

**MINUTES OF A MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
October 6, 2022**

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 12, 2022 and by filing the same with the Borough Clerk and posting it on the Front Door on January 10, 2022 and was made available to all those requesting individual notice and paying the required fee.

Start: 7: 38PM

ROLL CALL:

Present: Murphy, De Nooyer, Peters, Vecchione, and Caputo

Absent: McCormick, Paddock, Leininger and Astrup

Also, Present: Attorney, Michael Sullivan

REVIEW OF MINUTES: Jake De Nooyer made a motion to approve the minutes from the September 1, 2022 meeting. Annie Peters provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION:

Suzanne & Justin Chan

Appl# 22-742

Stephen Vecchione made a motion to adopt the resolution of approval. James Murphy provided the second. The Board voted 4 – 0 to adopt the resolution with members Murphy, Vecchione, Peters and De Nooyer voting in favor.

PUBLIC HEARINGS: none

Other Matters / Public Comment:

Public Comment – No one wished to make a public comment.

Review of Current Ordinance -

The Zoning Board reviewed our current Zoning Ordinances. The changes suggested make the Ordinances consistent with common practice.

40-3 – Definitions

1. *Improved Lot Coverage* – **ADD** “walls” in the definition.
2. *Floor Area* – Floor area excluding attics, basements, up to 500 square feet of garage space unless contained within a basement, **ADD** “*accessory buildings can be a part of this 500sqft exclusion*”, port cocheres...
3. *Floor Area Ratio (FAR)* – ... in calculating the FAR involving a room with a cathedral ceiling or similar architectural treatment to create volume space within a

- room, each square foot of floor area in such a room **ADD** “*where the walls are over 5ft,*” shall be counted as 1.5 square feet of floor area **ADD** “*(ceilings 12ft to 13.11ft ceilings)*”. Where the vertical walls create space two stories in height, the area of the floor of the room so treated shall be multiplied by a factor of 2.0 **ADD** “*(ceilings 14ft to 15.11ft)*” if such spaces are greater than 2 stories in height, the factor shall be 2.5 **ADD** “*(ceilings 16ft and over)*”.
4. *Setback Line* – Short **ADD** “*front and rear*” entrance stairs, **ADD** “*retaining walls*” driveways and walkways shall be excluded from the setback requirements.

Chapter 245 - Zoning

245-7 B. Permitted accessory uses. (2) ADD “*boat racks*”

245-15 Supplementary Use Regulations

- a. D. – Storage - *Regulate PODS by time, size, and location.*
- b. K. Accessory Uses. (5) – except for a retaining wall as defined, a fence in accordance with Subsection P, or parking as provided in Schedule II.6 **ADD** “*or previously permitted air conditioning units that are the same size and in the same location*”.

245-19 Schedule of Bulk Requirements – Schedule I

- a. **ADD** newer zones *R-AH1, RAH2, RAH3*
- b. **ADD** *Historic Preservation Bulk Incentives*

245-20 Supplementary Bulk Regulations

- a. G. – Projections (5) **ADD** “*Front or Rear*” entrance steps of not more than six feet...

Stephen Vecchione made a motion to adjourn the meeting and Annie Peters provided the second. The meeting was adjourned at 9:01PM.

Respectfully submitted,

Cynthia Shaw