

**Note: We are not submitting this for publication or for billing to the Borough.**

For Notice under Sunshine Law

**MOUNTAIN LAKES ZONING BOARD OF ADJUSTMENT  
AGENDA  
December 7, 2023**

**NOTICE:** Please take notice that the meeting of the Zoning Board of Adjustment of the Borough of Mountain Lakes will be held on December 7, 2023 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: November 2, 2023**

**4. MEMORIALIZING RESOLUTION:**

James Nichols

Appl. #23-754

**5. PUBLIC HEARINGS:**

**Carried Applications:**

Junmeng Chen and Selina Shi

19 East Shore Road

Improved Lot Coverage, Side Setback

Floor Area Ratio

Appl. #23-751 (requesting to be carried to February 1, 2024)

Blk. 23, Lot 17

R-AA zone

Justin and Annie Peters

74 Tower Hill Road

Side & Rear Setback, Height

Appl. #23-753

Blk. 40, Lot 9

R-AA zone

**6. OTHER MATTERS / PUBLIC COMMENTS**

**7. ADJOURNMENT**



Cynthia Shaw, Administrative Officer

Dated: November 20, 2023

**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  
November 2, 2023**

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 11, 2023 and by filing the same with the Borough Clerk and posting it on the Borough Office bulletin board on January 09, 2023 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:31PM

**ROLL CALL:**

Present: Murphy, De Nooyer, Leininger, Peters, Vecchione, McCormick, Caputo and Astrup

Absent: Paddock

Also, Present: Attorney, Michael Sullivan

**REVIEW OF MINUTES:** Mark Caputo made a motion to approve the minutes from the October 5, 2023 meeting. Annie Peters provided the second; the minutes were approved by voice vote by all eligible members present.

**RESOLUTION:** none

**PUBLIC HEARINGS:**

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	

This applicant has requested their application be carried to our January meeting. A motion was made by James Murphy to carry the application to our January 4, 2024 meeting without further notice and a second was provided by Meghan Leininger. The carry was approved by voice vote of all eligible members present.

James Nichols	Appl. #23-754
8 Maple Way	Blk. 127.04, Lot 4
Front Setback	R-2 Zone

Alex Gotthelf, a licensed architect in the state of NJ, prepared the plans for the variance request. James Nichols, of 8 Maple Way, was looking for a front setback variance to add a new front porch to his home. Mr. Nichols shared exhibit A-1, a 7-page power point presentation, containing photos of the property, renderings of the front of the house and a streetscape exhibit. He explained they have problems with package deliveries since the front door is not covered. They would like somewhere to sit and watch their children

play. They want to create shade in the front yard. They did consider a portico, but they still would have needed a front setback variance. Maple Way curves to the right and left of his property. The photos showed the view of the neighboring properties from his front yard. The base of the porch will be masonry. Most of the porch roof will be flat; there will be a peak over the door. The columns will be in the arts and craft style.

James Murphy asked the applicant to list the variances they were seeking. They need a front yard setback variance. Currently the house is 44.05ft off the property line. They are required to be at 43ft, and they are seeking a setback of 36.2ft. Steve Vecchione asked what materials would be used. Alex Gotthelf said the porch roof would be metal. J.

Nichols added the color would be neutral. The masonry will be a thin real stone veneer. M. Leininger asked what the type of rock would be. It will be a river rock. Will there be gutters? Yes, and they will tie into the current drainage system. R. Astrup was glad they were still within the allowed lot coverage. Were they removing anything to achieve this. A. Gotthelf answered they were only taking out the existing walkway and replacing it with a new one.

The chair asked for public questions or comments. – Frank Araps, of 10 Maple Way, Katie Muttick, of 12 Center Drive, Paula Lewis, of 4 Center Drive, and Jenn Ammoto, of 8 Crescent Drive supported the application.

Steve Vecchione made a motion to approve the application with the Board's standard conditions and a second was provided by Ryan Astrup. The Board approved the application 7 – 0 with members Murphy, De Nooyer, Leininger, Peters, Vecchione, McCormick, Caputo and Astrup voting in favor.

**Other Matters / Public Comment:**

Public Comment – No one wished to make a public comment.

Master Plan Committee – The Planning Board adopted the 2023 Master Plan Reexamination Report at the October 26<sup>th</sup> public hearing.

Jim Murphy will be reaching out to board members about renewing their term.

Ordinance Subcommittee – The committee will be meeting on November 30<sup>th</sup>.

Kelly McCormick made a motion to adjourn the meeting and Annie Peters provided the second. The meeting was adjourned at 8:17 PM.

Respectfully submitted,

Cynthia Shaw

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

Application No. 23-754  
James Nichols  
8 Maple Way  
Block 127.04, Lot 4

**WHEREAS**, James Nichols, as owner, did make application to the Zoning Board of Adjustment of the Borough of Mountain Lakes to construct additions to the property including a covered front porch to the existing single-family home at the above-captioned property located in the R-2 Zone; and

**WHEREAS**, the applicant requested a variance pursuant to N.J.S.A. 40:55D-70c to permit a front yard setback of 36 feet 2 inches where a minimum of 43 feet is required pursuant to Mountain Lakes Code Section 245-20B; and

**WHEREAS**, the applicant submitted architectural plans prepared by Alexander D. Gotthelf, AIA Sheets A1 and A2 dated September 5, 2023 and Sheet EC1 dated September 19, 2023; and

**WHEREAS**, this matter came on to be heard at a regular meeting of the Zoning Board of Adjustment held on November 2, 2023, at which time it was established that notice was properly published and 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 of fact and conclusions of law:

1. The subject property is an interior lot located on the southerly side of Maple Way with lot area of 11,722 square feet. The property is improved with a single-family dwelling, attached wood deck in the rear and related site improvements.

2. The front yard setback requirement in the R-2 Zone is 30 feet, however, pursuant to the front yard exception contained in Mountain Lakes Code Section 245-20B, the front yard setback shall be the average of adjacent buildings as outlined therein except in no event shall the setback be less than the required front yard setback for the appropriate zone as specified in Mountain Lakes Code Section 245-19/Schedule I. The front yard setback of Block 127.04, Lot 3 is 40.1 feet and the front yard setback of Block 127.04, Lot 5 is 46 feet which yields a front yard setback requirement of 43 feet.

3. The Board determined the applicant presented sufficient testimony to support the grant of a front yard setback variance. The covered front porch provides protection from the elements and improves the aesthetics of the home which represents a public benefit.

4. 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) and provides adequate light, air and open space (-2c).

5. Based upon the Board's particular knowledge of local conditions, approval of this application is consistent with the character of the neighborhood and will not adversely impact area properties.

6. Approval of this application is not inconsistent with the intent and purpose of the zone plan and zoning ordinance which seeks to preserve the residential character of the neighborhood.

**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 pursuant to the requirements of N.J.S.A. 40:55D-70c(2); and

**WHEREAS**, the Board, based on the aforementioned findings, concluded that the applicant met the negative criteria in that approval of the application will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to N.J.S.A. 40:55D-70; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Adjustment of the Borough of Mountain Lakes that the within application of James Nichols for a front yard setback variance, as outlined herein, is hereby approved subject to the following conditions:

1. 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.
2. An as-built survey shall be submitted to the Construction Office for confirmation of compliance with zoning and engineering requirements, if required by the Construction Official.
3. The applicant shall be bound by all representations made at the public hearing.
4. Compliance with the Tree Management Plan set forth in Sections 102-35 and 102-36 of the Code of the Borough of Mountain Lakes.

Offered by:

Seconded by:

Vote:

Date:

# Borough of Mountain Lakes Zoning Board of Adjustment Checklist

RECEIVED  
NOV 6 2023  
MOUNTAIN LAKES

Applicant's Name: Justin and Annie Peters

Address: 74 Tower Hill Road, Mountain Lakes, NJ 07046 Blk 40 Lot 9

Application #: 23-753 Date: 11/02/2023

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	X		
2.	Tax Block and Lot Numbers	X		
3.	Zoning District	X		
4.	Name of roads on which the property fronts	X		
5.	Easements, right-of-way and zone boundaries	X		
6.	Location of streams, lakes and fresh water wetlands			X
7.	Topographic Information		X	
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.	X		
9.	Architectural elevations and floor plans, including structural height, of proposed addition or new building	X		
10.	Building area allowed; draw lines showing required front, rear and side yard setbacks (Example of Plot Plan provided in Appendix B)	X		
11.	Location, arrangement and dimensions of parking area, driveway, patios, etc.	X		
12.	Names of adjoining property owners with lot and block designation	X		
13.	Location of all buildings on adjoining properties including setbacks (Example shown in Appendix B)	X		
14.	Zoning Compliance Chart	X		



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

Application Number 23-753  
Date Filed 11/6/23  
Fee Paid \$ 750  
Taxes Paid \_\_\_\_\_

SECTION 1. INFORMATION REGARDING THE APPLICANT:

- A) Applicant's Name Justin and Annie Peters  
Address 74 Tower Hill Road, Mountain Lakes, NJ 07046 Telephone (917) 583-3321  
email irongirlannie@me.com
- B) Owner's Name Justin and Annie Peters  
Address 74 Tower Hill Road, Mountain Lakes, NJ 07046 Telephone (917) 583-3321  
email irongirlannie@me.com  
(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 74 Tower Hill Road, Mountain Lakes, NJ 07046
- B) The location of the Property is approximately 40 feet from the intersection  
of Condit Road and Tower Hill Road.
- C) The tax map Block number(s) is 40 the Lot number(s) is 9.  
(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 215.17' x 254.53' x 211.43' x 281.15'
- F) The size of the property is 50,589 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.

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

(I) Describe any deed restrictions, easements or other matters affecting this property.  
N/A

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

### 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>      </u> Floor Area Ratio (%)	<u>15.23%</u>	<u>15.56%</u>	<u>16%</u>
<u>      </u> Improved Lot Coverage (%)	<u>21.25%</u>	<u>21.23%</u>	<u>24%</u>

Setbacks:

<u>      </u>	Front	<u>101.18</u>	<u>unchanged</u>	<u>40.0'/159.65' (average front yd)</u>
<u>X</u>	Side	<u>46.4'/12.6'</u>	<u>12.0'</u>	<u>20.0'</u>
<u>      </u>	Side (combined)	<u>59.0'</u>	<u>58.4'</u>	<u>50.0'</u>
<u>X</u>	Rear	<u>0.17'</u>	<u>unchanged</u>	<u>25.0'</u>
<u>      </u>	Shoreline	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>

<u>      </u> Use	<-----Accessory Structure----->		
<u>X</u> Height*	<u>22'-8 1/4"</u>	<u>unchanged</u>	<u>20'-0"</u>

\*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
- "C-1" (40-21.3A) hardship
- X "C-2" (40-21.3B) "benefits ... would substantially outweigh any detriment"
- "D" Use, Floor Area Ratio, Height or Density variance
- Other \_\_\_\_\_

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

The scope of work is limited to the existing carriage house/accessory structures. Alterations include:

1. infilling 50 sf between the two existing accessory structures to connect the interior spaces of the buildings (see #1 on the plot plan).
2. adding a single-story shed roof structure to the side of the accessory structure that is consistent with the contributing dwelling historic photos (see #2 on the plot plan).

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 existing accessory structures are in poor shape. The proposed scope of work will restore the overall condition, history and aesthetics of the buildings.

Proposed addition #1 (see plot plan) falls under the existing accessory structure's roof line. It does not alter the overall scale or massing of the existing structures. The architectural details have a light touch and reference the primary residence, so the focus is on the original structures. The addition does not alter the existing street-facing facade, and does not impact impervious coverage.

Proposed addition #2 (see plot plan) restores the single-story historic shed structure (as seen in the Contributing Dwelling historic database). The size, architectural details, and materials of the addition are consistent with the original structure shown in the photographic records and the existing structure.

There is a reduction in impervious coverage as a result of the scope of work. There is no change to the existing non-conforming rear yard setback nor existing accessory structure height. The proposed side-yard setback matches the original historic condition of the property (per zoning application 00-274, 8/31/2000).

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

Owner Justin and Annie Peters

Address 74 Tower Hill Road, Mountain Lakes, NJ 07046

Block Number 40

Lot(s) 9

Zone R-AA

Permissible FAR, % 16%

For Proposed House or Addition:

	Areas (sq. ft.)							
	Basement	Basement	1 <sup>st</sup> Floor	1 <sup>st</sup> Floor	2 <sup>nd</sup> Floor	2 <sup>nd</sup> Floor	*Upper Story	*Upper Story
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Area of Basic House Footprint	-	-	2,828	2,828	1,859	1,859	1,087	1,087
Additional Factored Area for Cathedral Ceiling	-	-	-	73	-	-	-	-
Additions	-	-	-	-	-	-	-	-
Over Attached Garage	-	-	-	-	-	-	-	-
Bay Window	-	-	-	-	-	-	-	-
Heated Porches, Entries and Breezeways	-	-	-	-	-	-	-	-
Garage Space Greater than 500 square feet	670	670	-	-	-	-	-	-
Roofed Porches, Breezeways & Decks over 500 sq ft	-	-	577	577	-	-	-	-
Other (Accessory Structure)	-	-	685	777	-	-	-	-
Deductions								
<b>SUB-TOTALS</b>	670	670	4,090	4,255	1,859	1,859	1,087	1,087
<b>TOTAL FLOOR AREA (sq. ft.)</b>								

\* 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.)	7,706	7,798
Site Area (sq. ft.)	50,589	50,589
Actual FAR, %	15.23%	15.56%

Certified by:

*Elana Koplik*

Print Name: Elana Koplik

License #: NJ21A102002600

Date: 11/02/23

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

Owner Justin and Annie Peters  
 Address 74 Tower Hill Road, Mountain Lakes, NJ 07046  
 Block Number 40 Lot(s) 9  
 Zone R-AA Permissible Coverage, % 24%

	Existing Area (sq. ft.)	Proposed Area (sq. ft.)	Remarks
Area of Basic House Footprint	2,828	2,828	
Additions	-	-	
Attached Garage	-	-	
Detached Garage	735	859	Accessory Structure
Entries & Steps	395	395	
Porches, Breezeways & Roofed Decks	577	577	
Patios & Terraces	639	496	Incl. Accessory Patios & Apron
Driveways & Parking Lots (paved or otherwise)	5,358	5,358	
Sidewalks & Walkways	-	-	
Tool Sheds	-	-	
Swimming Pools	-	-	
Walls	190	190	
Other	30	37	AC Units
<b>TOTAL IMPROVED AREA</b>	<b>10,752</b>	<b>10,740</b>	

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

Seal:

	<b>Existing</b>	<b>Proposed</b>
Total Improved Area (sq. ft.)	10,752	10,624
Site Area (sq. ft.)	50,589	50,589
Actual Coverage, %	21.25%	21.23%

Certified by: *Elana Koplik* Print Name Elana Koplik  
 License #: NJ21A102002600 Date: 11/02/23

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 74 Tower Hill Road in the  
County of Morris and State of  
New Jersey;  
and that I am the owner of all that certain lot, piece or parcel of land known as  
Block(s) 40  
Lot(s) 9 on the Tax Map of Mountain Lakes which  
property is the subject of the above application, and that said application is hereby  
authorized by me.

  
Owner's Signature

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

Application No. 00-274  
Daniel and Megan Ferrante  
74 Tower Hill Road  
Block 40, Lot 9

**WHEREAS**, Daniel and Megan Ferrante, as owners, did make application to the Board of Adjustment of the Borough of Mountain Lakes to create a front entry and steps which would result in a front yard setback of 107 feet where a minimum of 159.65 feet is required on property located in the R-AA zone; and

**WHEREAS**, the applicants submitted a site plan and elevation prepared by C. A. Young Architecture dated August 27, 2000 as well as a survey prepared by Benjamin & Wizorek, Inc. dated March 15, 2000; and

**WHEREAS**, this matter came on to be heard at a regular meeting of the Board of Adjustment held on September 21, 2000 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. Pursuant to the front yard exception contained in Section 13-5.2b, the minimum front yard setback from Tower Hill Road is 159.65 feet based upon the average of adjacent properties.
2. The applicant's proposal to create a front entry with steps represents an aesthetic improvement to the property which will benefit the neighborhood.
3. The applicants' plan provides adequate light, air and open space consistent with the purposes of the Municipal Land Use Law.
4. Approval of this application will not adversely impact the neighborhood and is not inconsistent with the intent and purpose of the zone plan and zoning ordinance.

**WHEREAS**, the Board, based on the aforementioned findings, concluded that the applicants 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 Daniel and Megan Ferrante for a front yard setback variance is hereby approved.

Offered by: Cohen

Seconded by: Holasek

Vote: 6 - 0

Date: October 19, 2000





# Contributing Dwellings Database Photos

08/02/23

Carriage House Addition & Alteration  
Justin and Annie Peters  
74 Tower Hill Road, Mountain Lakes, NJ 07046



## Current Photos

08/02/23

Carriage House Addition & Alteration  
Justin and Annie Peters  
74 Tower Hill Road, Mountain Lakes, NJ 07046

**BOROUGH OF MOUNTAIN LAKES**  
**CHECKLIST AND CERTIFICATION FOR**  
**ELIGIBILITY FOR BULK INCENTIVES**

This Checklist and Certification must be completed, sealed and certified by a licensed architect.

**ELIGIBILITY FOR BULK INCENTIVES**

Applicant Justin and Annie Peters

Address 74 Tower Hill Road, Mountain Lakes, NJ 07046

Owner Justin and Annie Peters

Address 74 Tower Hill Road, Mountain Lakes, NJ 07046

Block Number 40 Lot(s) 9

Application Number 23-753

This Checklist and Certification is intended to assist the certifying architect in confirming that any **alterations** (including any proposed **alterations**) made to the **contributing dwelling** after the applicable **Bulk Incentives Effective Date** comply with all of the requirements of § 40-49B. The certifying architect remains fully responsible for ensuring the applicant is eligible for the **bulk incentives**. Certain terms are used as defined in the Mountain Lakes Land Use Administration Ordinance, including those in boldface type. For purposes of this Checklist and Certification, (1) all questions relating to "alterations" refer to all **alterations** (including any proposed **alterations**) made to the **contributing dwelling** after the **Bulk Incentives Effective Date**, and (2) any **alterations** approved under § 40-49B(5) shall be deemed for all purposes to have been made prior to the **Bulk Incentives Effective Date**. Eligibility for the **bulk incentives** is confirmed where all responses are checked to confirm the statement is correct, except where otherwise indicated:

1. ☒ The principal **dwelling** located on the applicant's property is currently listed as a **contributing dwelling** on the Mountain Lakes Historic Preservation Committee's historic preservation incentives website, is not a replacement constructed after 1938 for a **dwelling** that has been **demolished** on such property, and otherwise satisfies all of the requirements in the definition of **contributing dwelling** in the Mountain Lakes Land Use Administration Ordinance.
2. The applicable **Bulk Incentives Effective Date** for the **contributing dwelling** on the property is:  
☒ August 11, 2012 ☐ April 1, 2017
3. ☐ The **contributing dwelling** has more than one **street-facing façade**. If this is checked, please fill in the blank in the following statement: The **primary street-facing facade** of the **contributing dwelling** is located \_\_\_\_\_ (describe location).
- 4.1 ☐ Check here if the following statement is applicable. [If this item has been checked, you may skip all remaining questions except Questions 20 and 21.]
- 4.2 ☐ Check here if the following statement is not applicable, and continue with the next question.  
 No **alterations** have been (or are proposed to be) made to the **contributing dwelling** after the **Bulk Incentives Effective Date**. [This should only be checked where the application does not involve proposed **alterations** to the **contributing dwelling** -- for example, where the application only involves an improvement to the property unrelated to the **contributing dwelling** (including but not limited to accessory structures, garages, swimming pools, terraces and driveways) -- and there have been no **alterations** to the **contributing dwelling** since the **Bulk Incentives Effective Date**.]

- 5.1     Check here if the following statement is applicable. [If this item has been checked, you may skip Questions 6 through 9 and continue with Question 10 below.]
- 5.2 X\* Check here if the following statement is not applicable, and continue with the following questions.
- No **alterations** have been (or are proposed to be) made to any **street-facing facade** of the **contributing dwelling** (including side additions or enclosures or extensions of side porches) after the **Bulk Incentives Effective Date**.
6. X The **alterations** to any **street-facing facade** are **compatible** with the **existing** or **original structure**. (§ 40-49B(1))
7. X The proportion between the width and height of the **alterations** is **compatible** with the **primary street-facing facade** of the **existing** or **original structure**. (§ 40-49B(1)(a))
8. X The proportions and relationships between doors and windows in the **primary street-facing facade** are **compatible** with the **existing** or **original structure**. (§ 40-49B(1)(b))
9. N/A (If the following is applicable, check here and confirm below that one of the requirements below applies. If not applicable, please write "NA.")

The **alterations** include side additions to the **primary street-facing facade**.

- 9.1     Any **alterations** consisting of side additions to the **primary street-facing facade** have a minimum setback of 12 inches from the plane of the **existing primary street-facing facade**, and any associated roofline will have a minimum setback of 12 inches from the **existing** roof line. (§ 40-49B(1)(c))

- 9.2     (If the following is applicable, check here and confirm below that one of the requirements below applies. If not applicable, please write "NA.")

There was, on the **Bulk Incentives Effective Date**, an **existing** side addition or side porch to the **primary street-facing facade** (§ 40-49B(1)(d)):

- 9.2.1     an open-air porch that existed on the **Bulk Incentives Effective Date** and does not comply with the 12-inch setback requirement has been (or will be) enclosed within the **existing** plane of the porch, and overall bulk requirements will be complied with. (§ 40-49B(1)(d)[1])

- 9.2.2     a side addition that existed on the **Bulk Incentives Effective Date** and does not comply with the 12-inch setback requirement has been (or will be) extended no more than a further five feet to the side of the same plane as the **existing** side addition, and overall bulk requirements will be complied with. (§ 40-49B(1)(d)[2])

10. X The height of the **alterations** is **compatible** with the **existing structure**. (§ 40-49B(2))
11. X The design of the roof and any dormers will be **compatible** with the **existing** roof and dormers. (§ 40-49B(2))
12. X The **alterations** preserve the **existing** or **original** roof ridge, roof pitch and overhangs of the **existing** or **original structure**. (§ 40-49B(2))
13. N/A (If the following is applicable, check here and confirm that the requirement below applies. If not applicable, please write "NA.")

**Alterations** include new or altered dormers.

\* Addition per Contributing Dwelling Historic Database photographic records and zoning application 00-274, 08/31/2000.

- 13.1 N/A Any new or altered dormers are **compatible** with the typical styles of dormers associated with the **original structure**. (§ 40-49B(2))
14. X Architectural details and materials are incorporated as necessary to relate the new with the old and to preserve and enhance the character-defining features of the **existing or original structure**. (§ 40-49B(3))
15. X (If the following is applicable, check here and confirm that the requirement below applies. If not applicable, please write "NA.")
- Windows will be **replaced** or have been **replaced** since the **Bulk Incentives Effective Date**.
- 15.1 X The **replacement** windows contain real or simulated divided lights, grille patterns, sizes and shapes that are **compatible** with the typical styles of windows associated with the **original structure** and otherwise comply with the requirements of this subparagraph (3). (§ 40-49B(3))
16. X After completion of the **alterations**, 100% of the **existing primary street-facing facade** width and height is retained intact consistent with the other requirements of this Checklist and Certification. (§ 40-49B(4)(a))
17. X After completion of the **alterations**, at least 75% of the floor area of the **original structure** as it existed on December 31, 1938 remains. (Interior renovations and any **restoration** to match the **original** will not be deducted in determining compliance with the 75% requirement.) (§ 40-49B(4)(b))
18. X I have read and am familiar with the publication entitled, "Historic Mountain Lakes – Restoration and Renovation Handbook." (Available on the Mountain Lakes Historic Preservation Committee website, or upon written request to the Mountain Lakes Historic Preservation Committee.)
19. X To the best my knowledge, any **alterations** to the **contributing dwelling** that were performed after the **Bulk Incentives Effective Date** and prior to the date of this Checklist and Certification, together with any proposed **alterations** (in each case excluding **alterations** that are deemed to have been made prior to the **Bulk Incentives Effective Date** pursuant to an approval granted under § 40-49B(5)), fully comply with the requirements of § 40-49B.

MUST BE COMPLETED FOR ALL CERTIFICATIONS:

20. X I have printed and submitted with each copy of this application (1) true and correct color copies of photographs of the **contributing dwelling** located on the property that are currently available on the Mountain Lakes Historic Preservation Committee's historic preservation incentives website representing the condition of the property as of the **Bulk Incentives Effective Date**, and (2) color copies of photographs of the **contributing dwelling** located on the property that accurately represent corresponding views of the **contributing dwelling** as of the date of this certification.
21. X I have caused to be delivered to the Mountain Lakes Historic Preservation Committee, in care of the Mountain Lakes Borough Hall, at least one additional complete copy of the applicant's application, including this Checklist and Certification and the photographs required under Question 20.

Certified by: Elana Koplik

Print Name: Elana Koplik

License #: NJ21A102002600

Date: 11/02/23

☐ I have reviewed and accepted the *Checklist and Certification for Eligibility for Bulk Incentives*.

Signature: \_\_\_\_\_

Mountain Lakes Zoning Officer

Date: \_\_\_\_\_

11/16/23



## EXISTING PHOTOGRAPHS

[illegible]

## SHELTERS

Me Shokken AIA I E Koplin: AIA  
 20 50 512 376 2 100 0 0 1 100  
 20 50 512 376 2 100 0 0 1 100  
 20 50 512 376 2 100 0 0 1 100





# **BOROUGH OF MOUNTAIN LAKES**

**LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES**

**Kevin Lewthwaite**  
**Zoning Official**

*400 Boulevard  
Mountain Lakes, NJ 07046  
P -973-334-3131 x2013  
F -973-402-3466*

**11/16/23**

**To: Justin and Annie Peters**  
**From: Kevin Lewthwaite/Zoning Official**  
**Borough Of Mountain Lakes**  
**RE: 74 Tower Hill Road Mountain Lakes NJ (40/9)**

**I have reviewed the application to determine compliance with the Borough's Historic Preservation Ordinance. I have reviewed the submitted documentation found that the applicant property meets the requirements to qualify as a contributing Historic Preservation property. The proposed renovation is for the rehab of the existing accessory structure at the northwesterly corner of the property. There is also a proposed addition to the rear of the structure which actually restores the structure back to the condition it was when the historic preservation photos were taken. This section was removed by the previous owner without permits.**

**The application will require 3 bulk variances. Existing rear yard setback is 0.17 where 25' is required. Existing side yard setback is 15.70'. Proposed side yard is 12' which replaces the one story portion of the accessory structure back to the condition when the HPC was adopted. The existing height of the structure is 22'8 1/4" where 20' is allowed. Zoning application is denied. Applicant must make application to the municipal Zoning Board for variance relief.**

**Respectfully,**



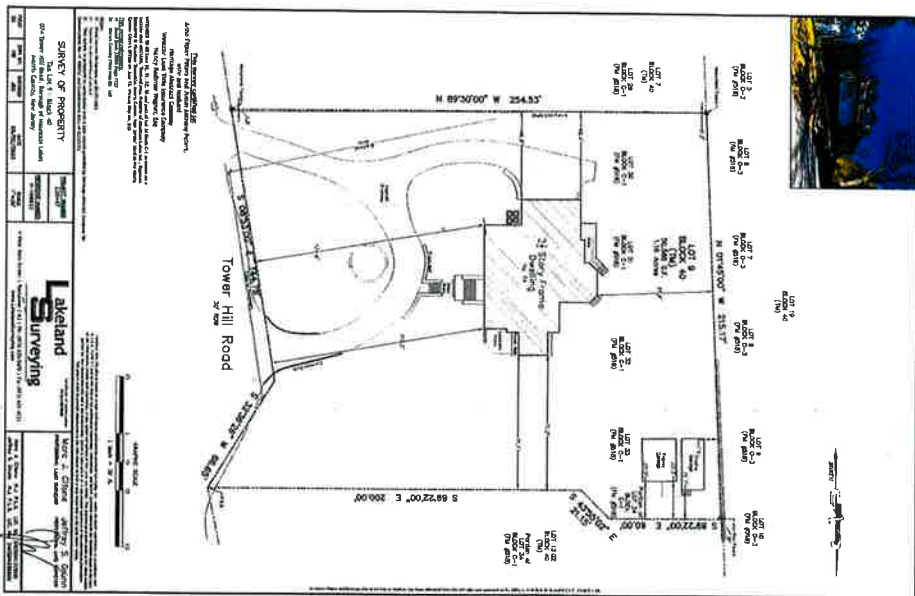
**Kevin Lewthwaite**



11/20/2023

# EXISTING SURVEY

10/10/2018  
10/10/2018  
10/10/2018



# SHELTERS

10/10/2018  
10/10/2018  
10/10/2018

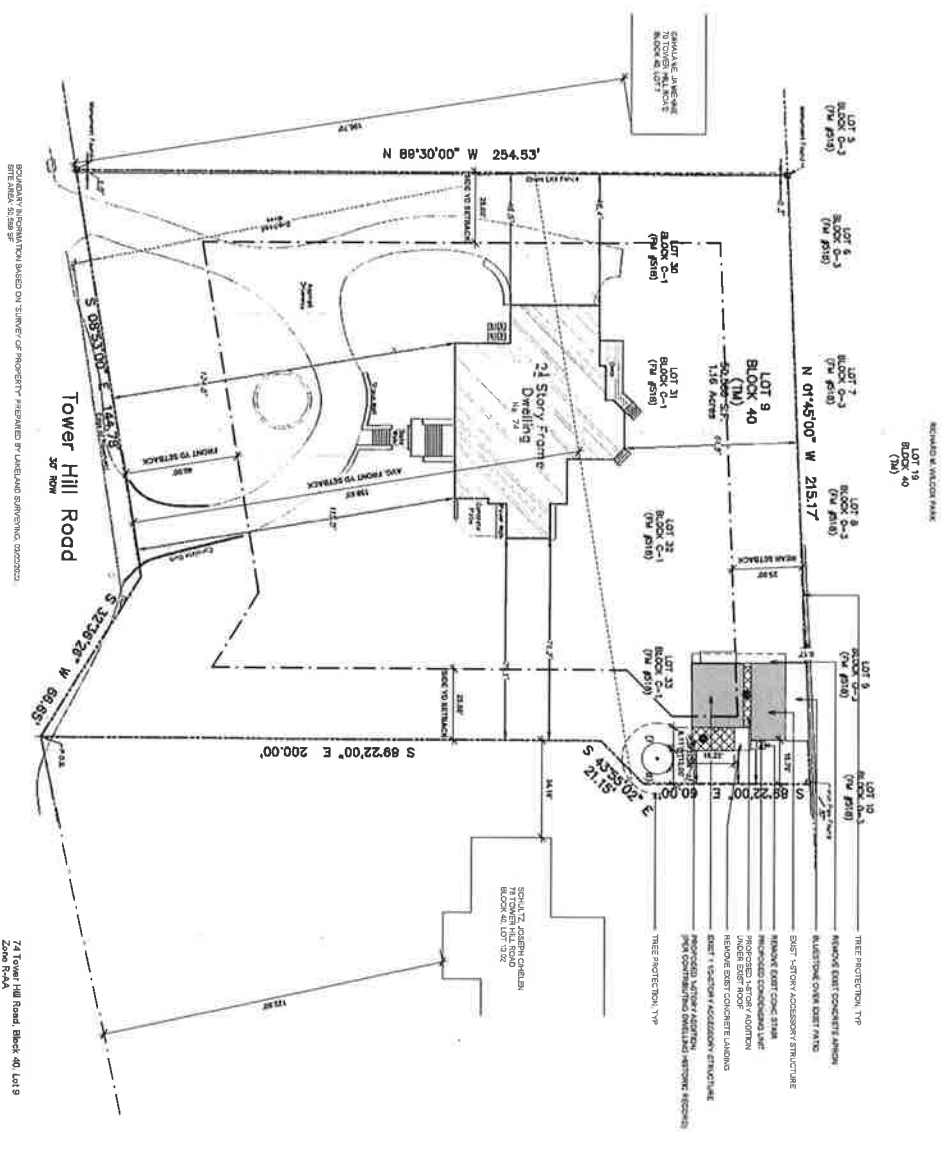
 $\tau = 200 \text{ s}$ 

Block 40 Lot 9

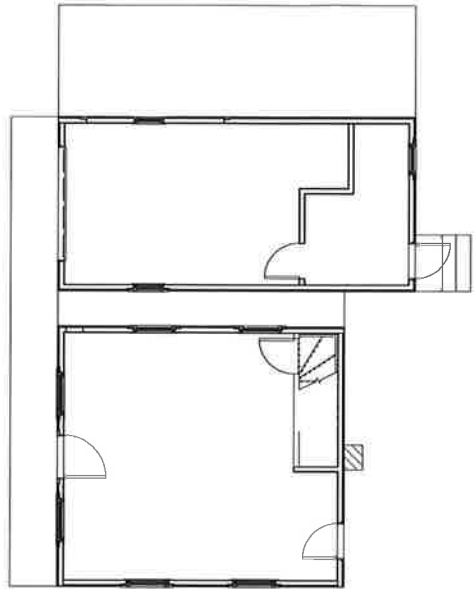
Accession Structural Height	27' 4 1/2"	Accession	UNCWORLD	Accession	30 FT
-----------------------------	------------	-----------	----------	-----------	-------

Average FICM: Yord Seabed =  $(198.7 + 122.0)/2 = 159.65$ 

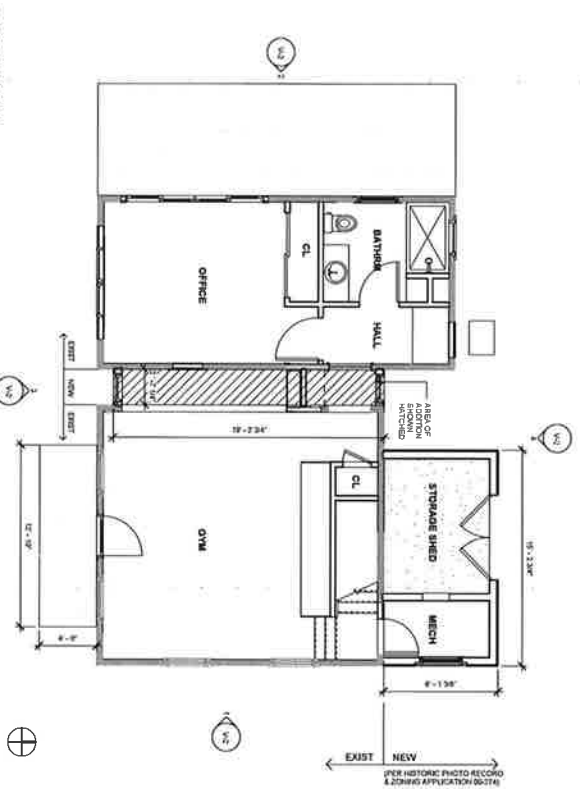
For advertising, training, research, and development, call 1-800-368-5800.


$$\frac{1}{2} = \frac{2}{4}$$

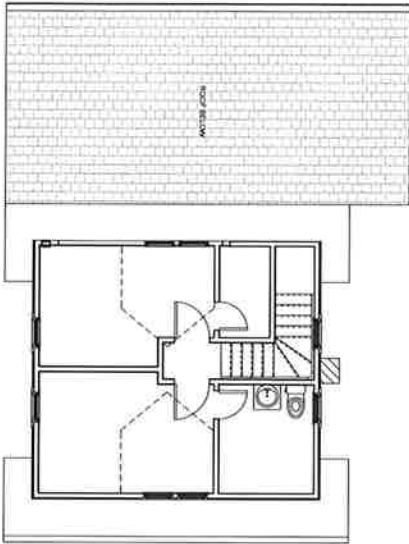
M. S. Bhatnagar, M.A., B. Sc., Dip. Ed.,  
Principal, Government College,  
Karnal, U.P., India



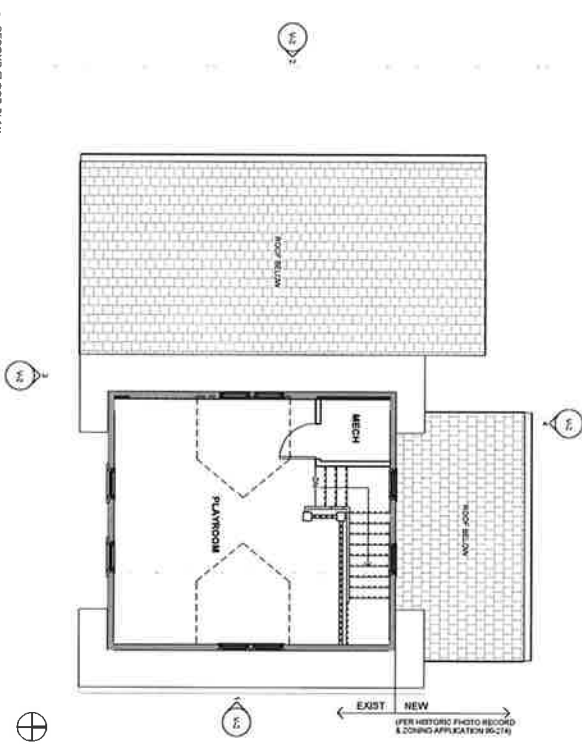
① FIRST FLOOR PLAN - EXISTING  
1/4" = 1'-0"



① FIRST FLOOR PLAN  
1/4" = 1'-0"



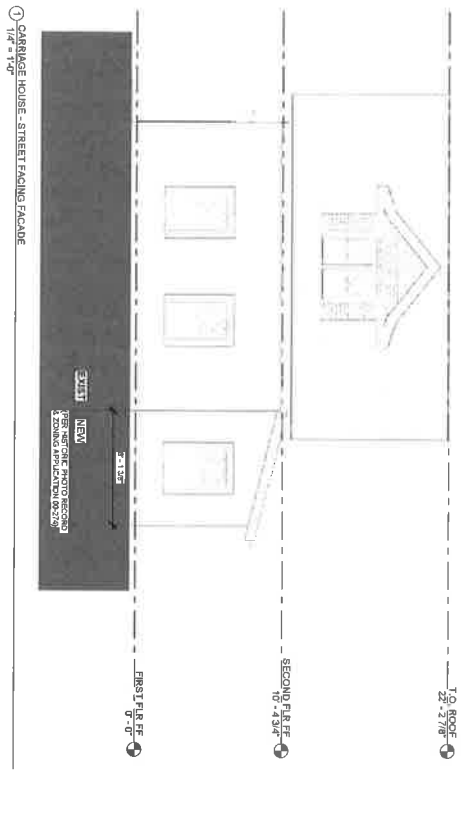
② SECOND FLOOR PLAN  
1/4" = 1'-0"



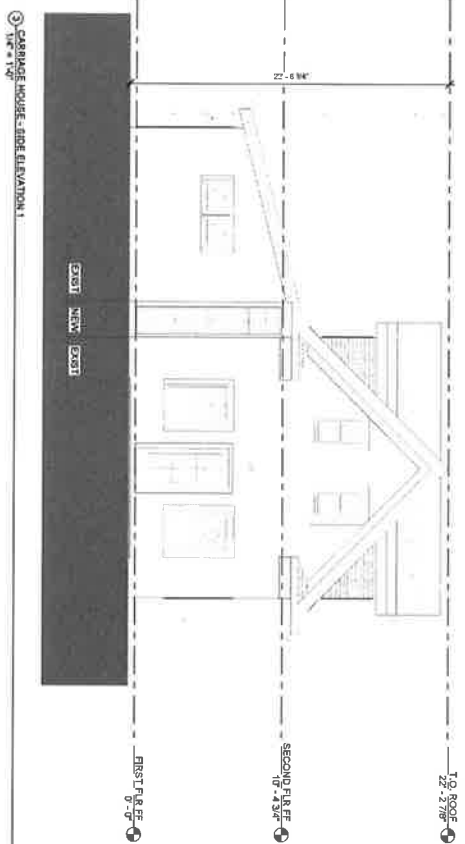
② SECOND FLOOR PLAN  
1/4" = 1'-0"



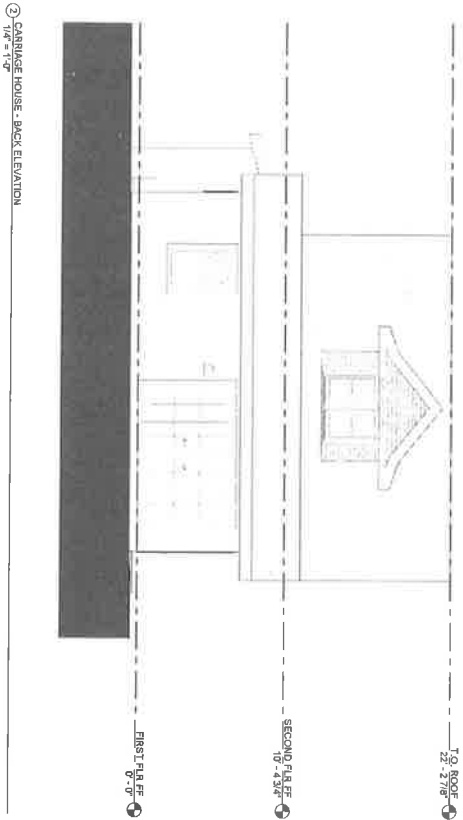
# EXISTING & PROPOSED FLOOR PLANS



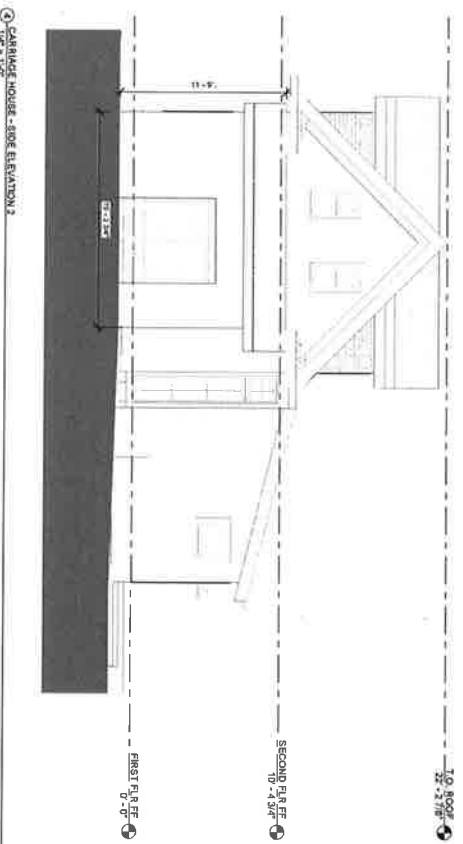
① CARRIAGE HOUSE - STREET FACING FACADE



② CARRIAGE HOUSE - SIDE ELEVATION 1



③ CARRIAGE HOUSE - BACK ELEVATION



④ CARRIAGE HOUSE - SIDE ELEVATION 2

## PROPOSED EXTERIOR ELEVATIONS

## SHELTERS

36 JOHNSON AVE. | S. KENNESAW, ALA.  
 252.733.1111 | WWW.36JOHNSON.COM