

**MINUTES OF A MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
May 4, 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: 30PM

ROLL CALL:

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

Absent: Astrup, Vecchione, and McCormick

Also, Present: Attorney, Michael Sullivan

REVIEW OF MINUTES: Mark Caputo made a motion to approve the minutes from the April 6, 2023 meeting. Annie Peters provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

Jonathan Weizman App #23-748

A motion was made by Annie Peters to memorialize the resolution of approval for Jonathan Weizman and the second was provided by Jake DeNooyer. The Board voted 5 to 0 to adopt the resolution with members Murphy, Caputo, Paddock, Peters and DeNooyer voting in favor.

PUBLIC HEARINGS:

New Application:

Nishantha Kolonne &	App # 23-749
Aruni Singamkutti Archchige Don	
34 Crestview Road	Blk 44, Lot 30
Improved Lot Coverage	R-AA Zone

Aruni Singamkutti Archchige Don and Nishantha Kolonne were proposing the addition of an outdoor pool and kitchen. Tom Graham, a licensed engineer in the state of NJ would present the application.

The home is in the R-AA zone. The lot size is 34,000sqft. The current ILC is 31.7% and will remain 31.7%. They need an ILC variance to do this project. Exhibit A-1 was the same site plan submitted, colorized, with less detailed notes and the areas to be eliminated highlighted. They are adding a pool, a generator and pool equipment (installed in the garage). The coverage is 5sqft less than the original ILC. The pool will capture any runoff so there will be no increase in stormwater runoff. They are adding an outdoor kitchen on an existing outdoor patio. M. Sullivan asked if there were any drainage

controls on the property. T. Graham answered there were no existing controls. By removing the patio area, they are improving the stormwater controls. J. Murphy asked about the generator. The generator will be on a concrete pad and the pad was included in the coverage calculation. The unit will be exercised 1x per week.

The permitted FAR is 16%. A FAR of 25.7% was approved in application 04-396 dated March 4, 2004, and will not change because all the work is happening outdoors. The allowed ILC under historic preservation is 24%. The existing ILC is 31.7% and is remaining 31.7%. J. Murphy added this is an existing non-conforming situation. M. Leininger thought the pool equipment going in the garage might produce off gasing. Mr. Graham thought it would not since this was a saltwater pool. Mark Caputo questioned the front yard setback calculation? J. Murphy agreed it was incorrect. It should be 48ft not 40ft as per the plans. M. Sullivan added the correction to the list of conditions. J. Murphy wanted an as-built completed post construction to confirm the ILC stayed the same. J. DeNooyer and A. Peters liked the plan. M. Leininger liked that they we are recouping the land by removing the patios.

No one from the public wished to ask questions or make a comment.

M. Sullivan said if approved the resolution would include our standard conditions, the applicant would need to update the zoning chart to correct the front yard setback, do a post construction ILC calculation and provide an as-built survey. James Murphy made a motion to approve the application with the conditions listed and the second was provided by Jake DeNooyer. The Board voted 6 -0 to approve the application with members Murphy, Peters, DeNooyer, Leininger, Caputo and Paddock voting in favor.

Other Matters / Public Comment:

Public Comment – No one from the public wished to speak.

Economic Development Committee – B. Paddock said the committee is meeting next week.

Master Plan Committee – M. Leininger said the committee is working on the reexamination report.

Ordinance Committee – J. Murphy said a lot of work was going on. He expected the revisions to take quite a while.

Annie Peters made a motion to adjourn the meeting and James Murphy provided the second. The meeting was adjourned at 8:02PM.

Respectfully submitted,

Cynthia Shaw