

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

November 7, 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: 7:31PM

ROLL CALL:

Present: Murphy, Paddock, Max, Vecchione (7:35pm), Richter, McCormick and Caputo

Absent: DeNooyer and Peters

Also, Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Stephen Vecchione made a motion to approve the minutes from the October 3, 2019 meeting. James Murphy provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

Lawrence and Tara Bischoff

Appl. #19-702

Stephen Vecchione made a motion to adopt the resolution of approval; Brett Paddock seconded the motion. The resolution was adopted by a vote of 3 – 0 with members Vecchione, Murphy and Paddock voting in favor.

PUBLIC HEARINGS:

Jonathan and Ana Weizman

28 Lake Drive

Improved Lot Coverage Floor Area Ratio

Average Front Setback

Appl. #19-703

Blk. 101, Lot 104

R-A Zone

Larry Korinda, and Marc Walker, both professionally licensed in the state of NJ and Jonathan Weizman, owner of 28 Lake Drive, presented the application.

Marc Walker showed the Board exhibit A-1 an aerial photo of the property. The plot plan which included the existing house and the planned addition were superimposed on the photo. The home to the left is 130ft from the right of way and the one to the left of that is 195ft. The average front setback for the two properties to the left is 162.5ft. The standard for the zone is a 40ft. front yard setback. This project is in conformance with the required height and side setbacks. The ILC is 2.38% over the allowed coverage. They propose removing some of the driveway and two walking paths to keep the coverage at what it is now; 27.4%. The house, setback from the road, increases the length of the driveway. They could straighten it out so it's not so curvy but that would be less visually appealing. It makes more sense to remove the parking area to the right of the house. The 18.9% FAR is high; due to

the vaulted ceilings in the home. The FAR would be 16.8%, under the allowed 17%, if you didn't have to count the vaulted ceilings.

Larry Korinda continued the presentation. He said there was a slight increase in lot coverage. The applicant wishes to add a 4th garage to accommodate his car collection. They need to install a lift in this garage to accommodate them all. They angled the garage so it would require less driveway paving. By placing the new garage at a slant, it blocks the view of the other garage doors. The front setback is reasonable for the neighborhood. A photo board consisting of 5 photos became exhibit A-2. The exhibit showed the landscape buffer at the street and around the garage plus a photo of the existing garages. The house was not visible from the street. The existing 3 car garage has an overhang. They will use the same overhang to tie in the new garage. Mr. Korinda explained the garage was sized to accommodate the lift equipment. The 24ft depth matches the existing garage. They will put new carriage style doors on all 4 garages. The 3.5ft in the attic is unusable and not habitable. The current 3 bedrooms on the second floor are over the existing three car garage. You can't access the fourth garage from the second floor. The house was built in 1998. At that time, the Borough did not require cathedral ceilings be included in the FAR. The new addition does not change the mass of the house.

Chris Richter confirmed they couldn't extend the garage in a straight line because of the setback requirements. He said he did not have a problem with 4 garages but thought the proposal too big. This request was a luxury. He felt they should reduce the garage width to 12ft. versus 14.6ft. Steve Vecchione question the need for a 9ft door. Larry Korinda said 9ft was standard. The doors on all the garages will be changed to 9ft doors. Mr. Vecchione asked if a house was built on the empty lot to the right how far would the building box be to the applicant's house. Mr. Walker answered it would be 150ft away. Mr. Richter felt they should make the garage smaller. If they removed 2ft. from the width of the garage the FAR would become approximately 18.7%, the ILC would become 27.18% and the front yard setback would become 131.3ft. Arthur Max asked, what was the justification for the variances? How did the sanitary sewer easement affect this development? Mr. Walker said the sewer easement was not near this development. Mr. Weizman was willing to reduce the width of the new garage.

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

The applicant will revise page 2 of the application, prepare a new site and architectural plan. Chris Richter commented this situation was not a hardship, but he understood the request and the property was large enough. Steve Vecchione commented this was a total want not a need. He was torn about approving this application. He asked if they could put lifts in the other garages. Mr. Weizman said he did investigate that. They need a height of 12ft, and they only have 10ft. You can do it, but it's not recommended.

Michael Sullivan reminded the applicant they needed 5 affirmative votes for the FAR variance. The applicant wished to proceed with the vote.

Chris Richter made the motion to approve the application with a 2ft reduction in width and the plans be revised to reflect that width reduction. A second was provided by Mark Caputo. The Board voted 7 to 0 to approve the application as changed above with members Murphy, Paddock, Max, Vecchione, Richter, McCormick and Caputo voting in favor.

Maciej Niedzwiecki
80 Fanny Road
Side Yard Setback

Appl. #19-704
Blk. 66 Lot 15
R-A Zone

Mr. Niedzwiecki, owner of 80 Fanny Road, presented the application. He needed a side setback variance to install a generator 22ft from the property line when 25ft is required. Due to lot restrictions, specifically the wetlands on the opposite side of the house, this was the only place it could go that was not too close to their windows. The generator is needed for their sump pumps. The property on the west side of the home is owned by the Borough. Chris Richter pointed out a strip of land on the west side that had questionable title. He asked if that land was owned by the applicant would they comply. Mr. Niedzwiecki said yes. The pad will be 54" x 31" or 11.5sqft. The generator is 69db at 23ft when running. No one from the public wished to comment on the application.

Steve Vecchione made a motion to approve the application as presented and the second was provided by Kelly McCormick. The Board voted 7 to 0 to approve the application with members Murphy, Paddock, Max, Vecchione, Richter, McCormick and Caputo voting in favor.

Other Matters / Public Comment:

No one from the public was present to speak during the public comment period.

Chris Richter made a motion to adjourn the meeting and Brett Paddock provided the second. The meeting was adjourned at 8:15PM.

Respectfully submitted,

Cynthia Shaw