

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES
December 7, 2017**

Secretary Cynthia Shaw 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: 7:30PM

ROLL CALL:

Present: Max, DeNooyer, Peters, Vecchione and Caputo

Absent: Richter, Sheikh, McConnell and Murphy

Also Present: Attorney Michael Sullivan

Jake DeNooyer made a motion to have Steve Vecchione act as the Temporary Chair for tonight's meeting. A second was provided by Ann Peters. Mr. Vecchione was appointed Temporary Chair by voice vote of all members present.

REVIEW OF MINUTES: Arthur Max made a motion to approve the minutes from the November 2, 2017 meeting. Jake DeNooyer provided the second; the minutes were approved by voice vote by all members present.

RESOLUTION:

Anthony & Atienne DeConciliis

Appl. #17-675

Jake DeNooyer made motion to adopt the resolution of approval; Ann Peters seconded the motion. The resolution was passed by a vote of 3 to 0 with members: DeNooyer, Peters and Vecchione voting in favor.

PUBLIC HEARINGS:

New Application:

Perry and Stephanie Troisi

44 Hillcrest Road

Side Setback, Height

Floor Area Ratio, Improved Lot Coverage

Appl. #17-676

Blk. 96, Lot 4

R-A zone

Perry and Stephanie Troisi requested their application be carried to January 4, 2018 without notice since the Board only had 5 members available for tonight's meeting. Mark Caputo made a motion to carry the application and Jake DeNooyer provided the second. The Board voted 5 to 0 with Max, DeNooyer, Peters, Vecchione and Caputo voting in favor.

Carried Application:

Dean Ferdico
250 Boulevard
Average Front Setback, Side Setback
Height

Appl. #17-672
Blk. 100, Lot 19
R-A zone

Mark Gimigliano of Dykstra Walker continued the Ferdico application from September. The last time the applicant was before the Board they were requesting six variances. After evaluating the Board comments they have redesigned the home and reduced the requested variances to three. They are asking for variances for front and side setback as well as height on the non-street facing sides. They eliminated the variances for ILC, FAR and height in the front.

In the redesign they are keeping the 1st floor elevation of home where it is today. You will enter the house and step down two steps. The existing driveway entrance will be used. The driveway and front yard are now 2 ft. higher than the home due to the regrading of the property. They are still raising the garage floor elevation 3 ft. As requested they reduced the height in the back of the home two feet and are proposing a grade change and landscape berms to soften the look. After the home is constructed the house will appear less tall. The remaining variances are a front setback of 38.5ft where 40 is required, a pre-existing side yard setback of 21.2ft and a non-fronting building height of 40.13ft where 38ft is allowed. Mr. Sullivan pointed out the height change made the variance a C rather than a D. The FAR was reduced from 25.5% to 17% and the ILC of 26.7% was reduced to 24.25% to comply.

Stephen Vecchione asked the applicant to explain the change in FAR. Mr. Gimigliano stated due to re-grading the basement no longer counts in the calculation. Michael Sullivan referenced items 5, 6, 7, 8, 9 on Bill Ryden letter; was the applicant willing to comply? Yes, they were. Arthur Max asked what the grade of the new garage and the 1st floor was. The garage grade will be about 1ft higher than the 1st floor. What are the heights of the neighboring houses compared to what they planned? The elevation of the roof peak on the home to the left (lot 21.01) is 228.5ft, they are at 226.65 ft. and the lot to the right is 219.9ft. Arthur Max asked the status of their county permits. The applicant no longer needed a road opening permit but have to post a bond with county to remove the guiderail. Ann Peters liked the plan; she was pleased they went back to the drawing board and took Board comments into account. Jake DeNooyer felt the new house design fit the streetscape much better than before. S. Vecchione asked, was there a balcony on third floor before? No there was not but the dormer is smaller than before. Mark Caputo asked Mr. Gimigliano how they planned to bring in the fill and raise the grade. He responded they will bring it in along the west side of the house, spread it around and stabilize it. The grading will stop short of the tree line.

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

Ann Peters made a motion to approve the application as revised and make it a condition they would comply with items 5 -8 of Bill Ryden's review letter and get all county approvals necessary. A second was provided by Jake DeNooyer. The Board voted 5 to 0 to approve the application with members Max, DeNooyer, Peters, Vecchione and Caputo voting in favor.

Other Matters / Public Comment:

There was no one present from the public.

Jim McConnell will not be continuing on the Zoning Board. The name of a potential replacement and their resume has been passed along to the Council for consideration.

Arthur Max made a motion to adjourn the meeting and Ann Peters provided the second. The meeting was adjourned at 7:51PM.

Respectfully submitted,

Cynthia Shaw