

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES**
September 1, 2016

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 07, 2016. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on January 11, 2016 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:34 PM

ROLL CALL:

Present: Richter, Murphy, Vecchione, Bolo, DeNooyer and Peters

Absent: Sheikh, McConnell and Max

Also Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Jake DeNooyer made a motion to approve the minutes from the August 4, 2016 meeting. Peter Bolo provided the second; the minutes were approved by voice vote by all eligible members.

RESOLUTION: none

PUBLIC HEARINGS:

New Applications:

Celal Andican	Appl. # 16-664
26 Dartmouth Road,	Blk. 84, Lot 6
FAR, Average Front Setback, 2 Side Setback	R-A zone

Celal Andican, of 1 Quail Run in Boonton Township, would be presenting his application to add a second story to the house at 26 Dartmouth. Chairman Richter explained the variance for FAR was a D variance requiring 5 affirmative votes in order to be approved. The Applicant decided to proceed with the hearing even though only 6 members were present. Mr. Andican explained the existing house busted the side setback. It was 20 ft. off the property line on both sides rather than the required 25 ft.; 2 side setback variances were required. The lot needs an average front yard setback of 65.25 ft.; the house was originally granted that variance in 1956. Chris Richter confirmed these were all existing non-conforming conditions. Chris Richter added the key issue at this hearing was the need for an FAR variance. Mr. Sullivan confirmed the FAR was increasing from 15.3% to 27.6% where 17% was allowed.

Mr. Richter asked the applicant who the Architect was; it was John Marro. Chairmen Richter pointed out the plans were not signed and sealed nor was there a title block on them. He confirmed the ILC was staying the same. He question the ILC staying the same when the elevations showed a new drive under garage. A new driveway would be required and that was going add coverage. The front load garage makes sense but we don't know what the

coverage will ultimately be. Peter Bolo said the Board can't direct your application you have to tell us if you want a garage in the front or not. Celal Andican said if he added the front driveway for the new garage he would remove about 40% of the rear driveway and make the back garage a storage area. Dr. Bolo said the applicant needed to come back next month to show the Board the changes.

Chairmen Richter said since the application was not complete the applicant need to decide if he wanted to withdraw it and reapply, carry it to next month and resubmit or allow the Board to vote on what was currently submitted. He suggested the Board give the applicant feedback to help make his decision. Stephen Vecchione suggested he should come back with a complete application. Jake DeNooyer said he thought the applicant should come back with a reduced driveway and ask for the second story.

The Chair then opened the meeting to the public. Christopher McAuliffe, of 24 Dartmouth Road, was concerned about the size of the house when a second story and an attic were added. Rob Waas, of 69 Bellvale Road, had similar concerns about the size of the house. He felt the applicant would have to raising the house 3 ft. to get in the garage. Celal Andican responded the level of the first floor would remain as is. Chris Richter confirmed he was reinforcing the ceiling joists to accommodate the garage. Tucker Galvin, of 65 Bellvale Road, said the house renovation was a nice addition to the neighborhood but the applicant had an unprepared presentation with not enough information. He felt the increase in square footage was to too large. Anthony DeConciliis, of 30 Dartmouth Road, said he would welcome a new home next to his but he thought it was too large for the small property. The hearing was closed to the public.

Chris Richter said the applicant needed to clean up his application. He asked if he considered knocking the house down. Mr. Andican said he did but it did not make sense. The Board gave the applicant additional guidance. Jake DeNooyer said he needed to reduce the lot coverage, the architectural plans need to be to scale and he should check the FAR of the other homes in the neighborhood. Michael Sullivan added variances for the two side yards and a front yard setback are required. Peter Bolo told Mr. Andican to listen to the comments of the neighbors. He should improve the house but make it smaller. Chris Richter said he should fix the FAR calculation sheet so the numbers are consistent throughout the application, he should consider the front driveway option and calculate the reduced ILC, a title block should be added to a full size scalable set of architectural plans that are signed and sealed and he should bring photos of the property. James Murphy suggested he call Marc Walker to work on the site plan and consider the neighborhood. Stephen Vecchione recommended bring Mr. Walker with him. Ann Peters said she would look at the knock down the house again. The applicant requested the Board allow him to carry the application to October 6th. A motion was provided by Peter Bolo and a second by Chris Richter. The Board approved carrying the application to their October meeting by voice vote.

Mark and Sherrie Kukulski
25 Crystal Road
ILC

Appl. # 16-665
Blk. 31, Lot 18
R-AA zone

Sherrie Kukulski, of 25 Crystal Road, and Seth Leeb, a licensed Architect in the state of New Jersey presented their application. The applicant wanted to completely renovate the property they recently purchased. Mr. Leeb said they were looking for an ILC variance. A 20% ILC is allowed, 33.4% exists and they propose reducing it to 27.7%. Included in the requested ILC

calculation is a new covered porch. This house does not have a covered entrance. Adding it would increase the ILC by 24 sq. ft. The home sits on a sloping property on Crystal Lake. There is quite a bit of driveway to get down to the garage and a lot of stone walls going down to the lake. They plan to remove all the railroad ties and reduce the walkways. The ILC is 4394 sq. ft. for the house and driveway which almost exceed the allowable ILC of 4548 sq. ft. The plan is to remove 1296 sq. ft. of coverage and still have a new covered porch and new walkway.

James Murphy noted the driveway sloped down from Crystal Road and the walkways sloped further down to the lake. He asked what the elevation change was. Seth Leeb answered when you stand on the road you are at roof level. The back door to the lake is 8 ft. or more down from that. Mr. Murphy asked, do you need any of the retaining walls you are removing to retain the earth. Mr. Leeb answered, the railroad tiles that are being removed will be replaced with a stone wall. The walkway will be reduced from 8 ft. wide to 4 ft. wide. We are putting in retaining walls where they are needed but removing the extra. There is a sewer easement on the side of the property. They are removing a lot of the coverage in the easement. All the landscape work looks original to the house.

Stephen Vecchione confirmed the wood retaining walls counted as coverage. Peter Bolo established the existing loose stone patio was staying at the water edge. Jake DeNooyer asked if there were homes on the other side of the lake. Mr. Leeb said there was on West Shore Road. He then pointed out there was a lot of screening on the property. Peter Bolo asked if they removed the stone patio at the shoreline what would the ILC would be. Mr. Leeb said it would reduce the coverage by 266 sq. ft. The ILC would be 1.1% less if removed and would reduce the ILC to 26.6%. Sherrie Kukulski responded the patio was on the only level spot in the yard. Seth Leeb said the sewer easement creates a hardship for relocating the patio. Chris Richter asked about the steps in the easement. Michael Sullivan said it could remain as long as what was there was removable. Jim Murphy confirmed this was all being done just to adding the covered porch. Stephen Vecchione asked where the stairs next to the garage went. Mr. Leeb said the steps go from the front of the house to the lake along the side of the house and the deck steps go down to the backyard.

No one from the public was present.

A motion was made by James Murphy to approve the application as presented. A second was provided by Peter Bolo. The Board approved the motion by a vote of 6 -0 with members Richter, Murphy, Vecchione, Bolo, DeNooyer and Peters voting in favor.

Other Matters / Public Comment:

Public Comment: No one from the public was present at the meeting.

James Murphy made a motion to adjourn the meeting and Peter Bolo provided the second. The meeting was adjourned at 8:45 PM.

Respectfully submitted,

Cynthia Shaw, Secretary