

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES
November 2, 2017**

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 05, 2017. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on January 09, 2017 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:31PM

ROLL CALL:

Present: Richter, DeNooyer, Peters, Vecchione, Caputo (7:37PM) and Murphy

Absent: Max, McConnell and Sheikh

Also Present: Attorney Michael Sullivan

REVIEW OF MINUTES: James Murphy made a motion to approve the minutes from the October 5, 2017 meeting. Jake DeNooyer provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION: none

PUBLIC HEARINGS:

Carried Application:

Dean Ferdico	Appl. #17-672
250 Boulevard	Blk. 100, Lot 19
Average Front Setback, Side Setback	R-A zone
Height	

The applicant requested their application be carried to the December 7, 2017 meeting without notice. A motion was made by Stephen Vecchione to approve the carry to December 7th and Ann Peters provided the second. The carry was approved by all members voting in favor.

New Application:

Anthony & Atienne DeConciliis	Appl. #17-675
169 Morris Avenue	Blk. 92, Lot 15
Front and Side Setback	R-A zone

Anthony DeConciliis, of 30 Dartmouth Road, and Marc Walker, a licensed Engineer in the state of NJ presented the application. Mr. Walker started with the house plans specifically sheet V1 dated 9/28/17, drawn by Larry Korinda. The house has frontage on both Howell Road and Morris Ave. The applicant wishes to relocate the front door of the house to the Howell Road side instead of the Morris Avenue side of the property. The existing front porch on Morris Ave. would be torn down. They would bump out the

kitchen 4 ft., the living room 4 ft. and add a new deck to the new rear yard. In the front they would add a new stoop, mud room and storage area. Two dormers would be added on the second floor.

Mr. Walker presented exhibit A-1, dated November 2, 2017, a colorized version of the submitted Lot Development Plan, dated 9/21/17. The location of the house on Block 92, Lot 25.02 was now identified. The DeConciliis' needed a front yard setback variance on the Howell Rd side. The required front yard setback is the average of the setback of the homes on either side of the lot in question. In this case the lot to the right is a flag lot. On Block 92, Lot 16.02 the house is setback 106.8 ft. The home on the left is setback 25.4 ft. resulting in an average front setback of 66.1 ft. The required setbacks create a triangular building box. The purpose of the average setback is to make sure you have create a development pattern. The red box drawn on Exhibit A-1 is what the development pattern for the three lots would have been if block 92, lot 16.02 was not a flag lot. The flag throws off the development pattern. An average setback of 66.1 ft. is required and they are proposing 44.7 ft. If the flag did not exist they would have looked at block 92, lot 25.02 on Howell Road to determine the average front setback. The average would have been 24 ft. between the two and they have 44.7 ft. The curve in the road also creates issues when determining the front setback.

Mr. Walker continued, they also needed a side yard setback variance. Currently the setback is 24.6 ft. The proposed addition has a setback of 24.9 ft. The lot to the left has an existing detached garage located 2 ft. off the property line. The DeConciliis' want to amend their application to request a side yard setback of 23.9ft. They wish to extend the existing wall of the house to make the storage area wider than originally planned. The FAR would now increase to 16.29% if the planned changes were permitted.

Mr. Walker explained the driveway layout was changed to comply with the allowed ILC. The design allows for leaving the driveway forward. Chris Richter commented the driveway as proposed made the front yard look like a chunk of asphalt. Why were they not proposing the addition of a garage? That would reduce the asphalt in the front yard. Anthony DeConciliis responded, my in-laws would be living in the house and they do not need a garage. Mark Walker said they were not married to the driveway design. They could change it and possibly add landscaping. Mr. Richter asked if they would consider pulling straight in with a smaller k-turn for the driveway. The applicant agreed to add landscaping between the 36" maple and 40" oak. They will add something 3 ft. tall that will be green year round. Jake DeNooyer asked why the applicant did not bump the front out further on the Morris Avenue side. Mark Walker answered they would be over the allowable FAR if they did that. He continued the storage area to the left goes into the setback rather than in the building triangle resulting in the variance. They could have placed the storage on the other side of the house but that would put it next to the master bedroom and bath.

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

Chairman Richter asked the Board for their thoughts. Stephen Vecchione liked the design of the home but thought they should consider adding a garage for resale. Ann Peters pointed out there were many houses in town that struggled with garages located on the bend of the road. She thought the design made sense. Mark Caputo confirmed the number of bedrooms. Anthony DeConciliis said they were going from three to four. He then asked if the basement was finished. The applicant answered no. Chris Richter asked if the basement was in FAR. Mr. Walker confirmed the basement did not count. Mr. Caputo asked about the number of

cars in the driveway. Mr. Walker answered it was designed for two but could hold up to four.

Ann Peters made a motion to approve the modified house plans as presented. The conditions would include landscaping on Howell Road and the 15 sq. ft. expansion of the storage area. The applicant will provide a new set of plans for the site and house. Stephen Vecchione provided the second. The Board voted 5 to 0 to approve the application with those conditions. Richter, DeNooyer, Peters, Vecchione and Murphy voted in favor.

Other Matters / Public Comment:

No one was present from the public.

Chris Richter told the Board Jim McConnell would not be continuing. If anyone had a potential replacement for him please pass their name along to the Administrator.

The Council passed a Sustainable Land Use Resolution. Copies of the resolution were provided to each Board member.

Stephen Vecchione made a motion to adjourn the meeting and James Murphy provided the second. The meeting was adjourned at 8:11PM.

Respectfully submitted,

Cynthia Shaw