

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD
MEETING MINUTES
OCTOBER 12, 2005

Meeting called to order 7:45 p.m. "Pledge of Allegiance to the Flag" recited.
Roll Call: Michael Stanzilis, Nita Galate, John Song, Robert van den Hende,
JoAnne Sendler, Scott Levitt, John Driscoll, Art Ondish and Johanna LoPonte.
Absent: Ed Taylor, Sheila Parise, Frank Hughes and Ken Morris.

Motion to approve September 14, 2005 minutes with corrections. Motion by
Levitt, second by van den Hende. Ayes: Stanzilis, Galate, Song, van den Hende,
Driscoll, LoPonte. Abstain: Sendler, Levitt and Ondish. Motion approved.

Vouchers:

Suburban Consulting Engineers:

Chaplin Homes Escrow \$268.75
Wall escrow \$ 2120.00
Arlington Homes escrow \$1300.003
Ridgeview escrow \$1,368.75
Loder \$37.50
Boccher \$318.75
Lascano \$ 18.75

Michael Selvaggi:

Chaplin Homes escrow \$472.50
Schneider review \$ 40.50
Windemere Associates escrow \$ 162.00
Lascano escrow \$ 175.50
Loder \$ 243.00

Kimball & Kimball:

COAH services \$753.05

Roxbury Register:

Legal ad: \$7.44
Legal ad: \$5.12

Motion to approve vouchers by Levitt, second by Galate. All in favor.

Vouchers (SEPARATE VOTE)

Michael Selvaggi:

Shadow Woods escrow \$1,079.01

Suburban Consulting Engineers:

Levitt Development I \$285.00

Eric Snyder:

Shadow Woods escrow \$ 150.00

Motion to approve by Sandler, second by Galate. Levitt abstain, all others in favor. Motion approved.

Memorialization of Resolutions:

Board authorizing the Retention of Clough Harbour and Associates, LLP for the purpose of the Seasons Associates (Shadow Woods) application. Motion by van den Hende, second by Song. Ayes: Stanzilis, Galate, Song, van den Hende, Sandler, Driscoll and Ondish. Abstain: Levitt and LoPonte.

Lascano, Block 14 Lot 4 approval for Boathouse addition. Motion by van den Hende, second by Galate. Ayes: Stanzilis, Galate, Song, van den Hende, Levitt. Abstain: Sandler, Driscoll, Ordish and LoPonte.

Frantz, Block 38, Lot 1 approval for second story addition and 2 decks. Motion by Song, second by Galate. All in favor.

Levitt Development, Block 39 Lot 71 single family dwelling. Motion by Galate, second by van den Hende. Levitt abstains, all others in favor.

Goodman DiGeronimo, Block 52 Lot 12 second story addition. Motion by Galate, second by van den Hende. Levitt and Ondish abstain, all others in favor.

Knapp, Block 45 lot 12 & 13 lot line adjustment. Motion by van den Hende, second by Galate. LoPonte abstains, all others in favor.

Note: resolution dates will be changed to read memorialized September 14, 2005, except Knapp will be September 28, 2005.

Old Business:

Arlington Homes Block 123, Lot 1.02 – three town homes. Levitt recuses himself from hearing this application.

Keith Patterson, attorney for applicant. Fred Stewart addresses comments in Daren Phil's 10/11/05 letter.

Widened driveway 6' more, now 24'. Modified location of building. Modified drywells – shifted to north side of units.

Galate – Howard Blvd. Hydrant accessible? Patterson – Henry Court would be preferable. Closest point of two buildings meeting? 60.2' at one point, 73' at one point.

van den Hende – path in back, provide access by foot from Howard Blvd? Not considered, per Mr. Stewart.

Phil – drain pipe being installed on Howard Blvd side of property, access path would be possible.

Van den Hende – would have to be properly maintained.

LoPonte – further comments?

Phil – drainage would require County approval if Board looked favorably on application.

LoPonte – 3 units different from existing units?

Ondish – no recreation planned on site?

Patterson – Mr. Stewart not commenting, applicant would consider contributing to an off site recreation facility.

LoPonte – what will the be the address?

Sendler – tax assessor will determine.

Van den Hende- lighting? Restrictions should be in place similar to previous application.

Patterson / Stewart – applicant can comply.

Galate – construction vehicles use Henry Court? Patterson, yes, not Howard Blvd.

Correction – Howard Blvd would be for storm and sanitary sewer pipe work only.

Mr. Sherrer previous sworn in. Buildings will not match existing. Vinyl siding on three sides. Howard Blvd. Side – masonry and vinyl shutters.

Sewer system connection?

Tie in from Howard blvd. Disconnect existing and create a lateral connection for both sets of buildings. Paths would be discussed further between Phil and Stewart.

LoPonte – clarify sewer hookups

David Zimmerman sworn in as Planner for applicant.

Re: Daren Phil's 10/11/05 letter. Photo exhibit P1 shows existing buildings. Re: pathway from Howard Boulevard – if Fire Chief feels that is appropriate, applicant would comply.

Doesn't agree with three stories – feels this is a 2 ½ story building.

Recreation – doesn't feel necessary or would be utilized on property.

Vegetation – not specimen trees, brush. Doesn't feel they are disturbing any significant vegetation.

Applicant has made contribution to sidewalk on Howard Boulevard per last application, possible some evergreens would address town ordinance re: vegetation. P2 – picture from Howard Boulevard view of property Zimmerman summarizes application.

Ondish clarify number of variances:

Height of retaining wall

Vegetation removal from steep slope

Construction of new townhouse façade

Offset between buildings
Height of buildings, per Daren's interpretation.

Ondish – feels first buildings should not have been built based on minutes from 1960's meetings. This property should never have been developed, feels too many variances necessary for this, eyesore from Howard Boulevard, important Fire Department concerns haven't been addressed.

LoPonte – sewer line changes with existing units – any issues?
Phil – no further technical concerns with Borough. Façade issue, aesthetic concerns because of close proximity of two sets of buildings could be improved. Feels parking will be a concern as well. Basement – number of stories. Song – steep slope calculations – include existing building? Stewart – yes. % of disturbance is not included from previous construction.
Van den Hende – recreation going to be addressed?

Phil – additional two parking spaces at side of proposed building?
Stewart – yes, could do and do along east of driveway.
Zimmerman – escrow for vegetation?
Selvaggi – can make it condition of approval.
Patterson – recreation as well.
Open to public. No comments. Close to public.
Selvaggi summarizes variances. Discusses basement interpretation as a story. C1 and C2 variance difference. Van den Hende – what is hardship for a C1 variance?
Zimmerman – C1 hardship relates to property itself.
Van den Hende – motion to approve with 5 variances, vegetation, pathways for fire access, parking and recreation in conjunction with Borough Engineer; second by Song. Ayes: none. No: Gaate, Song, vandenHende, Driscoll, Ondish, LoPonte. Abstain: Stanzilis and Sandler. Motion to deny application.

Gresham, Block 85 lot 6 – 1st and 2nd story addition. Levitt recused.
Fred and Valerie Gresham, 178 Orben Drive. Mr. Alfred Stewart 25 Pine Street Rockaway for applicant.
Discuss Daren Phil's technical review letter of 10/10/05. Proposed exceeds 20% of existing structure 2nd level would be a loft. Need to install a new septic system trying to incorporate into plan.
Mr. Gresham – existing front yard setback – preexisting condition. Mrs. Gresham – side yard preexisting right side 20', 2 yards together would never be conforming. Lot size and front yard are both preexisting non-conformances.
Phil – lots around you improved? Mrs. Gresham – yes. Phil – couldn't purchase additional property surrounding, correct? Yes, per Mrs. Gresham.
Mr. Stewart reviews plan dated 8/16/05.
Van den Hende – parking areas? Stewart – 1 in garage, 2 in parking nothing new being proposed. Additional parking spot could be added. Will review. Stewart will

be submitting revised plan with four bedroom to Board of Health if approved (has approval for a three bedroom system). Drywell not feasible on site, as a result of septic and well distance required. Roof leaders will be provided to street.

Van den Hende – percent of impervious coverage? Addressed in Mr. Phil's letter.

Ondish – any kind of seepage pit? Something for water run off instead of to street.

Stewart – design a stone filled trench, would recharge. Will discuss options with Mr. Phil and Board of Health

Open to public, no comments. Close to public. Mr. Selvaggi reviews variances.

Motion to approve with pavers and drainage conditions and Board of Health review by van den Hende, second by Ondish. Ayes: Stanzilis, Galate, Song, van den Hende, Sandler, Driscoll, Ondish, LoPonte. Motion approved.

****Note-** November 9, 2005 will be continuance of business for Conklin, Martin and Levitt Development applications. Meeting will begin at 6:00 p.m. and Mrs. Rinaldi will provide notice to the newspapers.

Motion to adjourn by van den Hende, second by Galate. All in favor.

Meeting adjourned 10:40 pm.



Carolyn Rinaldi
Clerk / Secretary