

**MINUTES OF A SPECIAL MEETING  
ZONING BOARD OF ADJUSTMENT OF  
THE BOROUGH OF MOUNTAIN LAKES  
February 4, 2021**

Chair 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, 2021 and by filing the same with the Borough Clerk and posting it on the Front Door on January 11, 2021 and was made available to all those requesting individual notice and paying the required fee.

Start: 7: 30 PM

**ROLL CALL:**

Present: Murphy, DeNooyer, Vecchione, Paddock, Peters, Caputo, McCormick and Astrup

Also, Present: Attorney Michael Sullivan

**REVIEW OF MINUTES:** Brett Paddock made a motion to approve the minutes from the January 7<sup>th</sup> meeting. Jake DeNooyer provided the second; the minutes were approved by voice vote by all eligible members present.

**RESOLUTION:** none

**PUBLIC HEARINGS:**

Ellen Ebert	Appl. #20-719
15 Cove Place	Blk. 100.02, Lot 82
Lake front Exception	R-A Zone

Brett Paddock had to recuse himself from hearing the application because he lives within 200ft of the property.

Marc Walker, a licensed engineer in the state of NJ, presented the application. He referenced the plot plan, dated 8/12/20, showing the flag lot located at the end of the peninsula. The lot was twice the size required in the zone. It has an ILC of 27.6% that is slightly over the permitted 25% and has side setback of 0ft for the driveway; both are pre-existing non-confirming conditions. They are replacing an existing second floor dormer, expanding it by 46sqft. and adding a balcony. The two lots next door were used to establish the lake front exception line. The line falls in the front of the house. The lake front exception line is 125ft from the end of the cul-de-sac. If you take the line to the proposed balcony you are at 275ft putting them out of compliance by 150ft. They are replacing the dormer which will not block the view of the lake for either neighbor. This is the only variance they are requesting.

Mark Caputo asked if they were affecting the footprint. They are not. Jake DeNooyer asked does the balcony affect the view of those homes on Lake End Place. The addition is tucked into the building and that is where the expansion will occur. Mr. Walker answered the Ordinance says to use the lots on either side of the property not lots on a

different street. Mr. DeNooyer said google maps shows this addition affects Lake End Place but understands that is not how the Ordinance is written.

Mirek Lewandowski, a licensed architect in the state of NJ, presented the house plans. The addition was on the second floor. The existing dormer is being removed and replaced with an 8ft shed dormer with a sliding glass door and two windows facing the lake and a small window to the side. There is a small balcony that creates a 3.5ft overhang. The drainage from roof will be directed off the side of the dormer. The balcony has an open deck. They are increasing the FAR from 11.4% to 11.5%.

Annie Peters asked what the allowed FAR was? The permitted is 17%. Jake DeNooyer asked how much more did the dormer extend than before? M. Lewandowski answered the dormer came out an additional 1.5ft on each side making it 1ft closer to the lake.

James Murphy asked what the deck was over? It was over the lower deck. Does this affect the ILC? Mr. Walker responded there would be no affect because the deck is over a lower deck and staircase. Stephen Vecchione asked what the head room was between the balcony and deck. Mr. Lewandowski said there was 8.5ft of clearance.

James Murphy asked Ellen Ebert, the owner 15 Cove Place, how long has she lived at the property? She has been there for three years. Why was she seeking the variance? The bedroom is dark, and they will be able to enjoy the balcony.

James Murphy asked if there were any questions or testimony from the public. Chris and Marci Richter, of 5 Cove Place, were the next-door neighbors, they supported the project. There were no Board deliberations.

Mark Caputo thanked them for doing the right thing and coming to the Board for their variance. Jake DeNooyer was in support of the application. Ryan Astrup thought it a great addition to the property. Annie Peters agreed. Kelly McCormick thought it a very thorough application. Stephen Vecchione made a motion to approve the application as presented; Kelly McCormick provided the second. The Board voted 7 to 0 to approve with members Murphy, DeNooyer, Vecchione, Peters, Caputo, McCormick and Astrup voting in favor.

#### **Other Matters / Public Comment:**

Brett Paddock was attending the EDAC meetings. He found the meetings interesting and would bring anything he thought they should know about to the Board.

Stephen Vecchione made a motion to adjourn the meeting and Kelly McCormick provided the second. The meeting was adjourned at 8:06PM.

Respectfully submitted,

Cynthia Shaw