

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES
March 1, 2018**

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 February 1, 2018. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on February 5, 2018 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:30PM

ROLL CALL:

Present: Max, Richter, DeNooyer, Sheikh, Caputo, McCormick, Vecchione and Murphy

Absent: Peters

Also Present: Attorney Michael Sullivan

REORGANIZATION:

Appointment of Board Planner, Paul Phillips

James Murphy made a motion to adopt the resolution appointing the Board's Planner, Paul Phillips, and a second was provided by Jake DeNooyer. The resolution was approved by a voice vote of all members present.

REVIEW OF MINUTES: Jake DeNooyer made a motion to approve the minutes from the February 1, 2018 meeting with corrections. Arthur Max provided the second; the minutes were approved by voice vote by all members present.

RESOLUTION:

Perry and Stephanie Troisi

Appl. #17-676

A motion was made by James Murphy to adopt the resolution of approval and a second was provided by Chris Richter. The resolution was passed by a vote of 6 – 0 with members Richter, Sheikh, Max, Murphy, DeNooyer and Caputo.

PUBLIC HEARINGS:

Carried Application:

Rod and Lesley Gower

58 Briarcliff Road

Average Front yard Setback

Appl. #17-677

Blk. 83, Lot 6

R-A Zone

Seth Leeb continued the Gower application carried from last month. They prepared a new set of plans, sheet V-1 and V-2, dated 2/21/18. They no longer plan to change to the front of the house so they are now able to apply under the HP Ordinance. They will not need an ILC, FAR or side yard variance but they still need an Average Front Yard setback variance.

As requested the Board received an existing and proposed site plan prepared by Fredrick Meola, dated 2/27/18, which included the topography of the lot. The applicant looked at a lot of options for the garage location and thought this plan presented was the best option. They reduced the size of the garage but still copied the gable roof design of the house. Doing this creates an attic space which is included in the FAR calculation. As suggested they have added a turnaround in the driveway. Seth Leeb noted the turnaround allowed them to back out of the garages and avoid taking down a 24" tree. They also added a wood deck connecting the garage to the back of the house.

Mark Caputo asked if any dry wells were required. Seth Leeb thought the new driveway design would not require a dry well. Chris Richter added whenever ILC was added we require a dry well. Mr. Leeb said they had two ideas for the drainage. One option was to install an outlet on the driveway that could be piped into the catch basin at the street. The second was to do add a dry well. The Chairman responded piping to the inlet was not preferred. The applicant agreed to review the dry well options with the Borough Engineer, Bill Ryden, as a condition of the resolution.

The Chair asked if the public had any questions or comments. Frank Ferreiras, of 6 Larchdell Way, asked if the applicant could provide additional landscaping to block the view of the garage. Seth Leeb explained they were leaving the vegetation as is and only removing one tree. Mr. Richter responded there was nothing in the town Ordinances to require the applicant to provided additional landscaping. Khizar Sheikh asked if the new garage location was acceptable to the neighbor. Frank Ferreiras answered the position of the garage was fine. James Murphy thought the two parties could get together and talk about the landscaping.

The Board added a condition to the resolution requiring the applicant to revise the architects plans to correct the FAR and make them match the Engineers driveway plan. There will also be a condition requiring the Borough Engineer to approve their drainage plan. A motion was made by Mark Caputo to accept the application as presented with the above mentioned conditions. A second was provided by Arthur Max. The Board voted 7 to 0 to approve the application with members Max, Richter, DeNooyer, Sheikh, Caputo, McCormick and Murphy voting in favor.

New Application:

Brett Paddock	Appl. #18-678
57 Briarcliff Road	Blk. 78, Lot 35
Floor Area Ratio, Improved Lot Coverage	R-A Zone

Brett Paddock, of 57 Briarcliff Road, and Larry Korinda, a licensed Architect in the state of NJ, presented the application. The applicant was seeking two variances, one for FAR and one for ILC. The existing ILC is 27.8%, the proposed is 29.5% and 25% is allowed. A storage area will be added to the existing garage. There is a lot of open area around the addition. A small amount of additional pavement has been added to provide access to garage. Exhibit A-1, consisting of two photos, showed the existing garage and the planting bed area next to it. The new second bay will have a fiberglass decking on top. The new storage area aligns with the existing garage. The depth of the new area is 16.4ft. The exterior wall between the new and old area will be removed and a beam is installed. The existing garage has a screened-in porch above it and the new will have a deck on top with stairs to the yard. The design is fairly straight forward. It will have no impact on the

neighbors. Since their combined setback was just shy of the required 50 ft. they are not eligible for HP Ordinance. The lot is smaller than the required lot size creating a hardship. Chris Richter asked if the lakefront setback should be measured from deck to deck or from house to house. The Administrator will confirm this with the Zoning Officer. If need be they will correct the site plan to redraw the line. James Murphy noted the previous resolution had approved the addition of a two car garage. Larry Korinda answered, it was never built. Chris Richter asked why they were asking for more than the previously approved lot coverage of 29.04%. He thought they planned on having a very wide driveway. Larry Korinda thought the existing turn around was tight.

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

The Chair asked the Board for their comments. James Murphy asked what coverage they would need to remove in order to bring the ILC back to previously approved 29.04%. It was suggested condition #1 of the resolution from application #08-585 be met. Larry Korinda said the site showed an existing drain. Chris Richter concluded the applicant should confirm there was a usable pit or one should be installed under the direction of the Borough Engineer. James Murphy made a motion to approve the application as presented with the addition of a drywell to accommodate runoff. The second was provided by Stephen Vecchione. The Board voted 7 to 0 to approve the application with members Max, Richter, DeNooyer, Sheikh, Caputo, Vecchione and Murphy voting in favor.

Anthony DeConciliis
169 Morris Avenue
Front and Side Yard Setback

Appl. #18-679
Blk. 92, Lot 15
R-A Zone

Anthony DeConciliis, of 30 Dartmouth Rd, and Larry Korinda, a licensed Architect in the state of NJ, presented the application. The applicant had been before the Board last year. He had taken the Boards advice and was proposing a garage addition to the home. They still needed a front and side yard setback variance. Both variances were approved in December of 2017. The existing front setback on Morris Ave is 63.9ft, they are proposing 71ft where 57ft is required. On Howell Road the approved front setback was 44.7ft they are proposing 33.1ft and they are required to have 66.1ft. The driveway is the same as in their previous application and the garage is aligned to the house. They are proposing a side yard setback of 23.7ft to the corner of the new garage. The average front yard setback is 66.1ft on Howell Rd because the house next door is quite setback. The new garage is 13.10 x 13.6ft. It is one story with a gable roof and a carriage style door. It will have siding to match the rest of the house.

Chairman Richter asked if the Board had any questions. James Murphy confirmed this was where the storage area was before. Chris Richter established there were no changes made to the driveway. Mr. Korinda commented they added three boxwoods in the front along the street. Mr. Richter still thought they had too much pavement but they meet the requirements. James Murphy confirmed the proposed steps were approved at the last hearing.

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

Stephen Vecchione stated he had encouraged the applicant to build the garage so he had no issues. Jake DeNooyer thought it a good plan. A motion was made by Stephen Vecchione to approve the application as presented and Arthur Max provided the second. The Board voted 7 to 0 to approve the application with members Max, Richter, DeNooyer, Sheikh, Caputo, Vecchione and Murphy voting in favor.

Other Matters / Public Comment:

No one was present from the public.

Kelly McCormick, our new Board member, questioned the role of Board members concerning environmental issues. More specifically the DEP rules for building near the water's edge. Chair Richter thought this information could be of value to the Board and asked her to do a little research on the topic and bring it back to them.

Stephen Vecchione made a motion to adjourn the meeting and Jake DeNooyer provided the second. The meeting was adjourned at 8:42PM.

Respectfully submitted,

Cynthia Shaw