

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD MEETING MINUTES

May 24, 2023

7:00 PM

Meeting called to order at 7:01 p.m.

“Pledge of Allegiance to the Flag” recited.

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

Attendance Roll Call: Driscoll, Foley, Van den Hende, Rinaldi, Green, Roldan, Karpman, Fuller, Wilson

Absent: Mayor Stanzilis, Fostle, Hallowich

Motion for approval of meeting minutes from April 26, 2023. Motion by Rinaldi. Second by Green

Roll Call: Foley, Driscoll, Green, Roldan, Rinaldi, Karpman, Fuller

Motion approved.

Motion to approve Vouchers. Motion by Karpman. Second by Roldan.

Roll Call: Driscoll, Foley, Van den Hende, Rinaldi, Green, Roldan, Karpman, Fuller, Wilson

Motion approved.

Resolution:

Richard and Valerie Rosati

85 Bertrand Island Rd.

Mt. Arlington, NJ

B. 54, L. 5

Attached two (2) car garage

D4 Variance (FAR)

Bulk Variance

Motion to approve Resolution by Foley. Second by Karpman

Roll Call: Driscoll, Foley, Van den Hende, Rinaldi, Green, Roldan, Karpman

Vote:

Yes: 7

No: 0

Abstained: 0

Application:

Phil Harvey
23 McGregor
B. 10, L. 60
Detached Two (2) Car Garage
Bulk Variance
D4 Variance (FAR)

Bernd Hefele, attorney for the applicant introduced himself, then stated that the property is a lakefront home owned by Phil Harvey. The lot is undersized in the RA-15 Zone that consists of 11,126 sq. ft. The applicant is seeking to construct a detached garage with second story storage space. Mr. Hefele introduces the Applicant.

Phillip Andrew Harvey was sworn in. Mr. Harvey has owned the property for approximately eight (8) weeks. Mr. Harvey states that he has an elderly parent that will be living with him that requires first floor access. Mr. Harvey is looking to renovate the existing attached garage into a living space for the elderly parent and construct a detached two (2) car garage with second story for storage. Electric will be the only utility in the proposed garage.

John Babula, 976 Tabor Rd., Morris Plains, NJ, Architect for the Applicant was sworn in. Mr. Babula shows a color rendering of the proposed garage matching the same colors and design as the house marked:

Exhibit A-1 Color Rendering of proposed Garage, showing that the design and color match the existing house.

The proposed garage is 22ft. x 22ft. two car garage, stairs on the side that go up to the storage/work area.

Chairman asks about the existing pavers and if they will be removed. Mr. Hefele states that some of the pavers will be removed, they are trying to reduce the impervious coverage.

Ms. Roldan asks how the roofline of the proposed garage compares to the elevation of house. Mr. Babula states that it is lower than the existing house.

Tom Graham, Engineer for Dykstra, Walker Design Group, 21 Bowling Green Pkwy, #204 Lake Hopatcong. Mr. Graham states that they thought they had the peak elevation on the plan, but the building height the Ordinance is measured from the median roof height between the eve and the peak. The house median roof elevation is 964 and the garage structure it is 967 approximately 4.5 ft higher up the hill and the roof of the house is much bigger than the roof of the garage so the peak of roof is above the peak of the garage, he did not have the exact numbers.

Existing lot supports single family home paved parking area and a dock to the lake. It is located in the RA-15 Zone district. Property slopes east to west towards the lake, elevation at the road is

954 and the elevation at lake level is 926 approximately 28ft drop across property. Applicant is proposing to construct a two story 484 sq ft garage within an existing paved driveway area between the dwelling and the road. No water or sewer to the building, electricity only. The existing lot is undersized for the zone, it is 11,126 sq. ft. where 15,000 sq. ft. is required. The lot is 61.5ft. wide where 100ft. is required for that zone.

Pre-existing non-conforming conditions are noted on CP Engineers May 18, 2023 Technical Review Letter.

Mr. Graham states that once the garage is constructed all the conditions that were identified will remain unchanged exception of two:

- Accessory structures are at three (3) they will have four (4) including garage
- FAR will go from 0.42% to 0.51%

Mr. Hefele asks Mr. Graham to identify the other accessory structures. Mr. Graham states that there are a couple sheds in the back that are on the plan and the other is in the vicinity of the well.

Chairman asks what are the uses of the sheds. Mr. Graham states that they for storage of lawn furniture, boating accessories, lawn maintenance equipment etc. Chairman asks if one of the sheds can be removed, applicant says yes. The medium sizes shed along the northerly property line most easterly will be removed. Mr. Graham marks Sheet 1 of 2 of the Plans for exhibit A-2, highlighted shed to be removed.

Exhibit A-2 Dykstra Walker Variance Plan sheet 1 of 2 dated 3/31/23. Shed (approx. 24 sq. ft.) to be removed is highlighted.

The removal of the shed will make one of the pre-existing non-conforming conditions better by about a half of foot or so. Maximum area for accessory structure will be reduce to 605sq. ft. from 629 sq. ft. by removing the shed.

Do to where they proposed the garage will be there will be no increase in impervious coverage associated with the property. Mr. Graham stated that the property is already over the allowable impervious coverage under the existing conditions so they will try to provide a rain garden or other water quality feature to help offset the impervious coverage. They will also remove areas that are currently paved, that will become grass.

Other items that needed to be corrected on the plans are:

- Zone Table
- Confirm conversion factor of the flood map data (documentation will be provided)
- Retaining walls higher than 4ft requires to be designed by a licensed engineer

Chairman asks if it is possible to put in a small drywell. Mr. Graham states that there is limited area on the down hill side and the drywell dimension is 9ft x 9ft and has to be 10 ft. away from the house so they were thinking a rain garden in the front would be an aesthetic improvement as well as a functional improvement for water quality.

Alexander Dougherty, PP is sworn in.
McDonough Associates
101 Gibraltar Ave., Suite 1A

Exhibit A-3 Five (5) pages of Drone photos taken by John McDonough Associates:

- Pg. 1 Aerial of site looking East taken 5/24/23
- Pg. 2 Aerial of site looking East take last year 4/27/23
- Pg. 3 Aerial of site looking East taken 5/24/23 proposed garage location
- Pg. 4 Aerial of site looking North taken 5/24/23 showing proposed garage location
- Pg. 5 Aerial of subject site looking top-down 5/24/23

D4 site can accommodate the additional FAR
Covering existing asphalt with an attractive Garage
Garage will not over power the area
Decrease in Impervious Coverage
A, G, I & M purposes are met

Only accessory structure in the front
Height at 18.5 instead of 12ft, second floor is workshop and additional storage
No trees will be cleared

Open to public:
None

Conditions:

- As built Survey
- Modification to plans to reduce Impervious coverage to 57.6%
- The existing walkway to the driveway and the side of house will be replaced with pervious pavers which will reduce the coverage percentage, bringing it to a less impervious percentage.
- Update side yard standard
- Foundation footings does not obstruct the adjacent retaining wall
- Deed restriction for Rain Garden and 2nd story space

Motion to approve D4 (FAR) Variance and Bulk Variance application by Foley, Second by Driscoll.

Roll Call: Driscoll, Foley, Van den Hende, Rinaldi, Green, Roldan, Karpman, Fuller, Wilson

Vote:

Yes: 9

No: 0

Abstained:0

Motion to adjourn