

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES
August 3, 2017**

Chair Chris Richter called the meeting to order and announced: Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by adoption of the annual notice on January 05, 2017. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on January 09, 2017 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:47PM

ROLL CALL:

Present: Richter, DeNooyer, Peters and Caputo

Absent: Max, Vecchione, McConnell, Sheikh and Murphy

Also Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Ann Peters made a motion to approve the minutes from the June 1, 2017 meeting. Chris Richter provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION: none

EXTENSION OF TIME:

Jan DeBenedetto

6 Cove Place

Chris Richter recuse himself from participating in the discussion to allow an extension of time for 6 Cove Place since he lives within 200 ft. of the property. This resulted in the Board no longer having a quorum thus they could not consider the extension of time. Mark Caputo made a motion to adjourn the request and carry it to the September 7th meeting. A second was provided by Jake DeNooyer. Peters, Caputo and DeNooyer voted to approve the motion by voice vote.

PUBLIC HEARINGS:

Carried Application:

Dean Ferdico

250 Boulevard

Average Front Setback, Side Setback

Height

Appl. #17-672

Blk. 100, Lot 19

R-A zone

The applicant made a request to carry their application to the September 7, 2017 meeting without further notice since the Board did not have 7 members available for tonight's meeting. Chris Richter made a motion to grant the request to carry the application to September 7th without further notice and Ann Peters provided the second. The carry was approved by voice vote of all members present.

New Application:

Joseph and Gretchen Riccardi
110 Lake Drive
Front Yard Setback, Side, ILC

Appl. #17-674
Blk. 102, Lot 56
R- A zone

Joseph Riccardi, of 110 Lake Drive, and Seth Leeb, a licensed architect in the state of NJ, presented the application. The applicant requested a waiver from providing the required topographic survey. Seth Leeb said the survey would not be needed as the screened-in porch on the second floor would not affect the height since it was way below the ridgeline. They were only building the front porch out an additional 1 ½ ft. in the front. The property is flat in the front and the improvements are limited. A motion was made by Jake DeNooyer to grant the waiver and Chris Richter provided the second. The Board granted the waiver with all members voting in favor.

Joseph Riccardi explained his family's involvement in town since they moved here in 1999. Seth Leeb started the application by presenting exhibit A-1, a photo board consisting of 14 photos of the home and neighborhood. The Riccardi's will be repairing an existing stone wall, adding a covered porch on the front of the house and a screened-in porch on the second floor. All the variance they are requesting are existing non-conforming. The house is a contributing dwelling and they are using the HP ordinance to take advantage of the incentives.

The house is over the allowed ILC and the side yard setback. The proposed design does not change the ILC and side yard setback. The current front setback is 67.19 ft., they are proposing a setback of 64.75 ft. and the average front setback required is 71.27 ft. The current porch is so small you can't stand on the front stoop and open the front door. They wish to make it a covered porch. Exhibit A-2 was a colorized version of sheet V-1 already submitted. The footprint of the areas they are adding were highlighted. They are taking away some of the front patio to add to the front steps. The second floor roof deck over family room is original to the house. The porch will be added on top of it. There is a bend in the road and the house is aligned to the curve in the road. The house sits on the lot at an angle resulting in the need for a side yard variance. They need a combined side yard setback of 50 ft. and have 19.25 ft. on one side and 23.25 ft. on the other. A triangle of the current home is in the setback. By adding a second story screened-in porch in that area, they need a variance. Chris Richter asked what the square footage of the porch did they need a variance for. Seth Leeb said they need approximately 6 sq. ft. (6 ft. x 1.5 ft.).

Exhibit A-3, dated 8/3/17, was sheet V-3 depicting the revised house elevations. They have changed the screening on the porch. The screening will no longer go all the way down to the roof deck. They will now build a wall up 36" and add the screening on top. Chris Richter was concerned about this application coming in under the Historic Preservation Ordinance. The applicant was changing the front façade and he thought you couldn't change it. For the future he would like clarification on this. Mr. Richter asked if the screened-in porch was enclosed and added to the FAR would they still be under the allowable FAR. Mr. Leeb answered yes.

Mr. Leeb provided the following proofs. The covered entrance protected people from the elements and allowed them to greet guests and the project does not deviate from the zoning ordinances. It does not cause any detriment to the public good, does not detract from the residential quality of the neighborhood and does not cause any light and air

hazards to the neighboring properties plus the benefits outweigh the detriments. They applied for C-1 hardship because of the uniqueness of the property and the 2 car garage at the back of the house. The house is angled on the property and it is not square with the road. Mark Caputo confirmed the ILC was not changing. Seth Leeb added I am moving around the pieces, coming up with the same ILC and no increase in the footprint.

No one from the public present.

A motion was made by Ann Peters to accept the application as presented with a condition that the plans be revised to include the paneled screened-in porch. A second was provided by Mark Caputo. The Board voted 4 – 0 to approve the application with members Richter, DeNooyer, Peters and Caputo voting in favor.

Other Matters / Public Comment:

No one was present from the public.

Jake DeNooyer made a motion to adjourn the meeting and Ann Peters provided the second. The meeting was adjourned at 8:16 PM.

Respectfully submitted,

Cynthia Shaw