

**BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD MEETING MINUTES
February 25, 2009
6:30 PM**

Meeting called to order at 6:38 p.m. "Pledge of Allegiance" recited.

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

Motion to approve minutes from December 10, 2008 meeting: Motion by Levitt, Second by Hughes. All in favor. Motion approved.

Motion to approve minutes from January 7, 2009 reorganization meeting: Motion by Galate, Second by Levitt. All in favor. Motion approved.

Motion to approve vouchers. Motion by Sendler, Second by Levitt. All in favor. Motion approved.

Motion to approve 2009 meeting dates: Motion by Hughes, Second by Foley. All in Favor. Motion approved.

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.

Applicant requested extension, in writing, on February 18, 2009 to the April 22, 2009 regular meeting.

Selvaggi – Board has discretion to grant postponement or administratively dismiss the application due to the length of time that has passed since the previous hearing.

Letter will be sent to applicant informing them that their application will be dismissed at the April 22, 2009 meeting if no documentation has been presented to be heard at the same.

Motion to grant Chow postponement to the April 22, 2009 meeting: Motion by Hughes, Second by Galate. All in favor. Motion approved.

Motion to deem **United Water New Jersey, Inc.** application complete and schedule hearing for the next regular meeting: Levitt recuses himself. Motion by Sendler, Second by Hughes. All in favor. Motion Approved.

Seasons Associates, LLC and **Valley Road Development, LLC** request for an extension of their Final Site Plan approval:

John Inglesino, attorney for applicant – Amends extension request to a length of four (4) years, eleven (11) months and 364 days since extensions over five (5) years cannot be granted without providing public notice.

Motion to grant Seasons Associates, LLC and Valley Road Development, LLC extension of their final site plan approval for a period of four (4) years, eleven (11) months and 364 days: Motion by Galate, Second by Loughridge. All in favor. Motion approved.

Levitt rejoins meeting.

Carried from December 10, 2008 Meeting:

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.

Tom Malman, Esq. of Pitney Day Associate and Dan LaMothe, PE of Lapatka Associates to continue their testimony from the December 10, 2008 meeting:

Discussion of plan revisions since 12/10/08.

Review of items from technical review letter prepared by Daren Phil, PE, Board Engineer.

Discussion of retaining walls within the proposed development. C1 Variance relief will be required due to retaining walls located in the front yards of proposed residences.

Phil – Individual plot plans must be required to show which trees will be salvaged per lot.

Sendler – Who will be responsible for maintenance of storm drains and plowing?

LaMothe – A homeowners association will be responsible for storm drains. Borough will be responsible for all roadway plowing.

Open to public at 7:31 p.m.

Paula Danchuk of 50 Elizabeth Way. Concern of manmade swale. Believes it is a natural stream and a Stream Encroachment permit is necessary.

Selvaggi – Matter is under jurisdiction of NJ DEP.

Phil – advises Ms. Danchuk to contact the Municipal Clerk to locate Permit Case number.

Danchuk – Objects to last house at end of cul-de-sac.

Malman – Subject to NJDEP approval.

Greg Puskas 173 Orben Drive. Would like to see public access to open space adjacent to site incorporated into the plan.

Malman – Will review matter with his Client.

Closed to public at 7:40 p.m.

Motion to grant of variances for: Lot M1 – inadequate lot width and Lots M4, M5, M6 – retaining walls in front of properties. Motion by Foley, second by Loughridge. Foley, Loughridge, Levitt, Stanzilis, Sendler, Galate and Ondish: Yes. Hughes: No.

Motion to approve preliminary and final subdivision application with the noted conditions. Motion by Levitt, second by Loughridge. Foley, Loughridge, Levitt, Stanzilis, Sendler, Galate and Ondish: Yes. Hughes: No.

Motion to adjourn at 7:50 p.m. by Foley, Second by Sendler. All in favor.

Reyna M. Crane – Clerk/Secretary to the Board