

**MINUTES OF A MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
January 2, 2025**

James Murphy called the meeting to order and announced: Adequate notice of this remote meeting has been provided in accordance with the Open Public Meetings Act by publishing the remote meeting notice in The Citizen and The Morris County Daily Record on January 11, 2024 and by filing the same with the Borough Clerk and posting it on the Front Door on January 8, 2024 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:30pm

ROLL CALL:

Present: Murphy, DeNooyer, Peters, Astrup, Vecchione (7:38pm), McCormick, Caputo, and Paddock

Absent: Leininger

Also, Present: Attorney Michael Sullivan

Election of Chair – Jake DeNooyer made a motion to appoint James Murphy Chair of the Zoning Board of Adjustment and Kelly McCormick provided the second. The motion was approved by a 7 – 0 vote with all eligible members voting in favor.

Election of Vice Chair– James Murphy made a motion to appoint Stephen Vecchione vice Chair of the Zoning Board of Adjustment and Brett Paddock provided the second. The motion was approved by a 7 – 0 vote with all eligible members voting in favor.

Appointment of the Board Attorney, Michael Sullivan,

Appointment of Administrator/Secretary, Cynthia Shaw,

Appointment of Board Engineer, Bill Ryden,

Appointment of Board Planner, Paul Phillips,

Designation of Official Newspapers, The Citizen and The Daily Record, and

Determination of the regular 2025 Meeting Dates as follows:

Our meetings will be held in person at the Borough Hall. Those dates are:

February 6th

March 6th

April 3rd

May 1st

June 5th

July 9th

August 7th

September 4th

October 2nd

November 6th

December 4th

January 7, 2026

James Murphy made a motion to adopt the resolution determining the Attorney, Board Administrator/Secretary, Engineer, Planner, newspaper designations and meeting dates. A second was provided by Jake DeNooyer. The resolutions were adopted by voice vote of all eligible members present.

Re-adoption of the Bylaws

James Murphy made a motion to adopt the by-laws for the Zoning Board of Adjustment for the 2025 calendar year. A second was provided by Kelly McCormick. The resolution was approved by a voice vote of all eligible members present.

REVIEW OF MINUTES: Mark Caputo made a motion to approve the minutes of the December 5th meeting. James Murphy provided the second; the minutes were approved by voice vote of all eligible members present.

RESOLUTION: none

PUBLIC HEARINGS:

Carried Applications:

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

The applicant has requested their hearing be carried to the February 6, 2025 meeting without further notice. A motion was made by James Murphy and a second was provided by Annie Peters. The request to carry the application was approved by voice vote of all eligible members present.

New Application:

Dusko and Jana Joldzic	App #24-763
26 Lake Drive	Blk. 101. Lot 105
Front Setback	R-A Zone

Marc Walker, a licensed engineer in the state of NJ, would present the application. In April of 2024 the Board approved an average front yard setback of 100.4ft when the required setback was 156.1ft and the standard front setback in the zone is 40ft. The applicant has changed the roof line and footprint of the house, so they needed to return to the Zoning Board. With the new plans, as before, they will maintain the buffer between the property and the canal. They still will make the drainage improvements proposed so they can eliminate the puddle on the property. The ILC has increased but the FAR has decreased since their last visit. Exhibit A-1 was an aerial photo imposed on a colorized site plan dated 1/2/25. The garage is still 1 story, but the house has a new 151.5ft front setback which is closer to the required 156.1ft. The lake front exception still meets the requirement but is 5ft closer to the lake. The side yard setback is required to be 25ft. It was 28.8ft last time and is now 28.4ft. Exhibit A-2 was a site plan showing the footprint of both houses. For comparison the green area was the new house, and the red was the previously approved home. The dwelling was moved away from the street in a south easterly direction. They will remove the back corner of the patio to meet the required 25ft setback. They have reviewed Mr. Ryden’s letter. They will comply with item #3, getting DEP permits, if necessary, item #5 obtain a soil moving permit and #6 Borough Engineer to review the grading, stormwater management and soil erosion control. All could be

conditions of approval. Item #4 asked for testimony on the geothermal well system. This system will not be noise generating and there are no exposed wellheads or access covers. No one from the public had any questions or comments. Michael Sullivan reviewed the conditional of approval. The plans will be revised. Items 3, 5, and 6 of Mr. Ryden’s letter can become conditions of approval as well as our standard conditions.

Stephen Vecchione questioned the height of the retaining walls. The wall is a maximum height of 3 to 4ft. It is only 2ft in some areas. Why was the redesign required? The applicant said the house got larger than they wanted. They changed architects and created a smaller home. They changed the roof line but still have a 1 story garage.

A motion was made by Annie Peters to approve the application as presented along with the conditions noted by Mr. Sullivan and a second was provided by Brett Paddock. The Board voted 7 – 0 to approve the application with members Murphy, DeNooyer, Peters, Vecchione, McCormick, Caputo, and Paddock voting in favor.

Carried Application:

Stephanie Zumas and Ryan Kiczek	App # 24-761
2 Warwick Road	Blk. 122, Lot 4.01
Improved Lot Coverage, Side Setback	R-A zone
Floor Area Ratio	

Marjorie Roller, a licensed architect & planner in the state of NJ, presented the application. The owner of the house, Stephanie Zumas, said they wished to expand the house and create their “forever” home. They propose building a 2nd floor addition and a covered front porch. They need 3 variances: side setback, FAR and ILC to accomplish this.

Ms. Roller said they currently have a FAR of 20.7% which will remain unchanged. The permitted FAR is 17 %. The ILC is 27.36% and they are requesting 27.46% where 25% is allowed. The current house has a side setback of 9.5ft where 25ft is required. They plan to build up maintaining the same side setback of 9.5ft. She explained the house was a cape cod design with two stories in the rear. The garage side of the house would not change. Exhibit A-1 was a photo of the front of the house taken in 2023. Exhibit A-2 was a 2023 photo of the rear of the house.

They hope to expand the second story to add a bath, improve the primary bedroom area, add another bedroom and a nursery. They currently cannot access the backyard without going out through the front door or the garage door. They plan to correct this situation when they redo the 1st floor later. The cape cod roof creates a unique situation since the back wall of the second story is only 7ft tall. M. Roller counted the second floor in the FAR calculation. The neighborhood has a lot of two-story homes. They are surrounded by a conservation zone and other Borough property. The house to the left is 90ft from the property line. There is a lot of light and air around the property. Yorke Road is on the left side of the house, and Warwick is in the front, so the subject property has two front yards creating the hardship. The property has a buffer of trees around it. This addition will be an aesthetic improvement.

The chair opened the hearing for questions and comments. James Murphy clarified the FAR was a preexisting non-conforming, the ILC increase was for an 12sqft A/C pad, and the side yard setback remained the same since they are just going up. There will be no change in the setback on York Rd. Brett Paddock was fine with the expansion since the

house next door was so far away. Stephen Vecchione asked if the garage was an add on. Ms. Roller answered the house has had several awkward additions since it was built in 1940.

Micheal Sullivan noted the Board's standard conditions. A motion was made by Mark Caputo to approve the application, he liked the improvements proposed. A second was provided by Brett Paddock. The Board voted 7 – 0 to approve the application with members Murphy, DeNooyer, Peters, Vecchione, McCormick, Caputo, and Paddock voting in favor.

Other Matters / Public Comment:

Annual Report – James Murphy made a motion to adopt the 2024 Annual Report and a second was provided by Stephen Vecchione. All eligible Board voted by voice vote in favor of the report.

Public Comment – No one wished to speak during the public comment period.

Stephen Vecchione made a motion to adjourn the meeting, and Annie Peters provided the second. The meeting was adjourned at 8:40PM.

Respectfully submitted,

Cynthia Shaw