

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

September 12, 2019

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 3, 2019. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on January 7, 2019 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:30PM

ROLL CALL:

Present: Richter, Murphy, Paddock, DeNooyer, Peters, Caputo, McCormick and Vecchione

Absent: Max

Also, Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Brett Paddock made a motion to approve the minutes from the August 1, 2019 meeting. Chris Richter provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION: none

PUBLIC HEARINGS:

Gillian Walker	Appl. #19-700
41 Lakewood Drive	Blk. 8, Lot 12
Front Yard Setback, Improved Lot	R – 1 zone
Coverage, 2.5ft Pervious Coverage	

Gillian Walker, of 41 Lakewood Drive and Rick Nelson, a licensed architect in the state of NJ, presented the application. Mrs. Walker said they wanted to turn their carport into a garage. Enclosing the space would enhance the property, make it look less messy and keep the animals out. Mr. Nelson reviewed the dimensions of the lot. They are looking for variances for ILC, average front setback and 2.5ft pervious coverage. The average front setback intention is to line up the homes along the street. There is an old log cabin that is setback from the road and a curve in the road which create the hardship.

Mr. Nelson presented exhibit A-1 a photo of the front of the house. They need to widen the driveway, so it matches up with the new garage. They plan to replace the entry stairs and add a hand rail. The existing house is non-conforming for the ILC and front yard setback. The proposed addition is consistent with the current structure. They are matching the Boston hip roofs. Exhibit A-2 was a photo of the rear of the house and carport. Mr. Nelson pointed out the patio to the left that would be removed and replaced with stepping stones. Exhibit A-3 was a photo of the backyard, A-4 was a view of house from the dock and A-5 was the

view of the lake from the backyard. The enclosure of the carport will improve the look of the home. He thought the benefits outweighed the detriments.

Chris Richter asked if the house had a basement. R. Nelson said there was a small one below grade. The new garage will be built on a crawl space. The attic over the garage is included in the FAR since the walls are over 5ft. Michael Sullivan commented the 2.5ft pervious coverage variance was a technicality since it was pre-existing and on the side of the driveway that is not being touched. Chris Richter thought it was still needed because they were changing the driveway. Stephen Vecchione asked if the room over the garage was to be a bedroom. It was not; the area will be used for storage. Mr. Nelson added to use the room you would need to walk thru a bedroom to get into the new space. Mr. Richter thought they could do better on the coverage. The applicant agreed to remove approximately 200ft off the left side of the driveway and put a radius on the back corner reducing the ILC. They agreed to make that area of the driveway no more than 12ft wide.

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

Ann Peter thought the changes looked like the garage had always been there. Stephen Vecchione made a motion to approve the application with the condition they remove approximately 200sqft from the north western corner of the driveway to reduce the ILC to approximately 35.2%. Ann Peters provided the second. The Board voted 7 – 0 to approve the application with members Richter, Murphy, DeNooyer, Peters, Caputo, McCormick and Vecchione voting in favor.

Jennifer Spallone
101 Ball Road
Side Yard Setback, Improved Lot Coverage

Appl. #19-701
Blk. 102, Lot 18.02
R-A zone

Jennifer Spallone, of 101 Ball Road, presented her own application. She was applying for side yard setback and improved lot coverage variances to add a generator to her home. The unit will only power part of her home. Their driveway and low windows limit where the unit can be put. The Board discussed the size of the pad. The applicant requested a 15sq ft pad triggering the need for an ILC coverage variance. The Board asked if she could comply with a 12 ft pad as per the ordinance. The manufacturer makes a pad smaller, less than the 15sqft requested, which would eliminate the need for ILC variance. Mrs. Spallone presented exhibits A-1 through A-4, four photos of the home showing where the unit would go and the view of the vegetation along the property line.

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

C. Richter asked if the 19.4ft setback requested was as close to the chimney the unit could go. J. Spallone answered yes it must be 5ft from the windows on either side of the chimney. Chris Richter made a motion to approve the side yard setback variance and to amend the application to have a 12sqft pad thereby eliminating the request for an ILC variance. Jake DeNooyer provided the second. The Board voted 7 – 0 to approve the application with members Richter, Murphy, DeNooyer, Peters, Caputo, McCormick and Vecchione voting in favor.

Other Matters / Public Comment:

No one from the public wished to be heard.

James Murphy made a motion to adjourn the meeting and Stephen Vecchione provided the second. The meeting was adjourned at 8:23PM.

Respectfully submitted,

Cynthia Shaw