

**MINUTES OF A MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
December 7, 2023**

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, 2023 and by filing the same with the Borough Clerk and posting it on the Borough Office bulletin board on January 09, 2023 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:31PM

ROLL CALL:

Present: Murphy, De Nooyer, Leininger, Peters, Vecchione, Paddock, Caputo and Astrup

Absent: McCormick

Also, Present: Attorney, Michael Sullivan

REVIEW OF MINUTES: James Murphy made a motion to approve the minutes from the November 2, 2023 meeting. Annie Peters provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

James Nichols

Appl. #23-754

Jake DeNooyer made a motion to memorialize the resolution of approval; Mark Caputo seconded the motion. The resolution was adopted by a vote of 6 – 0 with members Murphy, Vecchione, Caputo, Peters, DeNooyer and Astrup voting in favor.

PUBLIC HEARINGS:

Justin and Annie Peters

Appl. #23-753

74 Tower Hill Road

Blk. 40, Lot 9

Side & Rear Setback, Height

R-AA zone

Since Annie Peters is a member of the Zoning Board, she recused herself from acting on the application. The applicant requested a waiver from providing the topography of the property. J. Murphy made a motion and the second was provided by B. Paddock. The waiver was granted by voice vote of all members present.

Elana Koplík, a licensed architect in the state of NJ, presented the Peters application for 74 Tower Hill Road. She shared exhibit A-1 consisting of 8 pages showing historic photos, an enlarged site plan and the proposed floor plans. The application was filed under the Historic Preservation Ordinance. Currently there are 2 existing accessory structures in the back right corner of the property. The existing non-conforming garage is 7.5ft to the rear property line with a patio at .17ft. The rear of the lot backs up to the Tourne. The existing non-conforming accessory structure has a height of 22.8ft where 20ft is allowed. The existing side yard setback to the concrete pad is 12.7ft and 20ft to the existing building where 25ft is required. E. Koplík shared photos of both building

interiors. J. Murphy asked what the scope of the work would be. They would remove the existing plaster, sistering the frame for support, and insulating to code. The walls are structurally sound.

E. Koplik showed the Board a 2012 photo of the building with the shed removed by the previous owners. They would like to rebuild the shed and provided information to support doing so. (historic photos and the previous resolution that sets the side setback at 12ft). The buildings are separated by 2.7ft and would like to fill that space in. The space falls under the accessory roof line and does not add any additional lot coverage since there is already a sidewalk between the two buildings. This addition will not be seen from the street. The concrete stairs & landing will be removed creating a net reduction in ILC. The lot coverage is 21.25% and will become 21.23%. The 124sqft shed will hold the mechanicals.

Stephen Vecchione asked if they could tell how old the buildings were. The carriage house looks the same age as the home. Later a garage was added, and then the shed. The variance granted in 2000 showed the storage shed on the site plan at 12ft. The Peters wanted to fix the inside of the space and keep the charm of the existing buildings. Brett Paddock asked if the space had A/C and water? No, it did not but at one time it did have water. They will add A/C and new plumbing fixtures. B. Paddock was worried about the location of the A/C condenser. The applicant agreed to update plans to include the condenser and maintain a side setback of 12ft. M. Leininger asked what the chimney was for. E. Koplik said they we will be removing it. J. DeNooyer asked how far the neighbor's house was from the property line. It was about 25ft to the neighbor's garage from the property line. J. DeNooyer did not like the ceiling to floor windows planned for the 2.7ft space between the buildings. They wanted the natural light, and it mimics the shape of the windows on the front of the house.

No one from the public was present to comment on the application.

The Board agreed the resolution would have the standard conditions plus a condition to revise the plans to include the A/C condenser location. S. Vecchione found preexisting non-conforming variances annoying. He liked the plan. Mark Caputo agreed the benefits outweighed the detriments. He made a motion to approve the application with the conditions discussed. Steve Vecchione provided the second. The Board voted 7 – 0 to approve the application with Murphy, De Nooyer, Leininger, Vecchione, Paddock, Caputo and Astrup voting in favor.

Other Matters / Public Comment:

Public Comment – No one was present to make a public comment.

Master Plan Committee – The Planning Board memorialized the resolution to adopt the Master Plan Reexamination Report on December 14th.

Ordinance Subcommittee – They met on November 30th and had a very productive meeting.

Economic Development – Brett Paddock reported the committee plans to put out a survey to see how the town would like to develop the Midvale area. They are also looking into updating the website to attract businesses to Mt Lakes.

Steve Vecchione made a motion to adjourn the meeting and Annie Peters provided the second. The meeting was adjourned at 8:38PM.

Respectfully submitted,

Cynthia Shaw