

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD
MEETING MINUTES
August 27, 2008

Meeting called to order at 7:33 p.m. "Pledge of Allegiance to the Flag" recited.

Roll Call: Levitt, Hughes, vandenHende, Simard, Fostle, Sendler, Loughridge, Goodman, and Ondish. Wilson arrived at 7:48 p.m. Absent: Foley and Stanzilis

Motion to approve minutes of June 25, 2008 by Hughes, second by Levitt. Yes: Levitt, Hughes, vandenHende, Simard, Fostle, Loughridge and Ondish. Abstain: Sendler and Goodman.

Motion to approve vouchers by Fostle, second by Hughes. Yes: Hughes, vandenHende, Simard, Fostle, Sendler, Loughridge, Goodman, Ondish. Abstain: Levitt

Motion to schedule Davy's Dogs for September 24, 2008 meeting by Goodman, second by Fostle. Yes: Levitt, Hughes, vandenHende, Simard, Fostle, Sendler, Loughridge, Goodman and Ondish.

Postponed:

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 September 24, 2008 meeting. Applicant supplied letter requesting postponement.

Appointment of Donna Holmquist, Burgis Associates, Inc., 25 Westwood Avenue, Westwood, NJ

vandenHende – What is the cost?

Ondish – There is no retainer, planner will be paid on a per job basis

Levitt – Will there be a charge for travel?

Ondish – Not that I am aware of

Levitt – How many years of experience does she have?

Ondish – 20 years

vandenHende – Why is a planner needed?

Selvaggi – The state has implemented recycling to the Master Plan.

Sendler – The recycling ordinance that was to be discussed this evening has been changed.

Selvaggi – Ordinance will need to be amended.

Sendler – New ordinance will be proposed in September

Motion to appoint Donna Holmquist as Borough Planner by Ondish, second by Hughes. Yes: Hughes, vandenHende, Simard, Fostle, Sendler, Loughridge, Goodman and Ondish. Abstain: Levitt

Saracco application:

Goodman recuses herself because she is friends with the applicant

Saracco (applicant) and Joe Gates (architect for applicant) were sworn in at last meeting held on June 25, 2008.

Saracco – My architect re-did plans since the last meeting. Second house will be taken down and a pool will be put in. I will remove 331 square feet of the parking area and the shed.

vandenHende – Daren do you have any questions in regards to the revised plans?

Phil – Addresses items listed on technical review letter.

Gates – In agreement with Mr. Phil's report. Discussed items with Mr. Saracco. Will provide calculations and supply chart for pool if approved by board Will also address fencing issue. Will remove part of pavement in parking area and move shed to paved area will decrease some of coverage in that area. With respect to lot coverage and FAR as discussed in June per new ordinance we have accounted for

areas that extend out into the lake and the boathouse. Our numbers have been revised based on the new ordinance and included that increase in square footage to factor into our calculations.

vandenHende – How is drainage being addressed with the long driveway? Is it collected in the bottom and diverted elsewhere?

Saracco – No problem with drainage.

vandenHende – Does it run into the lake, or is there a detention basin?

Saracco – There is no detention basin. There is a grassy lawn area where pavement ends.

vandenHende – Is your well located there?

Saracco – Yes, about ten feet into the lawn from the driveway.

vandenHende – Are there any problems with oils or anything because your well is at the end of the driveway?

Saracco – No

vandenHende – How will there be a net zero impervious coverage?

Saracco – The pool and the concrete around the pool is slightly larger than the area of the existing house, but by moving the shed and the paved area under the shed it would create a net zero increase to the impervious coverage

vandenHende – How many variances are required? Is there a variance needed for the side yard as indicated on the table

Gates – Side yard variance was eliminated. Impervious coverage is existing non-conforming. Items 2, 3, and 4 are existing non-conforming for lot area, lot width setback and lot frontage, there are no changes to those. There are other site conditions that are not impacted by the construction.

vandenHende – Applicant will need to change the table to reflect any changes.

Selvaggi – Variance is needed for pool because borough ordinance states that a pool is to be located in the rear yard not the side yard.

VandenHende – Facing the lake on the left side, what is the nearest structure?

Gates – That is a vacant wooded lot.

Phil – Lot is owned by neighbor of lot 1

vandenHende – Are roof leaders being diverted into detention basin?

Saracco – existing ones go into the ground.

Phil – the resolution should have a condition that says should they hit an underground detention area when the raising of the structure occurs or during the construction of the pool that it be relocated outside the area of improvements and it to the same capacity so as not to change the run-off of the property

vandenHende to Saracco – Is that acceptable?

Saracco – Yes

vanden Hende – any other comments?

There are none

Open to the public for questions - 8:05 p.m.

Bob Connolly – 481B Windemere Avenue – neighbor

Connolly – is the pool above or inground?

Saracco – inground pool

Connolly – Will the wall and any trees be taken down?

Saracco – The wall and trees will remain.

Connolly - What will the square footage of the house be?

Saracco – The square footage of the house will be the same, it will be built in the same footprint as the existing house

Connolly – There is an easement on the deed.

Saracco – It is a sanitary easement

Phil – Side yard setback on easement side is 28' of open space to applicants house.

Connolly – No more questions, but has comments.

Selvaggi – Connolly can state comments after questions are closed to the public.

Closed to public for questions– 8:20 p.m.

Open to public for comments – 8:21 p.m.

Connolly – Submits exhibits for discussion: #01 – Drawing of proposed sanitary sewer easement, #02 – List of concerns, #03 – Drawing from 1972. Comments on usage of sanitary sewer easement.

Board reviews Mr. Connolly's exhibits and listens to his comments

Closed to public for comments – 8:35 p.m.

vanden Hende – Any questions or comments from the board?

Levitt – Saracco needs updated survey before construction to show exact location of everything

Phil – Key map shows sanitary easement while 1990 survey submitted does not. New survey will be needed for construction permit

Ondish – Would the parameters of sanitary easement be on the survey?

Selvaggi – Yes it would be on the survey.

Phil – Resolution could be drawn so that a condition of the approval is that the applicant have a survey done before construction

vandenHende – What variances are being voted on?

Selvaggi – application changed from June 25th meeting. Original application included both dwellings. Applicant revised drawings to show a single dwelling with a pool which reduces variances. No need for use variance. Application will have a variance that is required for the pool because of location of pool in side yard rather than in rear yard. Applicant will amend plans to show appropriate screening and 4' high fence. Mr. Phil's office will verify that this is adequate. If applicant does not want to do this, he would have to return for a variance. Board is not granting this variance, applicant will have to comply with the fence and the screening or landscaping. The variance for the pool in the side yard, the applicant before getting a zoning or construction permit will have to revise his calculations for impervious coverage to confirm that the impervious coverage is no greater than what is currently on the property. If it is the applicant will have to return to the board for a variance. There are pre-existing non-conforming conditions. Footprint is staying the same, applicant is going up therefore eliminating side yard and rear yard setback variances.

Phil – Right side elevation. House will be bigger to the hillside, but no side yard setback variance is required.

Gates – all calculations were factored into Floor Area Ratio

vandenHende – Impose condition to relocate detention basin should existing detention be disturbed to relocate run-off.

Selvaggi to Saracco – will you live in second dwelling while construction is being done on house?

Saracco – Yes, I would like to

Selvaggi - Board can impose condition that prior to Certificate of Occupancy a demolition permit be obtained for the second house and a temporary certificate be issued.

Phil – Suggests 45 day temporary certificate of occupancy be issued to give applicant adequate time for demolition.

vandenHende – Motion to approve application

Levitt – motion to approve application with aforementioned items, second by Wilson. Yes: Levitt, Hughes, Wilson, Simard, Fostle, Loughridge and Ondish.

Sendler – Council will hear Recycling Ordinance at its September 8, 2008 meeting than we will discuss it at our September 24, 2008 meeting

Selvaggi – Swears in John Windish as fourth alternate

Motion to adjourn at 8:53 p.m. by Hughes, second by Fostle. All in favor.

Carolyn O'Connor