Meeting called to order at 7:42 p.m. "Pledge of Allegiance to the Flag" recited.

Roll Call: Levitt, Foley, Stanzilis, Hughes, Wilson, Simard, Fostle, Loughridge, Goodman, and Ondish

Motion to approve minutes of May 28, 2008 by Goodman, second by Hughes. All in favor.

Motion to approve vouchers. Motion by Fostle, second by Hughes. Yes: Levitt, Foley, Stanzilis, Hughes, Wilson, Simard, Fostle, Loughridge, Goodman, and Ondish

Memorialize LeGates resolution by Hughes, second by Goodman. Yes: Stanzilis, Hughes, Fostle, Goodman, and Ondish. Abstain: Wilson

Memorialize Stellman resolution by Simard, second by Goodman. Yes: Stanzilis, Hughes, Wilson, Simard, Fostle, Goodman, and Ondish

Residences on the Park – Block 86, Lot 5, Block 87, Lot 7, Block 88, Lot 1 and Block 89, Lots 16 and 22 – amalgamation of five (5) existing lots, with the requested vacation of two (2) Borough right-of-ways that exist as paper streets for the purpose of subdividing the entire tract into six (6) new properties and the dedication of a new cul-de-sac road - application postponed to the July 23, 2008 meeting. Applicant to supply letter requesting postponement.

Saracco Application: Block 39, Lot 3A – 481C Windemere Avenue, construction of a second story addition onto an existing one-story dwelling

Goodman – recuses herself

Joseph Gates – Architect – 132 Landing Road, Landing, NJ – sworn in and gave credentials

Nicholas Saracco – applicant sworn in – wants to construct second-story addition onto single family home

Gates – refers to plans dated February 14, 2008. Footprint will change because existing footings are not sufficient enough to hold weight after proposed addition is constructed. Applicant would like to bump out house two feet all around. Balcony will extend five feet out. Front and rear yard setbacks will be reduced as well as the left and right side yards. Height proposed to be 30.6' to peak

Selvaggi – FAR – this applicant is the first applicant to be heard since passing the floor area ratio ordinance.

Gates – applicant will reduce paving 20' x 1 ½' to bring impervious coverage to a zero net

Saracco – willing to take off of driveway area to reduce impervious coverage

Selvaggi – easement on lakefront is 15' along streams and bodies of water

Phil – there is an easement ordinance in the town – this may be a variance that needs to be addressed

Levitt – refers to Mr. Phil's letter dated 3/19/08 referring to impervious coverage – page 3 (10d) is contradictory to (2a) on page 2

Phil – it is a typo

Phil – applicant should re-calculate for impervious coverage if part of driveway removed

Stanzilis – to applicant – are the two houses on property the same?

Saracco – yes, I live in one and the other is a rental.

Hughes – by keeping the second house makes the property more non-conforming because there will still be two principal structures on one piece of property

Stanzilis – will the proposed height of the house block the view of the house behind you?

Saracco – there are trees there already that are as high or higher than the proposed height of the house

Gates – proposed roof height will be the same as the ground height of the house behind because of the slope

Selvaggi – applicant has two principal uses on one lot. Proposed addition on one house would increase the non-conformity on the lot. By adding living space, applicant creates the need for a “D” variance. Burden of proof from applicant is needed. Applicant’s notice only noted bulk area variance. No action could be taken this evening. Notice and application have to conform. Recommends that applicant re-notice.

Ondish – in the past an applicant would propose taking down two buildings and putting up one building

Saracco – By taking down one house it would reduce impervious coverage. Has idea of possibly putting in pool where house would come down. If variance is approved, when would work have to start?

Selvaggi – no ordinance stating time limit on variance approval

Phil – pre-existing lot coverage, applicant might want to re-do idea of house and pool. Applicant should have a plan in mind and re-do the plans and come back to the board

Selvaggi - #8 (flood hazard) might be problem later on if taking down house and putting in pool

Saracco - to Selvaggi - by putting in pool would eliminate floor area ratio, by taking down one house would eliminate non-conformity, and by eliminating some blacktop too would reduce impervious coverage

Selvaggi - cannot tell applicant how to proceed he should consult with his architect. Pool would require variance relief if going where house is taken down. Applicant may be able to move pool further away from sideline, should speak to professionals

Stanzilis – what about fire lane and the traffic entering onto Windemere Avenue?

Phil – by removing the second house it would eliminate some of the traffic problem entering on to Windemere Avenue

Wilson – Ordinance allows two structures to exist but comes into play when applicant wants to expand house

Selvaggi – a “D” variance would be need for non-conformity if application stays as proposed this evening

Loughridge – could applicant be allowed to live in rental while house is being built

Selvaggi – applicant could live in rental house while house is being built, but certificate of occupancy could not be issued until the demolition of the rental house is completed because this would be part of the resolution

Levitt- should end of road have guardrail for safety purposes?

Ondish – not a town easement, town does not maintain it so will not make applicant put up guardrail

Saracco – I maintain it. Road does level off at the bottom

Gates – 12’ setback needed for pool. If able to meet setback requirement this would eliminate use variance, left side yard setback and floor are ratio

Selvaggi – board will need more detail before deciding

Open to public – 8:40 p.m.

John Brogan – Attorney from Shrewsbury, NJ for Mr. Connelly owner of 481B Windemere (neighbor of applicant) – time of default approval. Will LUB board ask applicant to ask for extension?

Selvaggi – would applicant agree to extend hearing date to August 27<sup>th</sup> if needed?

Saracco – yes

Brogan – does applicant need to re-notice?

Selvaggi – notice is sufficient if pool is conforming with the 12’ setback. If pool does not meet setback requirement, applicant must re-notice

Brogan – Mr. Connelly may have problem with application. Will there be any action taken tonight?

Wilson – it should be up to applicant as to what he wants to do

Saracco – ordinance changed after application was submitted. I will look to make proposal changes by taking down one house and put in a pool

Selvaggi – applicant must give notification at least ten (10) days prior to July 23<sup>rd</sup> meeting if he wants to be heard

Brogan – please notify if meeting will be held on July 23<sup>rd</sup>

Closed to public – 8:50 p.m.

Discussion of escrow fees – Carolyn will speak with Daren Phil to determine what amount of escrow fees need to be collected for various applications

Ondish – will appoint John Windish as fourth alternate at next council meeting to be held on June 30, 2008

Motion to adjourn at 9:06 p.m. by Hughes, second by Fostle. All in favor.

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Carolyn O’Connor