

**MINUTES OF A MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
April 3, 2025**

James Murphy called the regular meeting to order and announced: Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by publishing the meeting notice in The Citizen on January 15, 2025 and The Morris County Daily Record on January 09, 2025 and by filing the same with the Borough Clerk and posting it on the Bulletin Board on January 6, 2025 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:33pm

ROLL CALL:

Present: Peters (7:42pm), Vecchione, DeNooyer, Leininger, Astrup, McCormick Paddock, and Murphy

Absent: Caputo

Also, Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Kelly McCormick made a motion to approve the minutes of the March 6th meeting. Brett Paddock provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

Sean and Erin Maniar

Appl # 25-764

Stephen Vecchione made a motion to adopt the resolution of approval for the Maniar application. A second was provided by Ryan Astrup. The Board voted 5 – 0 to adopt the resolution of approval with Board members Vecchione, McCormick, Paddock, DeNooyer and Astrup voting in favor.

Jeffery and Amy Eades

Appl # 25-765

Stephen Vecchione made a motion to adopt the resolution of approval for the Eades application. A second was provided by Kelly McCormick. The Board voted 5 – 0 to adopt the resolution of approval with Board members Vecchione, McCormick, Paddock, DeNooyer and Astrup voting in favor.

PUBLIC HEARINGS:

New Application:

Brad and Kendra Bohler
133 Pollard Road
Rear Setback

Appl # 25-766
Blk. 112, Lot 32
R-A zone

Brad Bohler, of 133 Pollard Road, presented his application. The Bohler's wished to add a 10' x 16' shed in the backyard to store their lawn equipment. They currently have a 50' x 50' mulched area with gardens as shown in the photo supplied with the application. The

shed would be in that mulched area. They requested an 11ft rear setback variance where 25ft was required. The shed will be 12ft high so they will need a building permit. If he needs a permit for the shed foundation he will do so. They will go with the smallest of the three shed options noted on the plans. They are placing the shed in front of three existing arborvitaes. They will be adding additional screening. The photo also showed the neighbors shed and garage which are setback 11ft from the property line. They are locating the new shed, so it does not interfere with the existing garden. Stephen Vecchione asked the color of the shed. It will have cedar siding unstained which will become gray as it ages and a light or dark gray shingle roof. Brett Paddock asked why they couldn't move the shed forward more. B. Bohler said because it would shade the existing garden.

No one from the public wished to make a comment.

Micheal Sullivan said if the Board made a motion to approve the application the applicant would need to do the following: comply with the plans submitted, do a tree management plan, provide an as built if needed, the unit would be made up of light gray components and obtain a building permit if required. A motion was made by James Murphy to approve the application submitted with the listed conditions and Brett Paddock provided the second. The Board voted 7 – 0 to approve the application with members Vecchione, DeNooyer, Leininger, Astrup, McCormick Paddock, and Murphy voting in favor.

Carried Application:

Mohamad Cherry	Appl # 24-760
223 Boulevard	Blk. 55, Lot 24.02
Improved Lot Coverage, Rear Setback	R-AA zone
Side Setback (2)	

Paul Gdanski, a licensed engineer in the state of NJ, presented the changes made to the carried application. They reduced the coverage down to 27.07% from their last request of 29.3%. They moved the fence on the western side to comply with the 25ft setback. They still need a rear setback variance for the fence located 1ft from the rear property and 24ft to the edge of the patio. On the eastern side they need a side setback variance of 1ft to the fence. James Murphy asked what the total coverage was since he did not get the same percentage. Mr. Gdanski said the breakdown on the ILC sheet was incorrect. The zoning chart on the plans was correct and the total improved area numbers at the bottom of the ILC sheet were correct. He will redo the ILC sheet and resubmit it. The Board went back to exhibit A-2 the photo board dated 12/5/2024 to review how close the neighbors were to the proposed improvements. Since the neighbor's home is about 130ft away they will not see the fence. It appeared the trees are further than 1ft from the property line. The applicant amended the application to request a 5ft rear setback to the fence that runs parallel to the property line.

The homeowner shared exhibit A-5 a photo of the church's fence on the right side of their property. The photo will be emailed to the Administrator. Kelly McCormick asked what type of fence they were installing. It would be black aluminum.

Micheal Sullivan asked the applicant to discuss the ILC request of 27% where 20% is permitted. What are the positive criteria? P. Gdnaski said the positive criteria was they are installing an extensive drainage system. Brett Paddock asked what the differences were on the plans since the last submittal. They removed a walkway and changed the

patio to a deck. Meghan Leininger asked about the A/C units under the deck, was there enough clearance. There was. S. Vecchione did not like the location of the pool equipment. The applicant suggested moving the equipment pad closer to the existing A/C units. B. Paddock was worried about the runoff. He asked if they would increase the size of the system to get down to 20% coverage. The applicant was willing to do that. The Board thought the space created by the new fence running 1ft away from the neighbor's fence created a void that could not be maintained. Paddock suggested they run the fence along the property line and turn it back in toward the corner of the house thereby eliminating the gap.

No one from the public wished to comment on the application.

Annie Peters said she was concerned about the excessive coverage. Originally you wanted 50% more than we allow. She commended them on the changes they made.

Michael Sullivan summarized the conditions of the application if approved. They would need to redo the calculation sheet for ILC and the plans. The pool equipment was to be moved, the fence on the right side will be at 0ft, the "Cultecs" unit will be increased in size to cover the extra runoff and bring them down to 20% ILC rather than 27% plus the standard conditions.

Jake DeNooyer made a motion to approve the application with the listed conditions and a second was provided by Meghan Leininger. The board voted 7 – 0 with members Peters, DeNooyer, Leininger, Astrup, McCormick Paddock, and Murphy voting in favor.

Other Matters / Public Comment:

Public Comment – No one wished to speak during the public comment portion of the meeting.

The Board members have received the updated Land Use Ordinances. Meghan Leininger shared she would be moving in June.

Stephen Vecchione made a motion to adjourn the meeting, and Annie Peters provided the second. The meeting was adjourned at 8:55PM.

Respectfully submitted,

Cynthia Shaw