

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD
MEETING MINUTES
December 12, 2007

Meeting called to order at 7:30 p.m. "Pledge of Allegiance to the Flag" recited.

Roll Call: Foley, Stanzilis, Hughes, Simard, Fostle, Driscoll, Ondish, Loponte, Levitt. Absent: Wilson, Sendler, Loughridge. Galate resigned. vandenHende arrived at 7:35 p.m.

Motion to approve minutes of November 7, 2007 meeting by Hughes, second by Stanzilis. Yes: Foley, Stanzilis, Hughes, Simard, Fostle, Driscoll, Ondish, Loponte and Levitt.

Motion to approve vouchers. Motion by Hughes, second by Driscoll. Yes: Foley, Stanzilis, Huges, Simard, Fostle, Driscoll, Ondish, Loponte. Abstain: vandenHende and Levitt.

Motion to memorialize VanZeyl resolution by Stanzilis, second by vandenHende. Yes: Stanzilis, vandenHende, Driscoll, Loponte.

Motion to memorialize Horizons LLC Resolution by vandenHende, second by Hughes. Yes: Foley, Stanzilis, Hughes, vandenHende, Simard, Fostle, Driscoll, Ondish, Loponte.

O'Connor application:

Driscoll and Stanzilis recused themselves because they live within 200' of applicant.

John Ursin – Attorney for O'Connor sworn in and credentials given

O'Connor – 57 West Bertrand Road, Block 51, Lot 14 - Existing 1 ½ story, 3 bedroom, 1 bathroom single family home with dirt basement and detached garage. Proposed 3 bedroom, 2 bathroom single family home with full basement and attached garage. Existing garage is 5 feet from road. Proposed garage to be 25 ½ feet from road

Ursin – Addressed Mr. Phil’s (Borough Engineer) letter. Applicant will update house to current codes.

O’Connor – Will supply borough engineer with wall elevations. Accessory structure will be eliminated. Dock is pre-existing (permitted w/approvals). Proposed house will be in character with other houses in neighborhood.

Ursin – House will be built according to plans.

Phil – Lot is fully developed. Applicant will need to submit updated plans if approved by board. Garage will be taken down and left as gravel. Concrete patio will be removed and replaced with grass. Stepping pads from lower level will be used to get to dock. New plans should show stepping stones if approved. Flood hazard regulations are required by state.

Ursin – Preliminary inquiries have been made to the state in reference to the flood hazard regulations. Waiting for answer.

Phil – State regulations are lengthy, suggests obtaining letter from state.

Selvaggi – Applicant should get outside approval, such as a letter from an engineer that it’s not applicable. Mr. Phil will sign off on engineers letter.

Phil – Over 5,000 square feet of vegetation disturbance a permit is needed. Mr. O’Connor does not have more than 5,000 square feet of vegetation, he has more impervious coverage.

Selvaggi – DEP allows local board to make decision. May not need permit form DEP.

VandenHende – Stone driveway exists. Is impervious coverage going to be increased? Is there grass covered down to the ramp?

Hughes – How far away from the house is the ramp? Can the house be moved over towards the ramp?

Phil – Will house stay where it is?

Ursin – Yes. The same footprint will be used.

Loponte – Aesthically not appealing. Should move house closer to ramp. Too close to house on right (looking from road). Could be a detriment.

Simard – Boat ramp is important to Fire Department to pump from the lake

Levitt – Third variance needed – 20%. Chart on Z-2. Walked property and did not see grass, mostly stone in driveway leading to ramp. Would applicant be willing to take up stone and put down blocks? Driveway not included in impervious coverage.

vandenHende – What is the hardship?

Ursin – House built in 1920's. Creating a house more consistent with the neighborhood. Will maintain side yard setback. Major decrease in front yard setback. Neighborhood houses had been able to do additions.

Levitt – Two chimney stacks on left, chimneys raised?

O'Connor – Chimney raised because neighbor built addition

Open to public: 8:25 p.m.

Tim Gifford – 59 West Bertrand Road. O'Connor's neighbor. Not much distance between houses. Removal of foundation a concern. Large rocks are part of foundation, if removed could cause sheetrock in his home to crack. Fire protection is a concern.

William O'Connor – The foundation can be shored. Fire rating – would not have to be fire rated if house is moved 2' over.

Closed to public – 8:30 p.m.

Selvaggi – Concrete ramp?

Simard – Ramp could be used for fires

Loponte – Fire protection is a plus

Selvaggi – Accessibility to ramp should be preserved

Ursin – Garage coming off of the road a plus, would lessen percentage of impervious coverage. Full access to three sides of house. Heating system would change eliminating chimneys on side of house close to neighbor. Chimney would be on driveway side of house for fireplace.

Loponte – Three (3) variances needed: sideyard setback, impervious coverage, 20% second floor.

Selvaggi – Seeking bulk variance relief. Motion to approve?

Levitt – Plans not complete. Does not think foundation would hold up, should get letter from engineer.

Ursin – Addresses seepage pits. Proposal by applicant to be approved by borough engineer.

vandenHende – Agrees with Levitt that plans should be amended.

Selvaggi – Motion to approve, subject to conditions. Is there enough information for a vote? Yes: Foley, Simard, Ondish, Levitt, Loponte. No: vandenHende, Fostle, Hughes.

Levitt – Motion to approve three (3) variances with conditions.

vandenHende – Stipulation is that if recalculations are needed that they be approved by borough engineer.

Motion to approve application: Levitt, second by Simard. Yes: Foley, Simard, Ondish and Levitt. No: Hughes, vandenHende, Fostle and Loponte. Tie vote, application is denied.

Selvaggi – Application is denied without prejudice. Applicant will have to re-apply and re-notice.

Ten minute break – 8:55 – 9:05

Pelino application:

Pelino: 41 McGregor Avenue, Block 10, Lot 24. Existing one-story dwelling with detached garage. Proposed demolition of existing one-story dwelling for the

purpose of construction new two-story dwelling as well as expanding existing garage.

Architect – Joe Bias, 344 Route 46, Denville, New Jersey. Sworn in and credentials give.

Pelino – House built in 1927 and updated in 1979 (front living room). Limited parking at street. Boathouse will remain.

Bias – Applicant will bring existing structure to better conformance, increase side yard, and decrease impervious coverage by increasing lawn area. Applicant will re-design stairs, re-do foundation, and remove concrete.

Loponte – Are trees coming down on the lakeside?

Pelino – Yes, smaller trees will be put in

Stanzilis – Taking down trees will improve view for neighbor across the street.

VandenHende – Will extending deck reduce rear yard setback?

Bias – No, not seeking rear yard variance and not increasing coverage.

Phil – Mr. Bias provided location of existing neighbors to show uniformity of houses.

Bias – Tried to be respectful of neighbors in the designing of house.

Phil – Existing concrete patio to be reduced. Left side of stairs to be removed.

Exhibit – #P-1, drawing of house by architect.

Selvaggi – Re-configure stairway – sideyard setback 5' off, no variance needed.

Pelino – Starts discussion of garage

Bias – Garage is shared with neighbor. Applicant has one bay for parking. Addition to garage would increase impervious coverage.

Loponte – Property line runs through garage.

Selvaggi – Needs to produce title policy for garage because it is co-owned.

Phil – Would applicant be willing to add parking space to eliminate expanding garage.

Pelino – Garage will stay as is, parking area will be widened and gazebo on property will be moved.

Hughes – Will parking area be paved?

Pelino – Yes

VandenHende – Will the plans need to be revised to show this?

Selvaggi – Yes

Bias – Will submit revised plot plan

Open to public – 10:05 p.m.

William Richardson – 43 McGregor Avenue. Okay with addition, no objections.

Closed to public – 10:10 p.m.

Selvaggi – Demolition. Variances needed – left side setback and impervious coverage for house. No variances needed for garage.

Selvaggi – Board needs to decide if there is exceptional undue hardship. Satisfy DEP, if approved. Applicant would need engineers report for Mr. Phils approval from DEP.

vandenHende – Motion to approve w/conditions. Relocate side stairs, changes on plans depicting easements, maintain number of trees. Garage not included, but revise plans to show increase of parking area.

Selvaggi – No demolition permit be issued until tree plan satisfies Board.

Phil – One tree for one tree

vandenHende – Amend motion according to Selvaggi’s recommendation about trees. Same size trees come down and go up.

Levitt – Second motion.

Motion to approve by vandenHende, second by Levitt. Yes: Stanzilis, Hughes, vandenHende, Simard, Fostle, Driscoll, Ondish, Loponte and Levitt.

Ondish – Highlands Council coming to town will invite LUB. Train station opening, Sunday, January 20, 2007 at 11:00 a.m., council re-organization meeting Monday, January 7, 2008.

Meeting adjourned: 10:32 p.m.

Meeting adjourned at 10:30 p.m.

Carolyn O’Connor