

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD
MEETING MINUTES
November 7, 2007

Meeting called to order at 7:35 p.m. "Pledge of Allegiance to the Flag" recited.

Roll Call: Nita Galate, Tom Foley, Michael Stanzilis, Frank Hughes, Robert vandenHende, Margarete Wilson, Raymond Simard, Joanne Sendler, Lee Loughridge, John Driscoll, and Johanna LoPonte Absent: Melissa Fostle, Arthur Ondish, and Scott Levitt.

Motion to approve minutes of August 8, 2007 meeting by Sendler, second by Stanzilis. All in favor.

Motion to approve minutes of November 9, 2005 meeting by vandenHende, second by Galate. Yes: Galate, Stanzilis, Hughes, vandenHende, Sendler, Driscoll, LoPonte.

Motion to approve vouchers. Motion by Hughes, second by Stanzilis. All in favor.

Independent Matter:

Mount Arlington Horizons LLC
Drinker Biddle & Reath, LLP (Attorney)
Andy Norin – Representative for attorney

Extension of Vesting of Final Major Site Plan Approval for construction in reference to Pennington Woods.

Hughes – will it take (4) four years?

Stanzilis – will all the work the board did carry over?

Selvaggi – everything stays same

Sendler – including performance bonds

LoPonte – extension until August 2009

Motion to approve extension – All in favor

Van Zeyl application:

Zimmerman – planner outlines application. Supplied aerial photo's to Borough Engineer. Not definitive enough to show impervious coverage. Survey completed. Introduces exhibits #2 and #3 of aerial photos (distributed to board members) Applicant will remove patio pavers and middle area pavers from driveway.

Thomas Graham – representative from architect (Dykstra Walker) sworn in.

Graham – Shows revised plan (exhibit #D-4) shows removal of pavers with reduction of impervious coverage.

LoPonte – Size of existing garage – 20'8" long x 19'2" wide. Size of proposed Garage – 27'6" long x 20' wide. What will the function of the garage be?

Van Zeyl – Storage

Galate – How far are the trees from the garage?

Graham – Approximately 25'

Graham – Flood plain will not be affected. There will be no buffer

Galate – Fence to garage 21'. Will the garage be demolished or renovated? Will existing walls remain?

Graham – Demolition with existing walls remaining. Applicant will push walls forward toward road, but not make it wider. Posts are removed from plan on road side but will be left for decoration.

Phil – Applicant proposing 7'6" bump out to front with no setback. Roof will cantaliver 3'. Roof will overhang, but will not go over property line. Applicant will submit any changes to plans. I will verify changes when applicant submits revised architectural plans.

Selvaggi – Refer to sheet A-1 (left side view) Columns are decorative. From edge of roof to front yard setback on property line. Will not extend beyond.

Hughes – What will the height be?

Graham – 14' 10" from grade to peak plus coopola. Approximately 6' high. Total proposed height 20' 10". Existing height approximately 12'. Location of coopola will be in the center of the garage and will not block view of neighbor.

Galate – Garage is not being moved back because it would then block neighbors view from picture window.

Selvaggi – Impervious coverage in August 2005 was 37%. Survey in 2004 shows 20.3% coverage before brick pavers.

Daren – Attempted to check impervious through aerial photos, but not clear enough. 37% coverage exists, proposing to remove pavers to get to 33% coverage.

LoPonte – Applicant looking for 33% impervious coverage?

Phil – Yes

VandenHende – Table for impervious shows principal building side yard setbacks. Nothing showing square footage. Where did calculations come from?

Stanzilis – including dock in impervious coverage?

Phil – Attorney should include explanation of impervious coverage calculations in resolution. Also include lake in calculations. Variance is showing above 18% coverage while only 15% is allowed.

Zimmerman – Applicant seeking variance on pre-existing conditions. Seeking hardship variance because adjacent property cannot be acquired. Minor change in width to garage. Existing is cement and block. The proposed would be wood framing and siding.

VandenHende – Daren, what about information about installation of boat ramp from state?

Phil – Improvements below grade are exempt

Graham – Will note DEP regulations

LoPonte – Depth of garage 24' x 20'. Why not only go 4' rather than 7' and make it aesthetically appealing?

VanZeyl – not wide enough on the inside of garage needs to be longer for storage of snowblower, lawnmower, etc.

Galate – Would tree next to garage need to be cut down if applicant were to go out to the side?

VanZeyl – Yes

Hughes – Will the board grant all variances tonight if variance for garage is approved?

Phil – Reviews variances being sought

VandenHende – Where would electricity be fed from?

VanZeyl – Fed from house underground

VandenHende – Should it be included on Site Plan?

Phil – Include it in resolution

Open to public 9:20 p.m.

Bill Doran – 79 Bertrand Island Road – neighbor within 200'. What is maximum height of accessory structure in zone?

Selvaggi – 15'. Proposed height of garage 14' 10". Ordinance does not include coopola in overall height.

Doran – No objection to granting variance if applicant keeps to height limitations.

Karen Foley – 35 Bertrand Island Road – neighbor within 200'. Has no objections to granting variance.

Closed to public 9:25 p.m.

VandenHende – comments: LoPonte has concerns about garage. Applicant is willing to work with engineer, planner, and board. Applicant has hardship.

Sendler – clarifies variances being voted on: 33% impervious coverage, 7'6" addition to garage, and 20' height of garage.

Galate – Is smaller addition an option?

Wilson – Concurs with vandenHende.

Stanzilis – Boat was issue as stated at previous meeting, now it is storage.

LoPonte – Hardship goes with land not storage of boats and cars. Would applicant be willing to propose 4' addition rather than 7'6" addition

VanZeyl – No

Selvaggi - Two (2) motions – Variance would be bifurcated. First motion would be for impervious coverage and second would be for garage in which three variances would be needed (side yard setback, front yard setback and size). Refers to Mr. Phil's July 20, 2007 comments, numbers 3, 4, & 5. If no is voted on for variance for garage, applicant has two options, either submit a new application or motion for re-consideration.

VandenHende- motion to grant variance as it exists.

Galate – if applicant comes back if garage is voted no and impervious coverage increases, applicant should have to back w/new application.

Motion to approve impervious coverage – Galate, second by Stanzilis. Yes: Galate, Stanzilis, vandenHende, Sendler, Driscoll, and LoPonte. No: Hughes.

Motion to approve garage – vandenHende, second by Hughes. Yes: vandenHende and Driscoll. No: Galate, Stanzilis, Hughes, Sendler, and LoPonte.

Motion to approve application as complete – Hughes, second by vandenHende. Yes: Galate, Stanzilis, Hughes, vandenHende, Sendler, Driscoll, and LoPonte

Meeting adjourned at 9:50 p.m.

Carolyn O'Connor