

**MINUTES OF A REGULAR MEETING
ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN
LAKES
June 4, 2015**

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 January 12, 2015. Said resolution was mailed to The Citizen and The Morris County Daily Record and by filing the same with the Borough Clerk on January 12, 2015 and was made available to all those requesting individual notice and paying the required fee.

Start: 7:32PM

ROLL CALL:

Present: Richter, Bolo (7:39PM), Dietz, Max, Murphy, Tolud (7:38PM) and Sheikh

Absent: McConnell and Vecchione

Also Present: Attorney Michael Sullivan

REVIEW OF MINUTES: Mary Dietz made a motion to approve the minutes from the May 7th meeting. Arthur Max provided the second; the minutes were approved by voice vote by all members.

RESOLUTION:

MARGO & KEVIN GILLESPIE

Appl. #15-644

James Murphy made a motion to adopt the resolution of approval; Mary Dietz seconded the motion. The resolution was adopted by a vote of 4 to 0 with members Richter, Dietz, Max, and Murphy voting in favor.

PUBLIC HEARINGS:

New Application:

THOMAS & JEAN RYAN
Blk. 104, Lot 63
ILC

43 Pollard Road
Appl. #15-645
R-A Zone

Jean Ryan, of 43 Pollard Road, presented the application. The applicant would like to add a patio to the back of their lot which is really the side of the house. The house faces sideways on the property and the current brick patio is completely located in the side setback. They want to remove the existing brick patio and paved walkway in the side setback as well as the slate walkway in the back. They want to add stepping stones in the side setback and a bluestone patio in the back. The current ILC is 36.3% which will be reduced it to 36%. Michael Sullivan pointed out an addition was approved in 2012 by the Board. Jean Ryan told him they decided not to do the addition expanding the kitchen and family room. The Ryan's were willing abandoned the variance granted in 2012.

Jim Murphy established the patio material would be bluestone. Arthur Max confirmed the site plan presented did not include the former approval for expansion. Mary Dietz

questioned the 294 sq. ft. of stepping stones in the setback; she thought it was a lot of coverage. She asked if the applicant could remove the 4 pavers along the side of the house where the previous patio was. Jean Ryan said it was a place to put their grill. Khizar Sheikh asked what the hardship was for the application. Mrs. Ryan said they preferred to be in the backyard within the setback rather than on the side of the property in the setback so close to the neighbors. Michael Sullivan said this would be a C-2 variance; there is a public benefit to reducing the non-conforming patio in the side setback.

Chairman Richter opened the hearing to the public but no one was present.

Chris Richter thought the Board needed to do a side setback variance to handle the small encroachment of the corner of the new patio; Michael Sullivan agreed.

Mary Dietz made motion to approve the application for an ILC variance as presented and add a side setback variance to handle the corner of the patio. The 2012 approval would be abandoned. A second was provided by Arthur Max. The application was approved 5 – 0 with members Richter, Dietz, Murphy, Sheikh and Max voting in favor.

Other Matters / Public Comment:

Chairman Richter told the Board there was a billboard application for July 9th. Since we were entering the summer months the Board Administrator will send an email to confirm attendance at the next two meetings to make sure we have a quorum.

Public – No one from the public was present.

John Tolud made a motion to adjourn the meeting and Mary Dietz provided the second. The meeting was adjourned at 8:02PM.

Respectfully submitted,

Cynthia Shaw, Secretary