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For Notice under Sunshine Law

**MOUNTAIN LAKES ZONING BOARD OF ADJUSTMENT
AGENDA**

February 1, 2024

NOTICE: Please take notice that the meeting of the Zoning Board of Adjustment of the Borough of Mountain Lakes will be held on February 1, 2024 at 7:30 p.m. **as a remote meeting only.** Formal action may be taken.

To Participate via computer please use the following link to join the webinar: <https://zoom.us/j/94321697504>

Or use iPhone one-tap: US: +13126266799,,94321697504# or +19292056099,,94321697504#

Or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 943 2169 7504

If calling into the meeting by telephone, the following commands can be entered via DTMF tones using your phone's dial pad while in a Zoom meeting:

*6 - Toggle mute/unmute

*9 – Raise Hand (Once hand is raised, it cannot be lowered – if you change your mind and choose not to speak, when called upon, please let the host know that you have changed your mind and no longer wish to speak)

International numbers available: <https://zoom.us/j/94321697504>

1. CALL TO ORDER & OPEN PUBLIC MEETING ADVERTISEMENT NOTICE

2. ROLL CALL

3. REVIEW OF MINUTES: January 4, 2024

4. MEMORIALIZING RESOLUTION: none

5. PUBLIC HEARINGS:

Carried Applications:

Junmeng Chen and Selina Shi	Appl. #23-751
19 East Shore Road	Blk. 23, Lot 17
Improved Lot Coverage, Side Setback	R-AA zone
Floor Area Ratio	

6. OTHER MATTERS / PUBLIC COMMENTS

7. ADJOURNMENT



Cynthia Shaw, Administrative Officer

Dated: January 8, 2024

Distribution:

Board Chairman and Members
Board Attorney
Citizen & Daily Record

Web Site
Council Liaison

Applicants
Bulletin Board
Borough Clerk

**MINUTES OF A MEETING
ZONING BOARD OF ADJUSTMENT OF
THE BOROUGH OF MOUNTAIN LAKES
January 4, 2024**

Cynthia Shaw 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 11, 2023 and by filing the same with the Borough Clerk and posting it on the Front Door on January 9, 2023 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:30pm

ROLL CALL:

Present: Murphy, DeNooyer, Peters, Astrup and Vecchione

Absent: McCormick, Caputo, Paddock and Leininger

Also, Present: Attorney, Michael Sullivan

Election of Chair – Stephen Vecchione made a motion to appoint James Murphy Chair of the Zoning Board of Adjustment and Annie Peters provided the second. The motion was approved 5 – 0 with all members voting in favor.

Election of Vice Chair– James Murphy made a motion to appoint Stephen Vecchione vice Chair of the Zoning Board of Adjustment and Jake DeNooyer provided the second. The motion was approved 5 – 0 with all members voting in favor.

Appointment of the Board Attorney, Michael Sullivan,

Appointment of Administrator/Secretary, Cynthia Shaw,

Appointment of Board Engineer, Bill Ryden,

Appointment of Board Planner, Paul Phillips, and

Designation of Official Newspapers, The Citizen and The Daily Record

James Murphy made a motion to adopt the resolutions determining the Attorney, Board Administrator/Secretary, Engineer, Planner, and newspaper designations, A second was provided by Stephen Vecchione. The resolutions were adopted by voice vote of all members present.

Determination of the regular 2024 Meeting dates as follows:

The Board administrator explained the February 1st meeting will be held remotely. The remainder of the meeting would be held in person at the Borough Hall. Those dates will be:

March 7th

April 4th

May 2nd

June 6th

August 1st

September 5th

October 3rd

November 7th

December 5th

July 11th

January 2, 2025

James Murphy made a motion to adopt the resolution determining the Board meeting dates and Ryan Astrup provided the second. The resolution was adopted by voice vote by all members present except for Stephen Vecchione.

Re-adoption of the Bylaws

The Board Administrator explained the changes made to section 1:2-1 of the bylaws. If the Board agenda is limited to the adoption of minutes and resolutions the Board could meet remotely. James Murphy made a motion to adopt the revised bylaws for the Zoning Board of Adjustment for the 2024 calendar year. A second was provided by Annie Peters. The resolutions were approved by a voice vote of all eligible members present except for Stephen Vecchione.

REVIEW OF MINUTES: Stephen Vecchione made a motion to approve the minutes from the December 7th meeting. Jake DeNooyer provided the second; the minutes were approved by voice vote by all eligible members present.

RESOLUTION: Justin and Annie Peters Appl. #23-753

A motion was made by James Murphy to adopt the resolution of approval and a second was provided by Ryan Astrup. The Board voted 4 – 0 to adopt the resolution of approval.

PUBLIC HEARINGS:

Carried Application:

Junmeng Chen and Selina Shi	Appl. #23-751
19 East Shore Road	Blk. 23, Lot 17
Improved Lot Coverage Side Setback	R-AA zone
Floor Area Ratio	

The applicant requested their hearing be carried to February 1, 2024 without further notice. This meeting will be held remotely. A motion was made by James Murphy and a second was provided by Jake DeNooyer. The request to carry the application was approved by voice vote of all members present.

Other Matters / Public Comment:

Public Comment – No one wished to speak during the public comment period.

Stephen Vecchione made a motion to adjourn the meeting and Annie Peters provided the second. The meeting was adjourned at 8PM.

Respectfully submitted,

Cynthia Shaw

Borough of Mountain Lakes Zoning Board of Adjustment Checklist

Applicant's Name: Junmeng Chen, Selina Shi

Address: 19 E Shore Rd Blk 23 Lot 17

Application #: 23-751 Date: 8/28/2023

By Ordinance (section 40-22) the items listed below must be included on your Plot Plan at the Zoning Board of Adjustment for a C or D Variance. The checklist must be submitted along with your application by 9:00 am 21 days prior to the hearing date.

	Required	Yes	Waiver	N/A
1.	Lot lines, with dimensions shown on a current survey prepared by a licensed professional surveyor, engineer, architect or landscape architect in the state of NJ	✓		
2.	Tax Block and Lot Numbers	✓		
3.	Zoning District	✓		
4.	Name of roads on which the property fronts	✓		
5.	Easements, right-of-way and zone boundaries	✓		
6.	Location of streams, lakes and fresh water wetlands	✓		
7.	Topographic Information	✓		
8.	Location of all existing buildings, proposed structures or changes, showing front, rear, and side yard dimensions, and distance from buildings and accessory structures to property lines.	✓		
9.	Architectural elevations and floor plans, including structural height, of proposed addition or new building	✓		
10.	Building area allowed; draw lines showing required front, rear and side yard setbacks (Example of Plot Plan provided in Appendix B)	✓		
11.	Location, arrangement and dimensions of parking area, driveway, patios, etc.	✓		
12.	Names of adjoining property owners with lot and block designation	✓		
13.	Location of all buildings on adjoining properties including setbacks (Example shown in Appendix B)	✓		
14.	Zoning Compliance Chart	✓		

APPLICATION FORM
ZONING BOARD OF ADJUSTMENT
BOROUGH OF MOUNTAIN LAKES, NEW JERSEY

Application Number 23-751
Date Filed 8/28/23
Fee Paid \$ 300
Taxes Paid yes

SECTION 1. INFORMATION REGARDING THE APPLICANT:

- A) Applicant's Name Junmeng Chen & Selina Shi
Address 19 E Shore Rd Telephone 646-898-8815
email JUNMENG@YAHOO.COM 646-898-8816
- B) Owner's Name _____
Address _____ Telephone _____
email _____
(If the applicant is not the owner of the property, please complete the owner's authorization at the end of this application.)
- C) The applicant is an: Individual(s) ☒ Corporation _____ Partnership _____
Other (please specify) _____
If the applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having 10% interest or more in the corporation or partnership.
- D) The relationship of the applicant to the property is:
Owner ☒ Purchaser under Contract _____ Tenant or Lessee _____
Other (please specify) _____

SECTION 2. INFORMATION REGARDING THE PROPERTY

- A) The street address of the Property is 19 E Shore Rd
- B) The location of the Property is approximately 600 feet from the intersection of E Shore Rd and N Crane Rd.
- C) The tax map Block number(s) is 23 the Lot number(s) is 17.
(See tax bill or deed for this information.)
- D) The zone in which the Property is located is R-AA *
- E) The dimensions of the Property are 130 X 105 X 90 X 159.81
- F) The size of the property is 13,540 square feet.
- G) Notice is required in all cases. Additional notice is required if the property is located: (please check if applicable)

1. within 200 feet of another municipality ()
2. adjacent to an existing or proposed county road. ()
3. adjacent to other county land ()
4. adjacent to a state highway ()

H) Have there been any previous Board of Adjustment or Planning Board hearings involving this property? YES x NO

If the answer to (H) is YES, attach a copy of the written decision(s)* adopted by the applicable Board. Application No. 07-510 resolution attached.

*** Administrative Officer can assist applicant with this information.**

(I) Describe any deed restrictions, easements or other matters affecting this property.
see engineering plans

(J) Is this application filed pursuant to the *Special Zoning Requirements for Contributing Dwellings* in Section 40-49? Yes No x

SECTION 3. INFORMATION ABOUT REQUESTED RELIEF: (see Chapter 40-21)

A) Provide information appropriate to your application and check those areas requiring variance relief:

	<u>Existing</u>	<u>Proposed</u>	<u>Allowed/Required</u>
<u>x</u> Floor Area Ratio (%)	<u>25.48%</u>	<u>25.48%</u>	<u>13%</u>
<u>x</u> Improved Lot Coverage (%)	<u>36.2%</u>	<u>36.2%</u>	<u>20%</u>

Setbacks:

<u> </u> Front	<u> </u>	<u> </u>	<u> </u>
<u>x</u> Side	<u>4.1 ft (shed)</u>	<u>4.1 ft.</u>	<u>25 ft.</u>
<u> </u> Side	<u> </u>	<u> </u>	<u> </u>
<u> </u> Rear	<u> </u>	<u> </u>	<u> </u>
<u> </u> Shoreline	<u> </u>	<u> </u>	<u> </u>

x Use d(3) FAR variance

 Height*

***See Chapter 40-21A.(4a)[6] to determine if your height variance is a C or D variance**

 Other (describe)

B) Indicate the Sub-Section of the Borough of Mountain Lakes Land Use Ordinances Chapter 40-21 under which this application is submitted:

- Appeal of action of administrative officer
- Interpretation of zoning ordinance or map
- x "C-1" (40-21.3A) hardship
- x "C-2" (40-21.3B) "benefits ... would substantially outweigh any detriment"
- x "D" Use, Floor Area Ratio, Height or Density variance
- Other d(3) floor area ratio variance

C) PROPOSAL -- Provide a description of the proposed physical changes to the property/or the proposed use of the property.

The Applicant is seeking approval for an existing shed on the subject property. The property received variance approval from the Mountain Lakes Board of Adjustment, Application No. 07-510, for a floor area ratio of 23.45% where 13% is permitted; 24.82% lot coverage where 20% is permitted; a front yard setback of 32.8 ft. where 40 ft. is required; and was required to relocate an existing shed on the property to a setback 25 feet from the lake and 2.5 feet from the side yard.

Rather than a relocated shed, the property owner placed a new shed on the property at a setback of 30.2 feet from the lake, which is conforming and a setback of 4.1 feet from the side yard, which exceeds the requirements of the prior Board of Adjustment approval; however, the replacement shed is 120 sq. ft. whereas the pre-existing shed was 52 sq. ft. The larger shed along with impervious coverage added by prior owners of the property now create new variances for impervious coverage and floor area ratio. The Applicant is requesting a variance for the side yard setback for the shed of 4.1 feet where 25 feet is required; for a floor area ratio of 25.48% where 23.45% was previously granted and 13% is permitted; and an impervious coverage of 36.2% where 24.82% was previously granted and 20% is permitted.

D) REASONS FOR RELIEF: Supply a statement of facts showing why the requested relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan and land use ordinances.

The Applicant is requesting relief pursuant to N.J.S.A. 40:55D-70 c (1) for a hardship variance given that the lot is pre-existing undersized at 13,540 sf where 22,500 sf is required in the zone. The smaller lot size creates a hardship on the property with respect to side yard setback and impervious coverage. Likewise, the Applicant is also requesting relief under N.J.S.A. 40:55D-70c(2) where the benefits of the proposal outweigh the detriments by allowing for a safer situation and providing for additional storage on a lakefront property that permits better maintenance and an improved visual appearance of the property. The increased floor area ratio can be granted under N.J.S.A.40:55D-70d(3) where the property can accommodate the increased floor area ratio without any of the potential negative impacts to light, air and open space on the property. The variances can be granted without substantial detriments to the public good or impairment to the zone plan, as all of the variances are de minimis, the property is currently developed as proposed without negative impacts to the neighborhood and the Board has previously found that similar variances could be accommodated without negative impacts.

*This worksheet must be completed, sealed and certified by a licensed architect or engineer.
IMPROVED LOT COVERAGE CALCULATION (Existing & Proposed)
 -See Appendix A

Owner Juan Manuel Cuen
 Address #12 EAST SHORE ROAD
 Block Number 23 Lot(s) 17
 Zone RAD Permissible Coverage, % 24%

	Existing Area (sq. ft.)	Proposed Area (sq. ft.)	Remarks
Area of Basic House Footprint	1663	1663	
Additions			
Attached Garage			
Detached Garage			
Entries & Steps			
Porches, Breezeways & Roofed Decks	687	687	
Patios & Terraces			
Driveways & Parking Lots (paved or otherwise)	1204	1204	
Sidewalks & Walkways & PATIOS	1044	1044	
Tool Sheds	124	124	
Swimming Pools			
Walls	156	156	
Other <u>A/C & GEN PROS</u>	24	24	
TOTAL IMPROVED AREA	4902	4902	

Divide the Total Improved Area by the Site Area to get the Actual Coverage in percent.

Seal:

	Existing	Proposed
Total Improved Area (sq. ft.)	4902	4902
Site Area (sq. ft.)	13540	13540
Actual Coverage, %	36.2%	36.2%

Certified by:

License #:

NSA 3788100

Print Name

Date:

THOMAS F. GRAMM PE

8/10/23

FLOOR AREA RATIO CALCULATION (Existing & Proposed)
FOR A NEW HOUSE OR AN ADDITION
 -See Appendix A

Owner JUN M. CHEN
 Address 19 EASTSHORE ROAD
 Block Number 23 Lot(s) 17
 Zone R-1A Permissible FAR, % 16%

For Proposed House or Addition:

	Areas (sq. ft.)							
	Basement		1 st Floor		2 nd Floor		*Upper Story	*Upper Story
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Area of Basic House Footprint			1663	1663	1663	1663		
Additional Factored Area for Cathedral Ceiling Additions								
Over Attached Garage								
Bay Window								
Heated Porches, Entries and Breezeways								
Garage Space Greater than 500 square feet								
Roofed Porches, Breezeways & Decks over 500 sq ft								
Other <u>5 ft x 5 ft</u>			124	124				
Deductions								
SUB-TOTALS			3450	3450				
TOTAL FLOOR AREA (sq. ft.)								

* The gross area of the full floor of any story containing a half-story, as defined.
 Divide the Total Floor Area by the Site Area to get the Actual FAR in percent.

Seal:

	Existing	Proposed
Total Floor Area (sq. ft.)	3450	3450
Site Area (sq. ft.)	13540	13540
Actual FAR, %	24.4	24.4

Certified by: [Signature]
 License #: NS6563784100

Print Name: THOMAS F. GARDNER
 Date: 8/10/23

SECTION 4. VERIFICATION AND AUTHORIZATION:

A) APPLICANT'S VERIFICATION

I hereby certify that the above statements made by me and the statements and information contained in the papers submitted in connection with this application are true.



Applicant's Signature

B) OWNER'S AUTHORIZATION

I hereby certify that I reside at _____ in the
County of _____ and State of _____;

and that I am the owner of all that certain lot, piece or parcel of land known as
Block(s) _____

Lot(s) _____ on the Tax Map of _____ which
property is the subject of the above application, and that said application is hereby
authorized by me.

Owner's Signature

File Copy

**RESOLUTION
BOROUGH OF MOUNTAIN LAKES
BOARD OF ADJUSTMENT**

Application No. 11-606
Randy Sue Bender
19 East Shore Road
Block 23, Lot 17

WHEREAS, Randy Sue Bender, as owner, did make application to the Board of Adjustment of the Borough of Mountain Lakes in connection with various additions and renovations to the existing residence located in the R-AA Zone; and

WHEREAS, the applicant requested relief as follows:

1. A variance pursuant to N.J.S.A. 40:55D-70d (4) to allow a floor area ratio of 23.45 percent where a maximum of 13 percent is allowed pursuant to Mountain Lakes Code Section 245-19/Schedule I.
2. A variance pursuant to N.J.S.A. 40:55D-70c to allow improved lot coverage of 24.82 percent where a maximum of 20 percent is allowed pursuant to Mountain Lakes Code Section 245-19/Schedule I.
3. A variance pursuant to N.J.S.A. 40:55D-70c to allow a front yard setback of 32.8 feet where a minimum of 40 feet is required pursuant to Mountain Lakes Code Section 245-19/Schedule I.

WHEREAS, the applicant submitted a plot plan dated May 24, 2007 revised through November 4, 2011 as well as floor plans and elevations, Sheets 1, 4, 5 and 6 dated April 18, 2007 revised through October 5, 2011; Sheets 2 and 3 dated April 18, 2007 revised September 29, 2011 prepared by Washington Architectural Group, P.A.; and

WHEREAS, this matter came on to be heard at a regular meeting of the Board of Adjustment held on December 8, 2011, at which time it was established that the property owners within 200 feet of the property in question had properly been served notice; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The application contemplates reconstruction of the kitchen roof with a cathedral ceiling, adding a new covered porch with a deck above on the rear of the house, removal of the existing main wing roof and constructing a new second floor over the main wing and adding a roof over the front entry platform.
2. Based upon the location of the existing home and the irregular shape of the property, the strict application of the front yard setback requirement results in peculiar and exceptional practical difficulties and undue hardship upon the property owner.
3. Approval of this application represents an appropriate modernization of the home and advances the purposes of the Municipal Land Use Law contained in N.J.S.A. 40:55D-1 et seq., specifically encouraging appropriate use of land which promotes the general welfare (-2a); provides adequate light, air and open space (-2c); promotes the establishment of appropriate population densities and concentrations that contribute to the well-being of persons (-2e); provides sufficient space in an appropriate location for residential use (-2g) and promotes a desirable visual environment (-2i).
4. The application results in reduction of improved lot coverage from 26.56 percent to 24.82 percent which represents a public benefit.
5. The proposed size and scale of the home are substantially consistent with the developed neighborhood scheme. Although nonconforming as to floor area ratio, the mass of the

home is accommodated on the site without adversely impacting area properties and is not inconsistent with the intent and purpose of the zone plan and zoning ordinance.

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved the requisite special reasons for the granting of this application and proved by a preponderance of the evidence that the proposed relief could be granted without substantial detriment to the public good, and would not substantially impair the intent and purpose of the zone plan and zoning ordinance; and

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved peculiar and exceptional practical difficulties and exceptional and undue hardship and that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to N.J.S.A. 40:55D-70c(1); and

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicant proved that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and that the benefits of the deviation would substantially outweigh any detriment and would not cause substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of N.J.S.A. 40:55D-70c(2).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Borough of Mountain Lakes that the within application of Randy Bender for floor area ratio, improved lot coverage and front yard setback variances is hereby approved subject to the following conditions:

1. The applicant shall relocate the existing shed as shown on the plan.

2. Compliance with the Tree Management Plan set forth in Sections 102-35 and 102-36 of the Code of the Borough of Mountain Lakes.

3. This approval is limited to compliance with the plans submitted to the Board which are attached hereto and shall not be construed to permit any renovations not shown on the approved plans.

Offered by: Peter Bolo

Seconded by: Mark Cohen

Vote: 5 - 0

Date: January 5, 2012

**RESOLUTION
BOROUGH OF MOUNTAIN LAKES
BOARD OF ADJUSTMENT**

Application No. 07-510
Randy Bender
19 East Shore Road
Block 23, Lot 17

WHEREAS, Randy Bender, as owner, did make application to the Board of Adjustment of the Borough of Mountain Lakes in connection with various additions and renovations to the existing residence located in the R-AA Zone; and

WHEREAS, the applicant requested relief as follows:

1. A variance pursuant to N.J.S.A. 40:55D-70d (4) to allow a floor area ratio of 22.22 percent where a maximum of 13 percent is allowed.
2. A variance pursuant to N.J.S.A. 40:55D-70c to allow improved lot coverage of 22.81 percent where a maximum of 20 percent is allowed.
3. A variance pursuant to N.J.S.A. 40:55D-70c to allow a front yard setback of 33.4 feet where a minimum of 40 feet is required.

WHEREAS, the applicant submitted a plot plan, floor plans and elevations prepared by Washington Architectural Group, P.A. revised through May 24, 2007; and

WHEREAS, this matter came on to be heard at a regular meeting of the Board of Adjustment held on June 7, 2007, at which time it was established that the property owners within 200 feet of the property in question had properly been served notice; and

WHEREAS, the Board carefully reviewed the testimony presented and established the following findings:

1. The application contemplates a one story kitchen addition and reconstruction, second story addition, proposed porch with deck above, roof over the front entry platform and new screened porch.

2. The proposed additions and renovations represent an appropriate modernization of the existing home and provide an aesthetic benefit as well as adequate light, air and open space consistent with the purposes of the Municipal Land Use Law.

3. Based upon the location of the existing home and the irregular shape of the property, the strict application of the front yard setback requirement results in peculiar and exceptional practical difficulties and undue hardship upon the property owner.

4. The application results in reduction of improved lot coverage from 26.43 percent to 22.81 percent which represents a public benefit.

5. The size and scale of the home is substantially consistent with the developed neighborhood scheme and approval of the application will not adversely impact area properties and is not inconsistent with the intent and purpose of the zone plan and zoning ordinance.

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved the requisite special reasons for the granting of this application and proved by a preponderance of the evidence that the proposed relief could be granted without substantial detriment to the public good, and would not substantially impair the intent and purpose of the zone plan and zoning ordinance; and

WHEREAS, the Board, based on the foregoing findings, concluded that the applicant proved peculiar and exceptional practical difficulties and exceptional and undue hardship and that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to N.J.S.A. 40:55D-70c(1); and

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicant proved that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and that the benefits of the deviation would substantially outweigh any detriment and would not cause substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of N.J.S.A. 40:55D-70c(2).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Borough of Mountain Lakes that the within application of Randy Bender for floor area ratio, improved lot coverage and front yard setback variances is hereby approved subject to the following conditions:

1. As stipulated, the applicant shall relocate the existing shed to conform with the lake setback (25 feet) and retain the existing 2 ½ foot sideyard setback or construct a new shed of equal or lesser size if that is not feasible, in conformance with all applicable setbacks.
2. The applicant shall correct Sheet 2 of the application to indicate the existing front yard setback is 32.8 feet (measured to the easterly corner of the house) and the proposed front yard setback is 33.4 feet (representing the closest point of new construction).
3. Compliance with the Tree Management Plan set forth in Sections 102-35 and 102-36 of the Code of the Borough of Mountain Lakes.
4. This approval is limited to compliance with the plans submitted to the Board which are attached hereto and shall not be construed to permit any renovations not shown on the approved plans.

Offered by: C. Richter

Seconded by: P. Bolo

Vote: 4 - 0

Date: July 5, 2007

Re: Easement agreement

From: Mitchell Stern (mstern@mtnlakes.org)

To: junmengc@yahoo.com; mark.denisiuk@ferrieroengineering.com; shi.selina@yahoo.com

Cc: paul.ferriero@ferrieroengineering.com; roostdyk@murphymckeonlaw.com

Date: Thursday, May 6, 2021 at 09:14 AM EDT

Good Morning,

My apologies for the delayed response. I'll address your three concerns below:

Replacement of Shed - I do not recall committing to replacing the shed. In checking my notes, I did see that I would look into it. After reviewing records for your property, I have found that the shed you reference was supposed to have been moved to a permitted area or removed altogether (memorialized in two separate variances issued to you). As such, since the shed still remains, you are currently in violation of the Borough's zoning ordinance and you must remove or relocate the shed as agreed. If you chose to move the shed to a permitted area, it will no longer be an issue for reconstruction of the dam.

Tree and Plants - I will defer to the project engineer.

Dock - The Borough did agree to provide a dock.

Please let me know if you have any questions.

Regards

Mitchell

From: Junmeng Chen <junmengc@yahoo.com>

Date: Wednesday, May 5, 2021 at 8:32 PM

To: Mitchell Stern <mstern@mtnlakes.org>, Mark Denisiuk <mark.denisiuk@ferrieroengineering.com>, selina shi <shi.selina@yahoo.com>

Subject: Re: Easement agreement

Hi both,

Haven't heard back from either of you. Could you respond when possible?

Thanks

Junmeng

On Saturday, May 1, 2021, 12:01:37 PM EDT, Junmeng Chen <junmengc@yahoo.com> wrote:

Re: Easement agreement

From: Mitchell Stern (mstern@mtnlakes.org)

To: junmengc@yahoo.com; shi selina@yahoo.com

Date: Monday, June 27, 2022 at 08:58 AM EDT

That is correct, we will remove the shed, so long as it is empty (as mentioned in previous emails).
As to size, if there is no mention of size in the variance, it will have to be the same size as the existing shed (or smaller).

Regards

Mitchell

From: Junmeng Chen <junmengc@yahoo.com>

Date: Wednesday, June 22, 2022 at 10:15 PM

To: selina shi <shi.selina@yahoo.com>, Mitchell Stern <mstern@mtnlakes.org>

Subject: Re: Easement agreement

CAUTION This email has originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No problem, Mitchell. Definitely understand how busy you are.

As we discussed previously, the current shed is not in condition to be moved, it will fall apart if we move it. In this case, we will just build a new shed of similar size in the location it's supposed to be, right? And you guys will still take down the old shed when the dam is being built? We are away at the moment, but if we are aligned, we will get the documents notarized when we get back. Should be able to get it to you by the 30th.

Thanks

Jun

On Wednesday, June 22, 2022, 04:22:50 PM EDT, Mitchell Stern <mstern@mtnlakes.org> wrote:

Hi Jun,

Apologies for being slow to respond - it's been crazy.

I have reviewed the documents and you are correct - the shed can stay where it is supposed to be (not where it is) and you have to get it there. Once there, it will not be in the way (we will be working around it).

Let me know if I missed anything or if you need anything further.

Regards

Mitchell

From: Junmeng Chen <junmengc@yahoo.com>

Date: Wednesday, June 22, 2022 at 7:39 AM

To: selina shi <shi.selina@yahoo.com>, Mitchell Stern <mstern@mtnlakes.org>

Subject: Re: Easement agreement

CAUTION This email has originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mitchell,

Have you got a chance to look into the variance yet? Still waiting for a response.

Thanks

Jun

On Thursday, June 16, 2022, 06:07:10 PM EDT, Junmeng Chen <junmengc@yahoo.com> wrote:

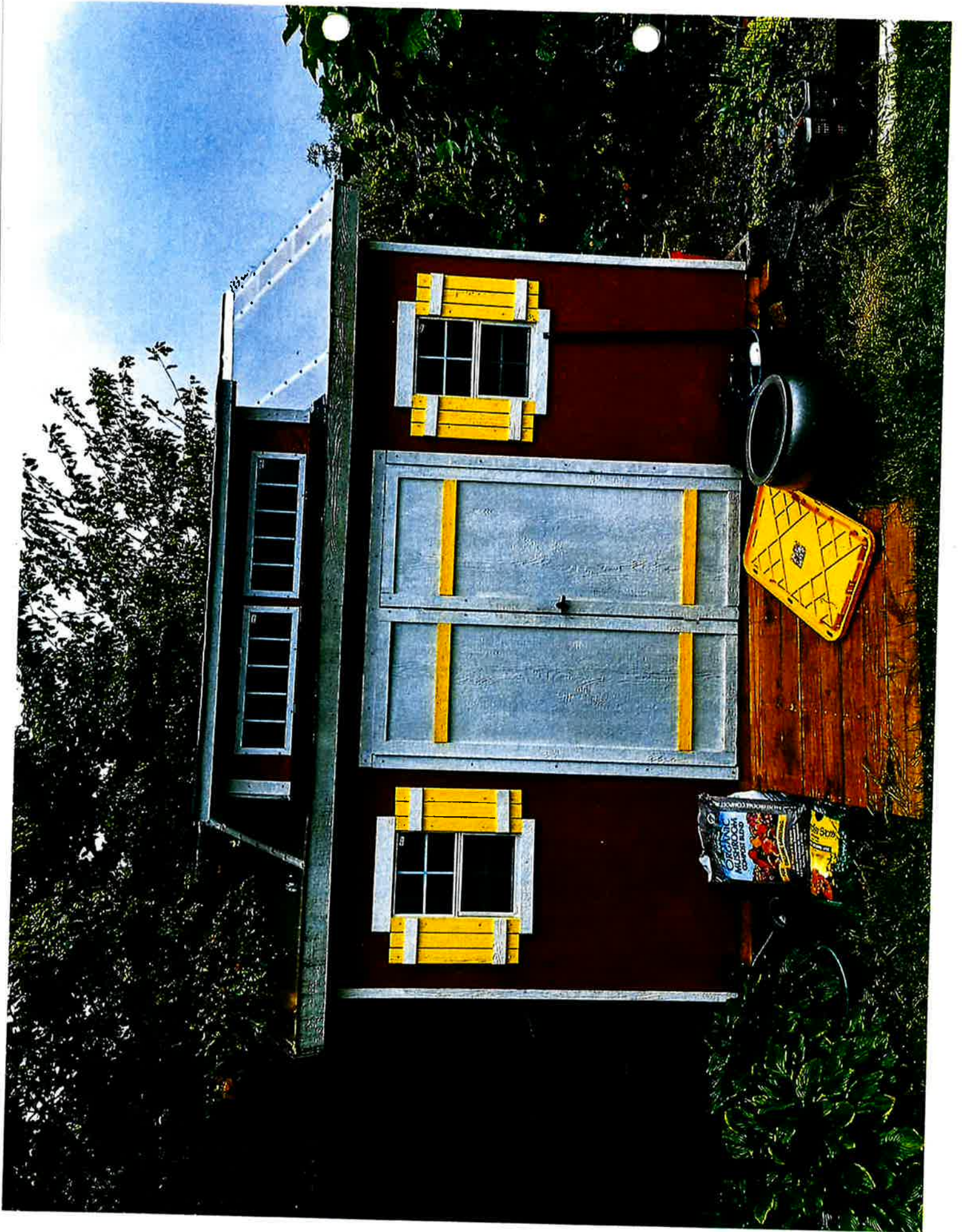
Sounds good. Thanks.

Let us know what we need to do. What we don't understand is if we have the plan and variance from you already, why do we still need a separate survey done?

On Thursday, June 16, 2022, 06:03:29 PM EDT, Mitchell Stern <mstern@mtnlakes.org> wrote:

Junmeng,

Tomorrow won't work for me - I'll be away from the office. Let me look at the variances and then get back to you.





Stonecraft 12' x 10' Wood Storage Shed – Do It Yourself Assembly

★★★★

3.5 (130)

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Specifications

[Manuals & Guides](#)

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Specifications

Assembly	Do it Yourself
Brand	Yardline
Color	Brown
Dimensions (WxDxH)	12 ft. x 10 ft. x 10 ft.
Door Opening Dimensions: W x H	56 in. x 72 in.
Features	Lockable Doors
Features	Rust Resistant
Features	Weather Resistant
Material	Wood
Maximum Roof Load	25 Pound per Square Foot

FLOOR AREA RATIO CALCULATION (Existing & Proposed)
-See Appendix A
FOR A NEW HOUSE OR AN ADDITION

Owner JUNG MEN CHEN & SELINA SHI
 Address #19 EAST SHORE ROAD, MTN LKS NJ 07046
 Block Number 23 Lot(s) 17
 Zone R-2A Permissible FAR, % 13%

For Proposed House or Addition:

	Areas (sq. ft.)							
	Basement	Basement	1 st Floor	1 st Floor	2 nd Floor	2 nd Floor	*Upper Story	*Upper Story
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Area of Basic House Footprint			1663	1663	1663 ⁽⁴⁾	1663 ⁽¹⁾		
Additional Factored Area for Cathedral Ceiling			(1) INCLUDES CATHEDRAL CEILING OVER KITCHEN					
Additions								
Over Attached Garage								
Bay Window								
Heated Porches, Entries and Breezeways								
Garage Space Greater than 500 square feet								
Roofed Porches, Breezeways & Decks over 500 sq ft								
Other <u>SITES</u>			124	124				
Deductions								
SUB-TOTALS			1787	1787	1663	1663		
TOTAL FLOOR AREA (sq. ft.) EXISTING (1787+1663) = 3,450 SF PROPOSED (1787+1663) = 3,450 SF								

* The gross area of the full floor of any story containing a half-story, as defined.
 Divide the Total Floor Area by the Site Area to get the Actual FAR in percent.
 Seal:

	Existing	Proposed
Total Floor Area (sq. ft.)	3,450 SF	3,450 SF
Site Area (sq. ft.)	13,540 SF	13,540 SF
Actual FAR, %	25.48%	25.48%

Certified by: [Signature] Print Name: THOMAS F. GRIFFIN PE
 License #: NJGEO378100 Date: 01-11-24

