

**BOROUGH OF MOUNT ARLINGTON**  
**LAND USE BOARD MEETING MINUTES**  
Reorganization Meeting  
January 22, 2020  
7:00 PM

Meeting called to order at 7:09 p.m.

“Pledge of Allegiance to the Flag” recited.

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

Mayor Michael Stanzilis, Class I member and Carolyn Rinaldi, Class II member were sworn in.

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

Motion to nominate Chairman of the Board: Motion by Foley to nominate J. Robert Van den Hende.  
Second by BaRoss.

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

Motion to nominate Vice Chairman of the Board: Motion to carry the nomination of vice chair to the next meeting by Mayor Stanzilis, second by Foley  
Roll Call: Hallowich, Foley, Driscoll, Van den Hende, BaRoss, Rinaldi, Mayor Stanzilis, Lang, Green, Meehan. Motion approved.

Motion to nominate Secretary of the Board: Motion by Rinaldi to nominate Kathy Appleby. Second by BaRoss.  
Roll Call: Hallowich, Foley, Driscoll, Van den Hende, BaRoss, Rinaldi, Mayor Stanzilis, Lang, Green, Meehan. Motion approved.

Motion to nominate Attorney of the Board: Motion to nominate Michael Selvaggi, Esq., of Lavery, Selvaggi, Abromitis and Cohen, PC by Foley. Second by BaRoss.  
Roll Call: Hallowich, Foley, Driscoll, Van den Hende, BaRoss, Rinaldi, Mayor Stanzilis, Lang, Green, Meehan. Motion approved.

Motion to nominate Engineer of the Board: Motion to nominate Dave Clark, of CP Engineers by Mayor Stanzilis. Second by Foley.  
Roll Call: Hallowich, Foley, Driscoll, Van den Hende, BaRoss, Rinaldi, Mayor Stanzilis, Lang, Green, Meehan.  
Motion approved.

Motion to nominate Planner of the Board: Motion to nominate Jessica Caldwell of Caldwell & Associates by Rinaldi. Second by BaRoss.

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

Motion to nominate The Daily Record and Roxbury Register as the official 2020 newspapers for the Board: Motion by Rinaldi. Second by Hallowich.

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

### **Regular Session Dates**

January 22, 2020 – Reorganization

February 26, 2020

March 25, 2020

April 22, 2020

May 27, 2020

June 24, 2020

July 22, 2020

August 26, 2020

September 23, 2020

October 28, 2020

November 18, 2020

December 16, 2020

January 27, 2021 - Reorganization

Motion to accept Regular Meeting dates for the year 2020 and January 2021 by Foley. Second by Rinaldi. Motion approved.

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

Note: Work Sessions will be scheduled as needed. The Engineer, Planner and Attorney will be present at work sessions only when requested. The Attorney and Engineer will be present at all regular and special meetings. The Planner will be present at regular and special meetings only when requested

Motion to approve advertising Regular meeting dates for the year 2020 and January 2021 by Hallowich. Second by Rinaldi.

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

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

Roll Call: Hallowich, Foley, Driscoll, Van den Hende, BaRoss, Lang, Green, Meehan. Motion approved.

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

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

**Memorialization of Resolution to Approve Application:**

113 N. Bertrand Ave – Taylor, Block 39, Lot 35.

Action taken at the public hearing on December 18, 2019 was to authorize preparation of a Resolution for approval as the Professionals did not receive the revised plans for review prior to the public hearing. Public hearing is open. If Application is approved the Resolution can be adopted.

Mayor Stanzilis and Dave BaRoss recused as they were noticed.

Dave Clark reviewed the revised plans and is satisfied with the changes.  
No questions from the Board.

**Open to the Public:**

Ed Walther - son of Emma Walther who resides at 107 N. Bertrand Island Rd.  
Had concerns of the side yard setback, the rain garden size and the chimney being too close to their house. Mr. Walther had concerns of a boulder in the basement of the dwelling, which will be addressed if the application is approved and a building permit is submitted. Emma Walther also made comments about the boulder in the basement and side yard setback. The setback is pre-existing and is not changing.

**Closed to the public**

Application as reflected in the resolution  
Use variance for FAR  
Bulk Variance for side and rear yards and impervious coverage.  
Boathouse distance from neighboring property  
Rain garden - applicant will record a deed restriction to maintain the rain garden

**Memorialization of Resolution to Approve Application:** Taylor – 113 N. Bertrand Island Rd. Block  
Motion by Driscoll. Second by Hallowich  
Roll call: Hallowich, Driscoll, Van den Hende, Green, Meehan

**Vote:**

**In Favor – 5**

**Opposed – 0**

**Abstained - 2**

**Memorialization of Resolution:** Charnet-497 Windemere Ave. Block 38, Lot 3

**Approved:** December 18, 2019

**Vote:**

**In Favor - 6**

**Opposed - 0**

**Abstained –1**

Motion to Approve Memorialization by BaRoss, second by Driscoll  
Roll Call: Hallowich, Driscoll, BaRoss, Green, Meehan

**Application:** 23 Bertrand Island Rd.-Gilray will not be heard. Notice was not acceptable, conditions related to application and plans need to be revised. Hearing to be rescheduled and a new Notice will be sent out.

**Application:** 112 McGregor Ave.- Chaplin Homes, LLC,  
Block 2, Lot 51, Variance Plan and Bulk Variances  
Deemed complete December 13, 2019

Brian Chaplin of Chaplin Homes Inc. was sworn in  
Mr. Chaplin is not the owner, he is the contractor for 112 McGregor and is proposing to build a 28ft by 46ft home.

Fred Stewart Engineer

Lot 51 block 2 property is approx. 50ft. wide and 225ft. deep with a slope with a 18% slope. Existing foundation will be approximately where the dwelling will be set. 2 story dwelling with 2 car garage. Driveway will slope up to garage at 15% slope and 5% at top by the garage. 4.2ft. retaining wall on left side of driveway and stairs off to the right with 2 small walls. Grading in the rear of property propose 6ft high retaining wall 18<sup>ft.</sup> off the rear of the house, it is U shaped and 5ft off side property lines. The wall will have a stone filled trench for water run off with piping at bottom of the wall to the catch basin or drywells. The roof liters connect to the drywells with an overflow pipe to the catch basin. Driveway can be pitched to direct runoff to the catch basin. A trench grate can be implemented at bottom of driveway to direct water to catch basin.

Hardships – the width of lot

Applicant will reduce the width of the house from 28ft. to 26ft.

Storm water management plan

Sewer easement showing on tax map was when the sewer mains were installed and the Borough maintained responsibility for the pumps. After 2014 the pumps were to be maintained by property owner. Easements were strictly for borough access only.

**Open to Public:**

Anita Petterson 111 McGregor Ave.

Concerns of the runoff going straight across her property even with a 10 inch wide trench grate. Ms. Petterson asks if the applicant can put in pervious pavers instead of asphalt.

Drywells are to be installed for roof runoff and swells in the side yards for additional water runoff.

Michael Depasqual owner of the estate- 3 Karen Place Fairfield NJ

Believes a trench grate will help the problem. The property is currently overgrown and an eyesore, developing the property will add value to the area.

Builder responds that sod will be added for landscaping purposes

Colleen Degraw 110 McGregor- concerns of a large house on a small property

**Closed to the Public**

**Conditions:**

Barrier on top of rear retaining wall

10-inch trench grate at bottom of driveway

Reduction in the width of the house from 28ft. to 26ft.

Deed restriction for drywells and the trench drain to be maintained

Transition area from the driveway to the road.

Variances:

Combined side yard

Driveway slopes

Disturbance to slope

Grading setback

C 1 standard – narrowness of the property and the grade, properties on both sides are developed.

Motion to approve Application by Foley. Second by Rinaldi

Hallowich, Foley, Driscoll, Van den Hende, BaRoss, Rinaldi, Mayor Stanzilis, Lang

**Vote:**

**In Favor – 8**

**Opposed – 0**

**Abstained - 0**

**Application:** 21 S. Bertrand Island Rd. – Andre & Kim Floyd

Block 52, Lot 15,

Site Plan, C & D Variances

Deemed Complete December 30, 2019

Fred Stuart Engineer and Surveyor sworn in.

The Home is located in southwesterly portion of the property, lot slopes down towards the lake.

Construct a 2-story dwelling with a basement.

Walkout basement to patio and first floor walks out to deck

Variances:

Minimum lot area

Minimum lot width

Front yard setback.

Side setback

Combined side yard required 5

Max lot coverage

There is a swale located on both sidelines of the home going to rear of property, roof liter system connected to an underground stone filled trench which that overflow will go to a small pond. There is also a trench grate on driveway that will flow into the same system.

**Exhibit A1** – aerial photo looking from lakeside.

Deed restriction regarding storm water management maintenance  
Retaining walls need be to spaced 2 times wider than the lower one.  
Retaining wall and retention pond details are on the engineering plans

Michael Bengis-Architect, states that the applicant's family has owned this land for 90 years, they wish to live there year around and to keep it in the family to live year around.

Mr. Selvaggi suggest that before proceeding with the Mr. Hestivold's testimony, the applicant should have a Planner to testify to the FAR "D" Variance.

Mr. Hestivold makes a comment on the lot size and the comparison of the surrounding lot sizes being similar in size with similar size houses. The one side is at 2.9 ft. which is a small bump out, the rest of the proposed dwelling is at 10ft side yard.

It is currently a 90 year old home that is collapsing. The surrounding neighbors are looking forward to this project going forward.

Application to be continued to the next LUB meeting on February 26, 2020 without further notice.

**Meeting adjourned 10:29**