

**MINUTES OF THE MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
May 6, 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, and McCormick

Absent: Caputo and Astrup

Also, Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Brett Paddock made a motion to approve the minutes from the April 1st meeting. Jake DeNooyer provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

Ivar and Margherite Mise

Appl. #21-721

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

PUBLIC HEARINGS:

Thomas and JoAnn George

Appl. #21-720

2 Point View Place

Blk. 100.02, Lot 90

Floor Area Ratio, Front (2)

R-A Zone

Michael Sullivan explained the FAR variance request needed 5 affirmative votes to be approved and we only had 6 members present. Mr. George decided to proceed with his application. Thomas George of 2 Point View Place presented the application. His property was irregular in shape, bound by the water on one side and had two front yards. No matter what they do on this corner lot they will need a variance. The size of the present one car garage is too small so they would like to add an additional garage bay. They need an FAR and two front setback variances. They will also widen the driveway to access the garage. The garage does not block the view of the lake, but they will be closer to Morris Ave.

M. Sullivan noted they previously had been granted a front yard setback variance on Point View Place to add a second story dormer. The FAR for the zone was 17% and they were requesting 17.1% for an additional 12sqft of garage space. They needed front yard

setback variances for 38' 6" to the new addition on Point View Place and 17' 2.5" on Morris Avenue. Ann Peters asked if the trees along Morris Ave would remain. Mr. George said right now they will keep the trees but one of the big trees was not healthy. They will be replanting some new oak trees after the construction was completed. No one from the public wished to ask questions or comment on the application. Stephen Vecchione confirmed the address was the back of the house and the front door was on the lake side. Jim Murphy noted the FAR was over by 12sq ft. Did Mr. George and his architect discuss getting that down to eliminate the variance. He did discuss it with his architect and could reduce the FAR if necessary. Jake DeNooyer commented you can always use storage space in the garage he was fine with the extra FAR. Ann Peters made a motion to approve the application as presented and Kelly McCormick provided the second. The Board voted 5 to 1 to approve the application with Murphy, Vecchione, McCormick, Peters and DeNooyer voting in favor and Paddock voting against.

Chinh Ty Nguyen & Emily Nagler	Appl. #21-722
7 Vail Drive	Blk. 127.01, Lot 17
Floor Area Ratio	R-A Zone
Average Front Yard Setback	

Ty Nguyen and Emily Nagler were sworn in and said Thomas Baio, a licensed architect in the state of NJ, would present their application. Ty Nguyen said this was his family home and it needed a lot of work to update it and increase the living space. Emily Nagler explained they wanted a larger addition but cut it back to keep the home the same size as those in the neighborhood. They wished to add a front porch to allow them to interact with the neighbors. They are removing several features like the shed, walkway, and car port to reduce coverage.

Mr. Baio, said the house was in the R-2 zone, the expansion would be in the back keeping it behind the house ridge line. They want to move the master bedroom over the existing kitchen and family room. They will remove the shed and carport from the westerly side. The allowable average front setback was 42.6ft and they were asking for a front setback of 36.8ft. M. Sullivan asked if the applicant wanted to proceed since the Board had only 6 members and they needed 5 affirmative votes. The applicant wanted to proceed. S. Vecchione asked if the shed was included in the original FAR calculation. Yes, it was. Why did they need an 8ft wide front porch? Emily Nagler answered the width was based on the other porches in the neighborhood. They wanted it 12ft wide but moved it back to 8ft, so it did not stick out any further than the existing front steps. What was the height of the porch? Mr. Baio responded it was 11.5ft high with an 8ft ceiling. The porch roof was a shed roof that sits up against the house. Kelly McCormick asked what the width of the existing back deck was. It was 13.9ft wide, the same width as the old deck. The rear addition goes back an additional 7ft into the backyard, so the deck is also bumping out 7ft. Brett Paddock said the rear yard setback should be 37.2ft. Page 2 and the plans do not list the side and rear setbacks correctly. Ann Peters asked if the existing 1st floor bedroom would still be a bedroom? They will turn it into an office.

Chairman Murphy opened the meeting to the public. Katie DeSantis, of 12 Center Drive, said they did the same renovation and were in support of the application. Adam Achenbach, of 120 Midvale Rd shares their rear property line. He asked what their

landscaping plan was. Will the existing buffer remain? Emily Nagler said they will be re-landscaping, but they will not be removing the rear buffer. Would they be removing the 1 tree between the properties that leans? They would like to take it down. Chris Palazzi, of 9 Vale Drive, was the neighbor to the right, they liked their plans and were glad they were keeping the integrity of the neighborhood. Kim Hurley, of 20 Maple Way, supported the renovation project and the front porch.

Brett Paddock asked if the application was approved a condition be added requiring the applicant correct page 2 of the application and revise the plans so they both agree. He questioned the need for an additional side setback variance for steps to the left of the deck. The Board discussed steps in the side setback and determined this variance was also needed. Jake DeNooyer made the motion to add an additional variance for a combined side yard setback of 21.4ft for the deck steps where 25ft was required. This would be added to their variance request for FAR and Average Front Yard Setback. A second was provided by Brett Paddock. The Board voted 6 to 0 to approve the application with members Murphy, Vecchione, McCormick, Paddock, Peters and DeNooyer voting in favor.

Other Matters / Public Comment:

Chairman Murphy opened the meeting to the public. Chris Ritcher, of 5 Cove Place, reminded the Board to share the plans on the screen so the public could see them.

Stephen Vecchione made a motion to adjourn the meeting and Kelly McCormick provided the second. The meeting was adjourned at 9:07 PM.

Respectfully submitted,

Cynthia Shaw