

**BOROUGH OF MOUNT ARLINGTON**  
**LAND USE BOARD MEETING MINUTES**  
February 26, 2020  
7:00 PM

Meeting called to order at 7:08 p.m.

“Pledge of Allegiance to the Flag” recited.

This meeting was advertised in the Daily Record and the Roxbury Register.

Melissa Fostle, Class III member was sworn in.

Attendance Roll Call: Hallowich, Driscoll, Foley, BaRoss, Van den Hende, Fostle, Rinaldi, Mayor Stanzilis, Green, Meehan

Absent: Lang

Motion to nominate Vice Chairman of the Board: Motion by Foley to nominate Melissa Fostle by Mayor Stanzilis, Second by BaRoss.

Roll Call: Hallowich, Foley, Driscoll, BaRoss, Fostle, Rinaldi, Mayor Stanzilis, Green, Meehan  
Motion approved.

Motion for approval of meeting minutes from November 28, 2018. Motion by Driscoll. Second by BaRoss.

Roll Call: Hallowich, Foley, Driscoll, Van den Hende, Fostle, BaRoss, Rinaldi, Mayor Stanzilis, Green, Meehan. Motion approved.

Motion to approve Vouchers. Motion by BaRoss, Second by Driscoll.

Roll Call: Hallowich, Foley, Driscoll, BaRoss, Van den Hende, Fostle, Rinaldi, Mayor Stanzilis, Green, Meehan. Motion approved.

**Memorialization of Resolution:** 112 McGregor Ave.- Chaplin Homes, LLC

Block 2, Lot 51, Variance Plan and Bulk Variances

Deemed complete December 13, 2019

Approved January 22, 2020

**Vote:**

**In Favor – 8**

**Opposed – 0**

**Abstained – 0**

Motion to approved Memorialization by BaRoss, second by Foley.

Roll Call: Hallowich, Driscoll, Foley, Van den Hende, BaRoss, Rinaldi, Mayor Stanzilis, Green, Meehan

**Application continued:** 21 S. Bertrand Island Rd. – Andre & Kim Floyd  
Block 52, Lot 15,  
Site Plan, C & D Variances  
Deemed Complete December 30, 2019

**Recused:**

**Dave BaRoss**

**Mayor Stanzilis**

**Melissa Fostle**

David R. Troast licensed professional Planner, Licensed landscape architect  
53 9<sup>th</sup> Ave., Hawthorn, NJ

**Exhibit B1** – recent pictures of the site and neighborhood taken by Mr. Troast  
Existing bungalow to be demolished and rebuild a new single-family home consistent with the  
neighborhood

RA 7.5 Residential area

Use Variance D4- FAR

Bulk Variances

Pg. 2 of Exhibit B1

- Photo 1 aerial of lot and existing structure
- Photo 2 photo picture of bungalow from lake
- Photo 3 view of foundation
- Photo 4 view from lake with house on the right
- Photo 6 view down Bertrand of neighborhood

D Variance-

Special Reasons:

1. removing a dilapidated bungalow and replacing with a modern single-family dwelling.
2. reduces front yard setback and some side yard conditions
3. desirable visual environment shown on architectural drawings

Proposed home reduces the front yard setback of existing dwelling and reduces some of the side yard conditions.

Bulk Variances-C

Lot width both parcels on each side are fully developed and cannot be purchased to enlarge the lot  
50ft required 40ft exists

Lot size 6895ft. exists, 7500ft. required

Front yard -25ft required, 5.7ft is existing

Side 10 ft required –

Building height complies, standard is 32ft, actual height is under that

2 ½ stories permitted, 3 stories proposed. This is based on the topographic conditions of the lot.

Mr. Troast refers to our Master Plan before going forward with positive and negative criteria.

New home will be consistent with promoting historical development

Compatible with the neighborhood

Reduces variances

Min front yard setback is being improved  
Topography shape and location of property  
New location respects distance of house from the lake-62ft from the lake  
Width of property is a hardship

Michael Bengis states that LUB engineer pointed out deficiencies on the original architectural plans and that they will be corrected.

Fred Stuart submitted new plans 2/14/20.

Outlined items that needed minor revisions some related to architectural plans

Driveway slope required is 15%, this is met. The transition area does not meet criteria.

Slope at street 10 ft at 2%. Where garage is a 1.42% transition, 11.25% where porch is, a portion of that is 2% but will need a variation.

Retaining walls should be at least 2 times higher than the lower wall- will separate walls by another foot.

Storm water management- will provide soil log for infiltration area.

There will be an overflow pond in the rear of the yard added to the drainage plan.

This will be added as a deed restriction item.

Pervious pavers be added as a deed restriction

Retaining walls greater than 4ft in height will comply with the Building code.

**Open to the Public:**

Ann Pravs – Lake Hopatcong Commission

Reviews the letter from the commission

Mike Valenti – 23 South Bertrand Rd.

Approves the applicants plans and is looking forward to seeing the existing dilapidated building improved.

**Variiances:**

Min. front yard

Side yard

FAR

Stories-2 ½ permitted, 3 proposed

Driveway slope

Slope disturbance

Grading Setback

Retaining wall height, distance to property line

**Vote:**

**In Favor - 6**

**Opposed - 1**

**Abstained- 0**

**Motion** by Hallowich, Second by Meehan

**Roll Call:** Hallowich, Driscoll, Foley, Rinaldi, Green, Meehan

**Application:** 23 Bertrand Island Rd. – Gilray, LLC  
Block 57, Lot 8  
Bulk Variances  
Deemed Complete December 15, 2019

**Tom Foley Recused**

Bernd Hefele attorney for the Applicant

House was previously rebuilt on the same foot print, owner is now proposing a 484 sq. ft. garage attached via breezeway.

Reducing impervious coverage

FAR is below requirements

Garage requires C Variances:

Front yard

Both Side yard

Driveway slope variance

Grading setback

Ray Torella, owner of Gilray, LLC was sworn in, his father owned home for 20 years and passed recently. Proposing to add a 2 car garage. Originally there were numerous sheds on the property that were old and needed to be removed. A garage is needed for storage and to add more parking.

Jim Glasson – Civil Engineering, Inc., 1 Cove St., Budd Lake, NJ 07828

Sworn in

**Exhibit A1** – 1/23/20 revised color version

RA7.5 Zone - 11,898 sq.ft , 7,500 sq.ft. is required

62 ft. of frontage where 50ft. is required

Right sideline 192 and left 191

1140 sq. ft existing structure

Proposed structure sits in same footprint

Parking at top of driveway- there is a steep slope and no flat area to get to the house, no landing.

Miscellaneous areas of concrete structures with old sheds and patio area's that were removed

54.2 ft from front property line and side set back is non-conforming 9.9ft on the right and left side is conforming.

2 docks on the property that are pre-existing non-conforming that will be added as a variance

Existing driveway is very steep, the first 30 ft. from the road drops at 25% and the next 40ft drops at 10% and remainder is only 3.5%. These slopes are manmade, it is a large paved driveway.

Proposing to add a 122 ft. area of breezeway from the house connected to the proposed garage. This will make the garage be part of the principal structure.

Existing impervious 47% and have cut it down to 34% where 50% is allowed. Existing structures (Sheds) and concrete slabs and driveway has been removed. The Applicant is proposing green space and stone

swales for water runoff in place of the concrete slabs and structures. Proposed swales on both sides of the house will be flattened slightly as per Morris County Soils recommendations but stay the same width.

50% Impervious coverage is allowed, 47% is existing and 34% is proposed.

27.8 ft. away from adjacent driveway to the left, existing condition was concrete on that side. The proposed driveway is reducing the distance between the adjacent driveway.

Road elevation is 99 and the garage elevation is 90. The only area you will see from the street is the roof of the garage.

Left hand side of house the neighbor has rail road tie wall, applicant needs a wall so they agreed to remove the railroad tie wall and replace with a common wall coming off their wall from the applicants raised parking area. They will build a 3.8ft high common retaining wall, grading will need to be shown on plans. The applicant will be responsible as the wall is on the applicant's property.

The proposed roof height is 31 ft. where 32 ft. is allowed.

The parking pad at the top is 22ft deep, there is a safety fence surrounding it.

The House is 1025ft, 122ft. of breezeway and 484ft. for garage total FAR is .26% and allowed .30%.

**Variances:**

2 driveway variances

Side yard

Side yard combined

Front yard

Design waiver – distance between driveway, ordinance requires 50ft.

Design waiver for the wall

3.65ft wall height and distance from property line

Grading set back

2 docks pre existing non-conforming

**Open to the public:**

Tom Foley is in favor of this application, the property owner took great consideration to the neighbors and Lake Hopatcong in the planning.

Closed to the Public

**Vote:**

**In Favor - 8**

**Opposed -0**

**Abstained- 0**

**Motion** by Fostle, Second by Hallowich

**Roll Call:** Hallowich, Driscoll, Van den Hende, Rinaldi, BaRoss, Mayor Stanzilis, Green, Meehan

Motion to adjourn 9:28pm