

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD MEETING MINUTES
June 23, 2021

Meeting called to order at 7:05 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, Foley, Driscoll, Van den Hende, BaRoss, Rinaldi, Green, Karpman, Roldan

Absent: Lang, Mayor Stanzilis, Fostle, Meehan

Motion to approve Vouchers by Foley, Second by Green

Roll call: Hallowich, Driscoll, Foley, Van den Hende, BaRoss, Rinaldi, Green, Karpman, Roldan

Application carried from May 26, 2021:

Leonid Boguslavski

485 Windemere

Block 39, Lot 6

Bulk Variances, D Variance

Deemed Compete: May 5, 2021

Jeff Careaga Engineer was previously sworn in.

Proposing a pool, cabana, firepit and patio

26% coverage proposed, 25% is allowed

Drywells proposed are sized for a 100 year storm, no additional runoff from this development.

Proposed walk way to the pool will not continue to the boathouse as there is a 25ft. riparian zone.

1st level will accommodate three boat slips, 2nd story is living quarters and 3rd story storage space. Maximum DEP footprint requirement for boathouse and dock is 2000sq.ft. Applicants proposed footprint is 1955sq. ft.

Building coverage allowed is 18%, 3.8% is existing and 4.0% proposed

Height variance for boathouse, allowed 12ft, proposed 33ft.

Chairman asks if 8ft. ceiling is needed in the 3rd story storage area, can it be lowered or removed?

Mr. Careaga states that it can but will still trigger a height variance.

Mr. Foley asks if the boathouse is included in the lot coverage?

Mr. Careaga responds that the boathouse is not technically on the property so it is not considered in lot coverage.

Mr. Hefele states that the impervious coverage proposed is 26%, where 25% is allowed, it is only for the pool, cabana, walkway and patio. The boathouse is not included.

The original boathouse was much smaller than what the applicant is proposing. There were sanitary facilities in the boathouse. Mr. Careaga testifies that there was a cesspool located on the property by the boathouse.

Mr. Careaga refers back to the LHC concerns of the additional lot coverage and that the boathouse is oversized and will be used as a residence.

Mr. Hefele states that the property is oversized, it has a 7500sq.ft. house on it. The boathouse with a 1955sq.ft footprint will not look like an overly large structure on the property.

Dave Clark

DEP approval provisions within flood hazard rules

Condition of approval, the applicant will have verification from the DEP prior to construction

Mr. Careaga confirms the existing FAR at 6.32%, proposed 11.31%, allowed 18%.

They will remove 60ft. of the existing driveway to eliminate the impervious coverage variance

The kitchen in the boathouse will be removed.

The boathouse is 280ft. away from the residence and 60ft lower.

Jessica Caldwell:

Asks Mr. Careaga to give the difference between existing boathouse foundation and the proposed, also the square footage comparisons

Mr. Careaga: Previous foundation 40ft.x50ft. with separate dock 7ft.x45ft.

Approximately 30% larger than previous foundation. Existing foundation is concrete and proposed will be on piles.

Proposed square footage is 75% larger in square feet.

Ms. Caldwell's concerns:

- Size of the boathouse
- Boathouse is not relative to the other boathouses in the area
- No special reasons for the size or accommodations

The size of the proposed boathouse is out of scale to the character of the surrounding boathouses.

Mr. Clark: the applicant proposed infiltration systems. The borough has a storm water ordinance to use green infrastructure such as rain gardens, etc.

Pool and patio area - is the water being collected somehow or will it be running off into the lake.

Mr. Careaga says that they will install a raingarden. There will be a deed restriction and maintenance plan.

Removing concrete dock and replacing with pilings-DEP requirement that if on pilings, the boathouse must be 14 inches above the water...to be clarified on plans.

Number of boats moored at a particular dock classifies as a marina. Are boats able to be moored at the docks on the outer side of the boathouse. They will agree to a deed restriction to moor no more than four (4) boats.

5 min break

They will take out the storage area completely and lower the entire boathouse height from 33ft. to 25ft. which is approximately the same height as the original boathouse.

They will take out part of the driveway to alleviate impervious coverage.

Impervious coverage variance is eliminated by removing 80ft of driveway.

Open to the public:

Linda Tobey
4 Lee Drive

Concerned about the aquafer when excavating for the pool. Their wells are only 95ft. deep, will it change the way the aquafer runs.

Mr. Careaga states that the runoff goes downhill and does not believe it will affect the wells.

Ann Pravs
LHC

Asks about the property and the boathouse being a grandfathered use.
The boathouse was demolished. It would not be a grandfathered use.

Mr. Hefele states that he can prove that the boathouse did exist if need be in the future.

Closed to the Public

D1 Variances:

- No accessory structure with living area
- No living or sleeping accommodation
- Single family zone, boathouse is a 2nd dwelling use

C Variances:

- Impervious coverage was eliminated by removing 80ft of driveway
- Driveway slope is 12% where 2% is maximum
- Overall slope is 25% where 15% is permitted
- Height of accessory structure allowed is 12ft. the applicant removed the 3rd floor storage space which reduces the height by 8ft. bringing it to 25ft. from 33ft. Variance still required
- Max square footage for accessory structure allowed is 528sq. ft., the proposed boathouse is 1955sq.ft. other accessory structures on property is 715sq.ft. Total square footage is 2670sq. ft.
- No combinations of docks shall occupy more that 15% of the water lot, 18.06% proposed

Pre-existing non-conforming conditions:

- Retaining wall in the ROW- Mr. Hefele provided letter of no interest from the County.
- Accessory building in front yard - Garage
- Minimum side yard setback - Existing is 8.5ft where 12ft is required.
- Accessory building side yard setback for dog run- 0ft. existing, where 12ft. is required

Conditions:

- Stormwater management - implement green infrastructure
- Maintenance plans with deed restrictions
- eliminate the kitchen
- coordinate with borough inspectors regarding Carbon monoxide
- No more than 4 boats capable of mooring
- Deed restrictions prohibiting the use of renting the property
- Remove the storage area to lower roof height by 8ft.
- Remove driveway by 80ft.

Motion to approve by Foley, Second by BaRoss

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

D4 Variance

Vote:

In Favor - 2

Opposed - 5

Abstained – 0

Meeting Adjourned