

**MINUTES OF A SPECIAL MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
April 1, 2021**

Chair James Murphy called the remote 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, 2021 and by filing the same with the Borough Clerk and posting it on the Front Door on January 11, 2021 and was made available to all those requesting individual notice and paying the required fee.

Start: 7: 30 PM

ROLL CALL:

Present: Murphy, DeNooyer, Vecchione, Paddock, Peters, McCormick and Astrup

Absent: Caputo

Also, Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Stephen Vecchione made a motion to approve the minutes from the February 4th meeting. Jake DeNooyer provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

Ellen Ebert

Appl. #20-719

Stephen Vecchione made a motion to adopt the resolution of approval and Kelly McCormick provided the second. The Board voted 6 - 0 to adopt the resolution with members Murphy, Vecchione, McCormick, Peters, DeNooyer and Astrup voting in favor.

PUBLIC HEARINGS:

Thomas and JoAnn George
2 Point View Place
Floor Area Ratio, Front (2)

Appl. #21-720
Blk. 100.02, Lot 90
R-A Zone

Due to improper noticing of those persons within 200ft, the applicant requested their application be carried May 6th. Brett Paddock made a motion to carry the notice in the paper to May 6, 2021 and the applicant would re-notice the neighbors within 200ft. Jake DeNooyer provided the second. The Board approved the carry by voice vote of all members present.

Ivar and Margherite Mise
55 Tower Hill Rd
Improved Lot Coverage, Rear

Appl. #21-721
Blk. 52, Lot 5
R-AA Zone

Margherite Mise, of 8 Tumbling Brook Drive in Towaco, and owner of the house located at 55 Tower Hill Road, told the Board she decided to replace the old outdoor oil tank that

provided heat to her carriage house. She had First Energy install a new 275-gallon tank in the same location on a new concrete pad. The tank is the same size. The rear setback of 21.5ft to the tank is pre-existing non-conforming, where 25ft is required. The installer said the original tank was probably there since the 1950's. The tank is not visible from the street. They also need an ILC coverage variance of 25.9% where 20% is allowed. This is also a pre-existing non-conforming situation. Stephen Vecchione asked if this was a contributing dwelling. Yes, but they are not filing under the Historic Preservation Ordinance. The oil tank is for the carriage house which is grandfathered. Mr. Vecchione asked why they could not just replace it. Michael Sullivan responded when you replace something you must conform with the required zoning laws.

Mr. Murphy opened the hearing to the public. Larry Feiwel, of 49 Tower Hill Road, said he was the next-door neighbor and had no issue with the tank replacement.

M. Sullivan asked if the green house was living space? Ms. Mise answered the greenhouse was just a greenhouse.

Jake DeNooyer made a motion to approve the application as presented. Ann Peters provided the second. The Board voted 7 to 0 to approve with members Murphy, DeNooyer, Vecchione, Paddock, Peters, McCormick and Astrup voting in favor.

Other Matters / Public Comment:

No one from the public wished to make a comment.

Brett Paddock reported the Economic Development Committee was researching the retail sale of cannabis.

Brett Paddock made a motion to adjourn the meeting and Kelly McCormick provided the second. The meeting was adjourned at 7:55 PM.

Respectfully submitted,

Cynthia Shaw