

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES**

February 4, 2016

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 7, 2016. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on January 11, 2016 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:37 PM

ROLL CALL:

Present: Max, Richter, Bolo, Tolud, Sheikh

Absent: Murphy, McConnell and Vecchione

Also Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Peter Bolo made a motion to approve the minutes from the January 7, 2016 meeting. Arthur Max provided the second; the minutes were approved by voice vote by all members.

RESOLUTION:

Amy and Michael Schadt

Appl. #15-655

Peter Bolo made motion to adopt the resolution of approval; Arthur Max seconded the motion. The resolution was passed by a vote of 5 to 0 with members Max, Richter, Bolo, Tolud, Sheikh voting to approve.

Boardwalk Builders, LLC

Appl. #15-652

Arthur Max made motion to adopt the resolution of approval; Khizar Sheikh seconded the motion. The resolution was passed by a vote of 4 to 0 with members Max, Bolo, Tolud and Sheikh voting to approve.

PUBLIC HEARINGS:

Carried Application:

Jesse and Fredrika McDonald

Appl. #15-653

Blk. 92, Lot 16.02

165 Morris Ave

Modify a condition of the Resolution

R-A zone

The applicant requested their application be carried to the February 24th meeting with no further notice in the paper but individual notice of those listed on the 200 ft. list needs to be done by the applicant. John Tolud made a motion to carry the application without paper notice and a second was provided by Peter Bolo. The motion was approved by a voice vote of all members present.

Jeffery and Lynne Ansell
Blk. 100, Lot 23
Subdivision, Use, Side setback
FAR, ILC, Building Envelope

Appl. #15-648
260 Boulevard
R-A zone

The applicant requested their application be carried to the February 24th with no further notice. John Tolud made a motion to carry the application without notice and a second was provided by Peter Bolo. The motion was approved by a voice vote of all members present.

New Applications:

Vicki Maniatis
Blk. 15, Lot 20
Side yard setback

Appl. #16-656
21 Crestwood Drive
R-1 zone

Vicki Maniatis, of 21 Crestwood Drive, would be presenting her own application. She showed the Board exhibit A-1 which consisted of 3 photos of the exterior of the house. The home is in the Mountain Lakes section of Lake Arrowhead where the lots are long and skinny. The house is already 6.1 ft. from the side setback where 10 ft. is required. They are proposing a walkway that will be 6.2 ft. from the side setback and will run from the kitchen door along the side of the house to the deck. They had removed a window and put a door in its place during the renovation of their kitchen. Right now the existing door goes to nowhere. Peter Bolo confirmed the deck would be elevated. Chris Richter asked why the door couldn't be at the back of the house. Ms. Maniatis said the back of the house was her master bedroom. You would have to walk through it to get out to the back deck. Khizar Sheikh asked if the kitchen was always there; no it was not but the bump out always was.

Chris Richter asked why they didn't put the access on the other side of the house. The contractor Tom Menard, of 50 Bellvale Road, answered the other side of the property has the driveway and the deck would still be accessed through the master bedroom. The driveway would be narrowed and there would have to be columns installed for the deck footing which would interfere with the parking. The finished walkway would be 3.6 ft. and the property slopes off to the back of the lot.

No one was present to speak from the public.

Peter Bolo felt the plan appropriate. Khizar Sheikh asked if the deck should have been on the original plan. Chris Richter said it was not necessary. Peter Bolo made a motion to approve the application with it amended to reflect a side setback of 6.2 ft. for the walkway rather than 6.1 ft. A second was provided by John Tolud and the Board voted to approve the application 5 to 0 with members Max, Richter, Bolo, Tolud and Sheikh voting in favor.

Leanne Cronin and Marc Meyer
Blk. 96, Lot 20
Front setback, Height

Appl. #654
16 Hillcrest Road
R-A zone

Mark Meyer, of 16 Hillcrest Road, and Joan Nix, of 11 Hillcrest Road and a licensed Architect in the state of New Jersey, presented the application. Exhibit A-1 consisted of 7 photos of the house from various angles and a historic photo of the home. Mrs. Nix said the house is a Hapgood. The submitted site plan shows a pool but they would like to remove it from the plan at this time. Their expansion plans do not require a FAR or ILC variance and they are not applying under the Historic Preservation bulk incentives. They do need a height variance for the front of the existing house. The height is 35.9 ft. and only 35 ft. is allowed on the street facing side. They also need a variance for a front yard setback by exception because the line falls 30 ft. behind the house. The proposed FAR increases to 15.28% since they have decided to add a box bay window as depicted in Exhibit A-2. Joan Nix said they will submit a new FAR calculation to support the change. Mrs. Nix said they wanted to add a covered entry at the side door which would be less than 3 ft. wide and would maintain the 25 ft. setback. The existing trellis is 17.2 ft. from the side yard property line. The rear addition height is about 6 ft. below the 37.14 ft. height of the existing home.

Peter Bolo confirmed they did not propose a change in grade. The grade at the foundation will remain as it is. The only grade change will be at the rear basement door. Peter Bolo asked if the trellis was attached to the house; yes it was attached and is original. He thought the setback should be changed to 17.2 ft. Chris Richter requested Mrs. Nix amend the application to say the pergola was 17.2 ft. and the distance to the house was 28.1ft. The added box bay window will project about 2 ft.

Mr. Richter asked if anyone from the public wished to speak. Leigh Apel, of 15 Ball Road, wanted to confirm the time construction was allowed; it is 8am to 8pm. She requested the applicant plant a row of shrub along the property line to provide a screening. The applicant was willing to plant a screening in the back of the house. Arthur Max asked if the applicant have a landscape plan. He did not have one at this time. Michael Sullivan asked if the applicant agreed to remove the pool and shed from the site plan and an evergreen screen would be added. Joan Nix agreed they could be conditions of the resolution. She noted the house currently looks down on the house in the back. Chris Richter said it doesn't hurt to have a screening. He noticed there was no Stormwater Management Plan. Mr. Nix said they would deal with the run off in any way Bill Ryden suggested. Mr. Sullivan read condition number 5 of Bill Ryden's letter. Mr. Richter said in this case I think we need to add a condition to the resolution that they will direct the run off to an underground retention system.

Chris Richter made a motion to approve the application with the following conditions a new FAR calculation, item #5 of Bill Ryden's letter, the pool and shed removed from the site plan, section 3 of the application be corrected to reflect the new FAR and a side yard setback of 17.2 ft. to the trellis and 28.1 ft. to the home and a vegetative barrier planted 6 ft. tall, 8 ft. on center and 50 ft. wide along lot 23, plus some type of underground stormwater retention. A second was provided by Peter Bolo and the Board voted to approve the application 5 to 0 with members Max, Richter, Bolo, Tolud and Sheikh voting in favor.

Other Matters / Public Comment:

Public - Joan Nix, of 11 Hillcrest Road, said she was confused about the Zoning Officer's interpretation of the Historic Preservation Ordinance as it pertains to improved lot coverage. Michael Sullivan told the Board they could not advise anyone on this topic. Chris Richter

said the proper direction would be to for Mrs. Nix to write a letter to Council to start the discussion rolling. The Board will consider putting together something together for the Council about updating the Ordinance.

John Tolud made a motion to adjourn the meeting and Peter Bolo provided the second. The meeting was adjourned at 8:44PM.

Respectfully submitted,

Cynthia Shaw, Secretary