

**MINUTES OF A MEETING  
ZONING BOARD OF ADJUSTMENT OF  
THE BOROUGH OF MOUNTAIN LAKES  
September 1, 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: 30PM

**ROLL CALL:**

Present: Murphy, DeNooyer (7:33pm), Astrup, Peters, McCormick, Vecchione, Paddock and Leininger

Absent: Caputo

Also, Present: Attorney, Michael Sullivan,

**REVIEW OF MINUTES:** James Murphy made a motion to approve the minutes from the August 4<sup>th</sup> meeting. Stephen Vecchione provided the second; the minutes were approved by voice vote by all eligible members present.

**RESOLUTION:**

Jeanne Manubay & Matthew Taibbi      Appl# 22-740

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

Michael Booth      Appl# 21-732

Brett Paddock made a motion to adopt the resolution of approval and Stephen Vecchione provided the second. The Board voted 5 – 0 to adopt the resolution with members Murphy, DeNooyer, McCormick, Vecchione, and Paddock voting in favor.

Dan Amato & Jennifer Bulger      Appl# 22-741

Michael Sullivan said the Board accepted the elimination of the stone walls around the trees to reduce lot coverage. That reduction should have been 28.81% not 27.51% as stated by the architect. Stephen Vecchione 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, Peters, McCormick, Vecchione, and Paddock voting in favor.

**PUBLIC HEARINGS:**

New Application:

Suzanne & Justin Chan  
3 Lake Drive  
Front Yard Setback

Appl# 22-742  
Blk. 80, Lot 32  
R-A Zone

Alex Gotthelf, a licensed NJ architect, presented the application. He reminded the Board the applicant was here 1 year ago and received a front yard setback variance. Originally the renovations included an addition out the side of the house and the enclosure of part of the front porch. The applicant decided to change the addition to the back of the house and eliminated the front porch addition. They didn't need a variance for the rear addition, so they started construction. Later they decided to add the expansion of the front entrance onto the front porch which required a variance. The new foyer would be 125sqft. In the prior approval they were granted a front yard setback of 44.10ft. This time they are requesting 47.2ft where 64.6ft is required. The impact on the front of the house is minimal since it is on the existing porch.

Chairman Murphy asked why the front setback variance request wasn't for 36.5ft to the front porch. M. Sullivan said measuring to the new construction. M. Leininger ask why the architect had the small recess for the front edition. A. Gotthelf said the Preservation Ordinance requires a 1ft setback from the existing front of the home to be eligible. S. Vecchione asked isn't this really happening inside the existing home. M. Leininger thought it would be more historical accurate if it were flush. A. Gotthelf answered the HPC's philosophy is to distinguish the new construction from the old.

S. Vecchione thought the existing generator was too close to the house. They needed 5ft clearance from the windows. He thought there should be a condition in the resolution allowing them to move the A/C unit and generator to comply with the installation requirements. M. Sullivan said the units shouldn't be moved further into the front setback.

B. Paddock added the generator also needs to clear the overhang. They should move it southeast, no closed to the front property line and covered with shrubbery.

No one from the public wished to comment or ask questions about the application.

Brett Paddock made a motion to approve the application as presented with a condition that the generator/AC unit be moved to the southeast if needed and all other standard conditions.

A second was granted by Jake DeNooyer. The Board voted 7 -0 with members Murphy, DeNooyer, Astrup, Peters, McCormick, Vecchione and Paddock voting in favor.

#### **Other Matters / Public Comment:**

Public Comment – Chris Richter, the Board liaison, asked when hearings would be held in person. Jim Murphy responded the Board was considering staying this way until the Borough Hall was complete.

He then asked about the Chan application filed under the HP Ordinance. Mr. Richter said the applicant should not have touched the front of the house doing so made them ineligible. Ryan Astrup, a member of the committee, said he would bring his thought back to the HPC. Megan Leininger asked how the Board updated the Ordinances. Mr. Sullivan explained we can include such suggestions in our annual report.

The EDC will be meeting in September.

S. Vecchione made a motion to adjourn the meeting and A. Peters provided the second. The meeting was adjourned at 8:22PM.

Respectfully submitted,

Cynthia Shaw