

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD MEETING MINUTES
June 24, 2020
7:00 PM

Meeting called to order at 7:02 p.m.

“Pledge of Allegiance to the Flag” recited.

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

Attendance Roll Call: Hallowich, Driscoll, Foley, Van den Hende, Fostle, BaRoss, Rinaldi, Lang, Green, Meehan, Karpman, Roldan

Absent: None

Moment of Silence for Mr. Mulch

Motion to approve Voucher List by Foley, second by Fostle

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

Resolution: 65 N. Bertrand Road – Michael Boccher, Block 51, Lot 10.03

Variance for a 10ft dock extension.

Motion to approve Resolution by Foley, Second by Hallowich

Roll call: Hallowich, Foley, Driscoll, Van den Hende, Fostle, BaRoss, Rinaldi, Lang, Green

Resolution: Redevelopment Plan

Motion to approve Resolution by Fostle, Second by Foley

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

Application: Wernick- 499 Windemere Ave. Block 38, Lot 4

- Bulk Area Variance
- FAR Variance

Recused:

Van den Hende

Fostle

Mayor Stanzilis

Nomination for temporary Chairperson

Motion to appoint Dave BaRoss as temporary Chair by Foley, Second by Rinaldi

Roll call: Hallowich, Foley, Driscoll, Rinaldi, Lang, Green, Meehan, Karpman

Cliff Lundin attorney for the applicants opens with description of the property. There were 2 prior hearings on this property under the former owner. The initial application was in 2006 including driveway, parking area and reconstruction of the boathouse which was the primary residence on the property and the Second application was in January of 2013 for the reconstruction of boathouse and construction of a new single-family dwelling. The Boards consideration was declared complete on that application September 25, 2013, application was approved on December 11, 2013 and the resolution was memorialized January 2, 2014.

The 2014 memorialization provided that the boathouse to be utilized while new house was being built and the boat house to be dismantled in one year and reconstructed. In that memorialization there was a deed restriction for the boat house to never be used as a secondary residence. The Deed restriction was never recorded. The owner Mr. Spataro discovered structural issues with boat house prior to constructing the new dwelling. The boathouse was dismantled but never intended to be abandoned. Mr. Spataro kept materials that were salvageable and left an existing wall. Mr. Spataro sold the property on 6/21/18 to Mr. Lundin's client. The applicant is asking for approval to construct a new single-family home, swimming pool and detached garage. Also rebuild the boat house as in the prior approval.

Matt and Lisa Wernick are sworn in to give testimony.

Mattiew Wernick

Elisa Wernick

155 W. 68 Street, Apt. 30 D

New York, NY 10023

Mr. Wernick's grandfather owned property off Riverstyx Rd. in Hopatcong for over 70 years, he spent summers there all his life. Mr. Wernick bought his own small cottage that his wife and him own now but have outgrown. Mr. & Mrs. Wernick found this property at 499 Windemere and fell in love with it. They have no intention to use the boathouse as a secondary residence and are agreeable to the prior approval of the deed restriction.

Tom Graham is sworn in

Licensed profession engineer for Dykstra Walker Design Group

Qualified as expert witness before the Board

The property is 81ft wide at road and 102ft at the lake, 300ft. in length.

27,098 sq. ft. 0.62 acres

Existing is a driveway, 2 parking areas, a retaining wall, stairs to a walk way access and dock that supported the boat house.

Applicant proposes to construct a 3.5 story single family dwelling with a detached garage, pool and patio area and reconstruct the boat house as per prior approval. There is a well on property and city sewer will be connected.

17-29 FAR

0.18% allowed

0.27% proposed included dwelling and garage. FAR does not include the Boathouse as per other applications based on structure is not on the lot.

17-30.1a min. lot width

Allowed 100ft

81ft wide at roadway

Max bldg. height 17-30.2a

35ft or 2.5 stories allowed

35.9ft or 3.5 Stories proposed

17-30.4a Max lot coverage 25% allowed

Proposed 45.2% on plans (4/29/20)

17-30.8d Steep slope

Steep slope sight, entire property is considered steep slopes
Exceeds 3 categories

17-32.18 Accessory building in front yard

17-32.1c Max height accessory building, reviewed and will make revision on height of garage, will not exceed the 12ft.

The existing driveway and parking area are at 24% where 25% is allowed.

Driveway Slopes 17-22.5h

- Road within 10 ft not to exceed 2%, proposed is 7.3%
- Slope at garage is not to exceed 5%, proposed is at 4.8%, no variance needed.
- Stem of driveway max allowed 15% is constructed at 20%

Only thing changing is that they are constructing garage in lower area from previously approved plans

Dock extension into lake allows 50ft. existing is 58.8ft.

Existing dock is at 39%, once boat house is constructed water lot coverage will be at 45.5%

All lighting will be within the ordinance

Revise the FAR, pending on recommendations from the board, they will make revisions if requested.

Bulk head will be repaired and it will not be extended into the lake

Boat House will not be used as a residential unit

FAR was introduced to control the overdevelopment of a piece of property. FAR involving water in this application is critical to include as this boat house has living area. The living area only should be included in the square footage.

Steven Bias, Architect

344 Rt. 46 West

Denville, NJ 07834

Mr. Bias confirms that the square footage of boathouse is 21.45sq. ft. including covered porch but not the boat slip.

Mr. Bias confirms that the boathouse will not have a kitchen, no cooking appliances. Only a sink and refrigerator.

They will do a test pit on the drywells and a soil test. Mr. Graham believes that the drywells will be able to handle the water run-off.

Steve Bias says they will accommodate the 9 inches in height and make it conform.

Garage will be reduced to 22'x24' to meet ordinance area

The pavers in the pool area will be replaced with pervious pavers opposed to swapping out in the parking area and driveway.

Steve Bias goes through the Architectural plans. Concept is to design a conventional house with bedrooms on upper floor, living area on main floor and basement and recreational area below. The basement is considered the 1st floor, it is designated a story because it is higher than 12ft. The height can be modified lessening ceiling heights to accommodate the 9 inches. They could not create an ADA compliant access to the pool level. The access to the pool area is from the basement with the elevator with access from the front entrance of the home. The Character of the house is to conform to the historical nature of the lake. All primary rooms have a lake view. The boathouse will conform to the original plans the previous owner had drawn up. They took the historical footprint and designed the new boat house to that. The material from the old boathouse will be used as part of the structure of the new boathouse. The staircase that runs along the side of the house will be reconstructed and will lessen the width from 8ft. The two (2) stone pillars will be incorporated into the landscape design.

Martin Kane was sworn in Attorney by trade but spends a lot time on the history of lake Hopatcong. He shares a picture of the property and the boathouse.

Mike Selvaggi suggests to revisit at the next meeting with the new numbers and new plans.

Applicant is looking to reduce size and percentage in the following as per the Boards recommendations:

- Swimming pool
- Height of building
- Size of garage
- Impervious coverage
- FAR (with and without boathouse)

Colleen Lyons from the Lake Hopatcong Commission is appreciative of the consideration of the Applicant and of the Boards recommendations to the Applicant

Rob Van Den Hende spoke with applicant and is appreciative of the effort the applicant and their professionals put into the planning of this property and is positive about what they are doing

Applicant to receive revised plans by July 10, 2020, 10 days prior to July 22, 2020 meeting. Discussion is concluded and will be carried to 7/22/20 meeting, applicant is not required to re notice.

Motion to Adjourn by Foley, Second by Lang