

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD MEETING MINUTES
April 22, 2009
6:30 PM

Meeting called to order at 6:33 p.m. "Pledge of Allegiance" recited.

Roll Call: Present: Windish, Foley, Loughridge, Simard, Fostle, Hughes, Levitt, Stanzilis, Sandler, Galate and Ondish. Absent: Wilson and Van Den Hende.

Motion to approve minutes from February 25, 2009 meeting: Motion to approve with noted corrections by Hughes, Second by Levitt. Yes: Foley, Loughridge, Hughes, Levitt, Stanzilis, Sandler, Galate, Ondish. Abstain Windish, Simard, and Fostle. Motion approved.

Motion to approve vouchers Revision A. Motion by Hughes, Second by Fostle. All in favor. Motion approved.

Resolution Revision:

Saracco – Block 39, Lot 3A – 381C Windemere Avenue – replacement of one-story dwelling with a two-story dwelling, razing of a second dwelling and addition of a swimming pool.

Selvaggi: Technicalities in the write-up were addressed and changed.

Motion to approve Saracco revised resolution dated April 22, 2009. Motion to approve with noted corrections by Levitt, Second by Loughridge. Yes: Levitt, Simard, Loughridge. Motion approved.

Administrative Dismissal:

(Complete: 9/24/08 Hearing(s): 11/7/08)

Applicant requested several extensions, however no contact has been made since early February 2009.

Chow – Block 10, Lot 72 – 41 Edgemere Avenue – approval of retaining walls that have been constructed without construction permits or approval from the Borough Land Use Board.

Motion for administration dismissal made. Motion to dismiss by Hughes, second by Simard. All in favor. Motion approved.

Selvaggi: We should advise Borough Zoning and Building Officers to take appropriate actions.

Memorialization of Resolutions:

Seasons Associates, LLC and Valley Road Development, LLC have requested an extension of their Final Site Plan approvals.

Motion to approve Seasons Associates, LLC and Valley Road Development, LLC made. Motion by Sendler, second by Hughes. Yes: Windish, Foley, Loughridge, Simard, Hughes, Stanzilis, Sendler, Galate, Ondish. Abstain Fostle and Levitt.

Residences on 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.

Motion to approve Residences on Park made. Motion by Foley, second by Loughridge. Yes: Foley, Loughridge, Simard, Hughes, Levitt, Stanzilis, Sendler, Galate, Ondish. Abstain: Fostle and Windish.

Review of Ordinance:

Ordinance 07-09 – Amending Chapter 17 Entitled Land Development; Chapter 133 Entitled Property Maintenance and Chapter 134 Entitled Certificate of Habitability.

Selvaggi: It is consistent with our current master plan. It is also beneficial because it provides greater clarity as to property owners' responsibilities with respect to maintenance.

Galate: What were the significant changes?

Phil- We revised definitions pertaining to retaining walls, fencing and storage.

Motion that ordinance is consistent with master plan and we offer no further additional recommendations. Motion by Levitt, second by Foley. Yes: Windish, Foley, Loughridge, Simard, Fostle, Hughes, Levitt, Stanzilis, Sendler. Abstain: Galate and Ondish.

New Business:

(Complete: 2/25/09 Hearing(s):)

United Water New Jersey, Inc. – Block 72, Lot 1.01 and Block 61, Lot 42.03 – Dawes Way. Construction of a new water storage tank to service the future Shadow Woods residential project, the proposed Valley Road commercial project and all existing development in the PUD.

Scott Levitt recuses himself. Tom Foley moves up.

Selvaggi- At the February 25th meeting this application was deemed complete. The applicant may now pursue a public hearing.

John Inglesino- Introduced himself to the board along with his witnesses and project engineer, Stan Omland, PE. He is representing the applicant of United Water who is applying for Preliminary and Final Site Plan approval for a water storage tank and related structures.

The Water Storage Tank (WST) is located on Lot 1.01, Block 72. The property is owned by Trail Woods Associates, LLC. The Lot was previously subdivided as a single family Lot in 2006.

The structures related to WST include a Re-chlorination Building on Lot 1.01, Block 72 and a Booster Pump Station on Lot 42.03, Block 61. The property is owned by Seasons Associates. An extension of gravel surface area along Maple Path is also requested to provide access to WST.

These services are essential under the municipal code and approved by Municipal Engineer, Daren Phil, in a letter on February 20, 2009.

Seeking three (3) minor variances for the WST and two (2) minor variances for the booster pump are being sought and will be addressed by Stan Omland, PE.

Stan Omland is sworn in and provides credentials.

Review of WST dimension and capacity. The proposed WST will be constructed from pre-cast concrete and will hold about 413,000 gallons of water.

The Re-Chlorination Building will be 12x12 feet single story structure. The equipment shed will be 6x6 feet single story structure. The emergency generator will be 9x5 feet single story structure.

Access across Maple Path will be needed to allow maintenance vehicles to park and receive access to the WST. Proposed a change from 10 feet to 16 feet in width of Maple Path. The corner of the street will also need to be widened.

A United Water Treatment Building will be built in Block 61, Lot 42.03. Borough has already approved this building.

A 12x24 feet single story split block building is also proposed in this lot. This building will house the water works of the WST and Booster Pumps. Its location is on Valley Road.

Both facilities will be owned and operated by United Water. There are variances with both of these projects.

Explanation of the WST and why its location is most beneficial environmentally and structurally. Explains need of C1 and C2 variances.

Description of the Re-Chlorination Building and explanation of why it is necessary.

Addressed the issue of the concrete pad located in the front yard. This slab covers the door to the valve chambers. Its purpose is to retain the public from the door.

The barbwire will be removed from the fencing around the WST.

Inglesino- What is the size of the concrete slab that will be covering the valve chamber?

Omland- It's size is 10x10 feet and the door has to be set on a concrete slab to support its foundation.

Inglesino- Is everything you are describing inside the fence, including the parking lot?

Omland- Yes, everything will be inside the fence including the parking lot.

Discussion of Mr. Phil's letter on April 17, 2009

Phil- Mr. Omland you may need to address the fact that you may not receive permission to build on the property where you need 20 feet wide construction easement. The construction is so tight to the property line that you may not be able to provide buffering.

Discussion of WST and its location. Mr. Phil proposed to move the WST to the east and place the Re-Chlorination and Equipment building between Dawes Way and the tank. The location would provide better buffering and eliminate variances on the property line that were proposed before.

Omland- We will provide a degree of enclosure that will satisfy noise ordinance of the State of New Jersey.

Omland- All structures will be within a fenced area with locked doors. Maintenance people will visit once a week. We will comply with all applicable codes.

PERSON- Before this building is built, the Borough would like to see some details pertaining to the interior of the Re-Chlorination Building.

Sworn in Ronald Wund. Title: Operation Manager

Wund- Inside the Re-Chlorination Building there will be very minimal treatment for the water. Chemicals will be in tablet form and turn water into a chlorine solution to approximately 15%. There will be about 20 pounds of HDH solid and powder form in the building.

Selvaggi - Are there any applicable environmental DEP regulations that would guide you in the use of the storage of the chemicals?

Wund - We have our own safety measurements, safety personal oversee the chemicals. We will provide the Borough with any information regarding these chemicals. The NJDEP would have to approve the treatment application first.

Windish - Is there an alarm system?

Sworn in Antonio Dicente. Title: Senior Project Engineer. Licensed Engineer in New York state.

Dicente- We do not know as of now if there is a fire alarm system, but there will be an alarm system for the building.

Discussion of curb at corner of Maple Path and Dawes Way.

Open to Public- 8:02 PM

Peter Damanico- 17 Hickory Way

Damanico- Will there be fumes from the Re-chlorination plant? Will there be earthquake protection?

Omland- Very minimal gases. Liquid chemicals are being used. There is a containment area inside the building. The building again will comply with all building codes and requirements.

Sworn in Bob Jenny- 2 Mulberry

Jenny- In the event of a natural disaster where would the water flow?

Omland- It is very difficult to estimate what type of natural disaster there would be and the effects it would have on the WST. However, if the tank were to leak or break open completely, the water would most likely spill and flow in all four directions due to its topographical location.

Charles Squires- 26 Birch Terrace

Squires- Will I be able to see the water tower from my house?

Omland- I believe that you will not be able to see the tower since trees will be planted around the perimeter.

Squires- Will trees be taken down at the project site?

Omland- Yes, some trees will be removed, however we will also be adding new trees around the project site.

Squires- Will people be able to see the slab that will be covering the valve chamber?

Omland- No.

Squires- How do you propose to pay for this?

Omland- United Water and the Atkins Corporation will be funding this project.

Helen Mertz- 9098 Springhill Drive, Springhill, FL. Owns property on the corner of Dawes Way and Maple Path.

Mertz- Is there going to be any type of buffer to limit the view of the tank?

Omland- Vegetation will be placed in between the tank and your property line.

Mertz- How many trucks will be driving in and out of the WST facility?

Dicente- A small jeep will be at the WST once a day, seven days a week to make basic ground checks. Depending on other types of problems and/or maintenance, bigger trucks may be needed on rare occasions.

Dave Zavracky- 8 Evergreen Way

Zavracky- Is the chlorine going to change the quality of the water and/or the taste.

Omland- There is no interconnection between the Shadow Woods and Seasons Glenn's water supply, so I believe there will be no effects.

Scott Levitt- 137 Crestview Lane

Levitt- In Block 72, Lot 2 is there any law stating that you need to make an effort to buy the lot from the private owner since you will be building so close to his property.

Inglesino- No law exists that states an effort to purchase adjacent property must be made.

Selvaggi- It is up to the Board to vote and make a decision on whether or not United Water may construct the proposed structures on this lot. Whether the lot is owned by a private owner or by the Borough does not affect the Board's decision to allow United Water to build near the property line.

Closed to the Public – 9:25 PM

Reviewing the variances

Short Recess 8:27 PM - 8:34 PM

Omland- We are pleased to inform you that we are willing to modify our application. We are going to relocate the Re-chlorination building, equipment enclosure and the emergency generator to the back of the lot. This will eliminate all the variances. However, the movement of the generator will add some minor operational issues. The tank will also be moved southeast as much as 5 feet. We would also like to ask for permission to elongate the gravel driveway to add more room so service vehicles may get to the tank without stopping on Dawes Way. We believe that these new modifications are more beneficial to the Borough.

Stanzilis- Will the elevation of the tank change with its new location?

Omland- No the elevation of the tank will stay the same.

Discussion of the trees that will provide buffering.

Omland- We will also be able to move the slab in the back of the lot which may provide more evergreen planting on our property.

Loughridge- Where will the owner at Lot 2 receive his water from?

Ondish- In the ordinance that is going to be granted for United Water franchise area Mr. Phil thought it would be a good idea to include these three (3) lots in the project so they may be able to receive water from the WST. However, due to allocation issues United Water did not want to provide water to these three (3) lots.

Sendler- I will speak to United Water tomorrow in regard to adding those Lots into the project.

Selvaggi- Do you care what color the water tank is going to be?

Ondish- Earth tones were suggested.

Sendler- Board may discuss the color of the WST with Reyna who will also provide samples.

Review of new variances of the project.

Motion to approve requested variances for Block 61 and Lot 42.03 Booster Station.
Motion by Simard, second by Windish. All in Favor.

Motion to approve requested variances for Lot 1.01 Block 72 Water Storage Tank.
Motion by Simard, second by Sendler. All in favor.

Motion to Adjourn. Motion by Simard. All in favor.

Meeting Adjourned – 9:03 PM

Reyna M. Burger- Board Secretary/Clerk