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 August 4, 2022

NOTICE: Please take notice that the meeting of the Zoning Board of Adjustment of the Borough of Mountain Lakes will be held on August 4, 2022 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: <a href="https://zoom.us/u/acNqOSGPrm">https://zoom.us/u/acNqOSGPrm</a>

- 1. CALL TO ORDER & OPEN PUBLIC MEETING ADVERTISEMENT NOTICE
- 2. ROLL CALL
- 3. REVIEW OF MINUTES: June 2, 2022
- 4. MEMORIALIZING RESOLUTION:

Richard & Ingrid Shoenfeld

Appl# 22-738

5. PUBLIC HEARINGS:

Carried Application:

Michael Booth 136 Ball Road

Floor Area Ratio (2) Side Yard Setback

Appl# 21-732

Blk. 103, Lot 83

2) Side Yard Setback R-A Zone

**New Applications:** 

Jeanne Manubay & Matthew Taibbi

9 Van Duyne Road

Front Yard Setback

Appl# 22-740

Blk. 49, Lot 38.02

R-AA Zone

Dan Amato & Jennifer Bulger

**8** Crescent Drive

Floor Area Ratio, Improved Lot Coverage

(2) Front yard Setbacks

Appl# 22-741

Blk. 127.02, Lot 16

R-2 Zone

- 6. OTHER MATTERS / PUBLIC COMMENTS
- 7. ADJOURNMENT

Cynthia Shaw, Administrative Officer

### MINUTES OF A MEETING ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MOUNTAIN LAKES June 2, 2022

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 <a href="The Citizen">The Citizen</a> and <a href="The Morris County Daily Record">The Morris County Daily Record</a> on January 12, 2022 and by filing the same with the Borough Clerk and posting it on the Front Door on January 10, 2022 and was made available to all those requesting individual notice and paying the required fee.

Start: 7: 31PM

### **ROLL CALL**:

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

Leininger
Absent: Caputo

Also, Present: Attorney, Michael Sullivan,

**REVIEW OF MINUTES**: Brett Paddock made a motion to approve the minutes from the May 12<sup>th</sup> meeting. Stephen Vecchione provided the second; the minutes were approved by voice vote by all eligible members present.

#### **RESOLUTION:** none

#### **PUBLIC HEARINGS:**

Application:

Richard & Ingrid Shoenfeld 27 Briarcliff Road Side Yard Setback Appl.#21-738 Blk. 78, Lot 19 R-A zone

Richard Shoenfeld, of 27 Briarcliff Road, presented his application. Mr. Schoenfeld submitted two shed designs the "Garden Shed Garage" became exhibit A-1, and the "New England Barn" became exhibit A-2. His 12-page power point presentation became exhibit A-3.

They have rainwater coming off the road, driveway, and roof of their home. They are trying to improve the drainage by installing a cistern to capture the rainwater and use it for irrigation. The system has filters that need to be maintained. Once installed they will need a shed to hold the electronics for the cistern and to store their lawn furniture, boats, tools, and trash. They have a large piece of land with a small building envelope due to the lake front exception line. Any place they locate the shed requires a variance. We can't place the shed over the cistern so they would like to place it at the end of the existing driveway 5 to 7 ft off the property line. The neighbor's house, on the driveway side, sits higher than theirs and has a landscape buffer. The shed would be on the south side of the property so they can place solar panels on the roof. The balance of the property is too shaded for the panels. There are two prefabricated shed options with different roof pitches.

James Murphy asked why the shed couldn't be place on the south corner of the property within the building box. Mr. Shoenfeld answered if the mechanicals needed be serviced you couldn't drive over the cistern to access the shed. Stephen Vecchione questioned why the cistern had to be on the south side. Michael Sullivan told the Board the shed's setback variance was separate from the drainage plans. He noted the existing garage was at the northerly end of the house. How were they picking up water from the north side of the property and bring it to the south side of the property? Mr. Shoenfeld said there was a proposed inlet that will collect the water at the bottom of the northside of the driveway. J. Murphy noted per the plans the cistern was only collecting the water from the front of the house not the driveway. S. Vecchione asked how close they were to the neighbors. The neighbor was 25ft from the property line. J. Murphy noted a soil moving permit was required. The Administrator said this should be a condition of approval. Kelly McCormick asked why they couldn't switch the two structures, put the cistern by the driveway to capture the runoff and place the shed on the south side. Mr. Shoenfeld said the proposed location was more convenience, the unit was more hidden, and it doesn't block the view of the lake. S. Vecchione asked if they would park a car in this garage. R. Shoenfeld said they would not. Mr. Murphy felt the shed should be moved further south at least 7.5ft from the house.

M. Sullivan said a lot of improvements are proposed on the property, but the purpose of the application was to get a C-2 variance for the shed. They are requesting a side yard setback of 5 to 7ft where 25ft is required. They need to show the purposes of the MLUL are being advanced by granting the variance and the improvements would not be a substantial detriment to the public good.

Jake DeNooyer did not understand why the south side would not work for the shed and the cistern. Annie Peter confirmed the shed site was selected for the solar panels. J. Murphy asked are the drainage, solar panels, and the cistern items the Board should address or just the shed. Mr. Sullivan said the Board was only concerned with the shed and the side yard setback. All they other things could be done without coming to this Board. Does the benefit of granting this variance substantially outweigh the detriments? S. Vecchione asked why the panels couldn't go on the roof of the house. They couldn't because of the trees and the house dormers. Meghan Leininger thought there were other options the homeowner could have used to achieve their goal. Mr. Murphy visited the site and thought more could be done to comply with the setbacks. S. Vecchione was not convinced the negatives outweighed the benefits. Brett Paddock said he saw a lot of options that were not being explored. Ryan Astrup felt there were no positives outweighing the detriments. M. Leininger added the panels and shed should be looked at separately. Kelly McCormick thought the two structures should be flipped. This application has nothing to do with solar panels it's just about the shed. A. Peters said there was enough property to find another location.

Mr. Murphy opened the hearing to the public. No one wished to comment on the application, so he closed the public comment portion of the hearing.

Mr. Sullivan said most of the Board seems to be no votes. He explained to Mr. Shoenfeld his option to carry the application and reevaluate their proposal. J. Murphy asked if he would consider moving the structure to the south an additional 5ft for a 10ft setback. Mr. Shoenfeld was not interested and there was no Board support for that. James Murphy made a motion to deny the application as presented. A second was provided by Ryan

Astrup. The application was denied by a vote of 5 to 1 with 1 abstention. Board members Murphy, McCormick, Paddock, Peters and Astrup voted in favor and Vecchione voted against. DeNooyer abstained.

#### **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 Anne Peters provided the second. The meeting was adjourned at 9:10 PM.

Respectfully submitted,

Cynthia Shaw

## RESOLUTION BOROUGH OF MOUNTAIN LAKES ZONING BOARD OF ADJUSTMENT

Application No. 22-738 Richard and Ingrid Shoenfeld 27 Briarcliff Road Block 78, Lot 19

WHEREAS, Richard and Ingrid Shoenfeld, as owners, did make application to the Zoning Board of Adjustment of the Borough of Mountain Lakes to construct a detached garage at the above-captioned property located in the R-A Zone; and

WHEREAS, the applicants sought a variance pursuant to N.J.S.A. 40:55D-70c(2) to permit a northerly side yard setback of 5 feet where a minimum of 25 feet is required pursuant to Mountain Lakes Code Section 245-19/Schedule I; and

WHEREAS, the applicants submitted a variance plan prepared by Dykstra Walker Design Group P.A. consisting of one sheet dated March 14, 2022; and

WHEREAS, this matter came on to be heard at a regular meeting of the Zoning Board of Adjustment held on June 2, 2022, at which time it was established that notice was properly published and that property owners within 200 feet of the property had properly been served with such notice; and

WHEREAS, the Board carefully reviewed the testimony presented and the following exhibits: Exhibit A-1 Garden Shed Garage (Standard), Elevations, Floor Plan and Cross Section prepared by SoftPlan Architectural Design Software consisting of three sheets dated March 1, 2018; Exhibit A-2 New England Barn (Standard), Elevations, Floor Plan and Cross Section prepared by SoftPlan Architectural Design Software consisting of three sheets dated March 6,

2018 as well as Exhibit A-3 consisting of a PowerPoint presentation prepared by the applicants; and

WHEREAS, the Board established the following findings of fact and conclusions of law:

- 1. The subject property is located on the easterly side of Briarcliff Road and contains lot area of 36,100 square feet where a minimum of 15,000 square feet is required. The property contains an existing single-family dwelling with attached two-car garage, wood deck, patios and related site improvements.
- 2. The applicants propose to construct a 12 foot by 20 foot detached garage consistent with Exhibits A-1 or A-2. The applicants indicated the purpose of the garage included storage of maintenance equipment, tools, recycling/garbage bins, boat storage in winter, lawn furniture and electric vehicle recharging. The application stated the applicants would explore the feasibility of installing solar panels on the garage to charge an electric vehicle. At the public hearing, the applicants amended the application to provide a minimum 6 or 7 foot side yard setback and later in the proceedings further agreed to a 10 foot minimum side yard setback.
- 3. The applicants proposed improvements included replacing driveway and curb and installation of one or more underground cisterns to reutilize rainwater for irrigation of trees and lawns. The applicants conceded these improvements could be constructed immediately irrespective of installation of the proposed garage.
- 4. The applicants failed to cite any purposes of the Municipal Land Use Law contained in N.J.S.A. 40:55D-1 et seq. which would be advanced by approving a detached garage at the proposed location and, consequently, failed to meet the requisite burden of proof under the positive criteria. As stated in *Kaufmann v. Planning Bd. For Warren Tp.*, 110 N.J. 551, 563 (1988): "... no c(2) variance should be granted when merely the purposes of the owner

will be advanced. The grant of approval must actually benefit the community in that it represents a better zoning alternative for the property."

- 5. The applicants failed to present sufficient testimony that the requested variance "could be granted without substantial detriment to the public good." The immediately adjacent home to the north is located at the minimum requisite setback of 25 feet from the common property line and thus, the Board determined approval of the application would not provide sufficient light, air and open space.
- 6. A setback ordinance is to prevent of overcrowding and provide adequate light, air and open space. The subject property is oversized at more than double the minimum lot area required. There is ample room on the southerly side of the property to construct a conforming garage.
- 7. Approval of this variance would run contrary to the function of the Board which is to "effectuate the goals of the community as expressed through its zoning and planning ordinances." *Kaufmann v. Planning Bd. For Warren Tp.*, 110 N.J. 551, 564 (1988) and *Cicchino v. Berkeley Heights Tp.*, 237 N.J. Super. 175, 181-183 (App. Div. 1989).

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicants did not prove that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and failed to prove that the benefits of the deviation would substantially outweigh any detriment pursuant to the requirements of N.J.S.A. 40:55D-70c(2).

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicants did not meet 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;

**NOW, THEREFORE, BET IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Mountain Lakes that the within application of Richard and Ingrid Shoenfeld for a side yard setback variance, as outlined herein, is hereby denied.

| side yard setback variance, as outlined herein, is hereby denied. |
|---|
| Offered by:   |
| Seconded by:  |
| Vote:   |
| Date:   |

## RECEIVED

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

JUL 1 5 2022

BOROUGH OF
MOUNTAIN LAKES

|           | Application Number 21 - 732   |
|-----------|---|
|           | Date Filed (Pevised) 7/15/22  |
|           | Fee Paid 150  |
|           | Taxes Paid  |
|           |   |
|           | CTION 1. INFORMATION REGARDING THE APPLICANT:   |
| A)        | Applicant's Name: Michael Booth Address: 136 Ball Rd, Mountain Lakes, NJ 07046  Telephone: 973-738-0627   |
| B)        | Email: Boothm14@gmail.com<br>Owner's Name: Michael Booth  |
|           | Address: 136 Ball Rd, Mountain Lakes, NJ 07046 Telephone: 973-738-0627 Email: Boothm14@gmail.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) Yes CorporationPartnership 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 Yes purchaser under ContractTenant or Lessee Other (please specify)  |
| SEC<br>A) | TION 2. INFORMATION REGARDING THE PROPERTY  The street address of the Property is 136 Ball Rd   |
| B)        | The location of the Property is approximately 100 feet from the intersection of Ball Rd and Rockaway Terr.  |
| C)        | The tax map Block number(s) is 103 the Lot number(s) is 83.   |
| D)        | (See tax bill or deed for this information.)  |
| E)        | The zone in which the Property is located is <u>RA</u> .  |
| F)        | The dimensions of the Property are front (100.44 ft), garage side (117.31 ft), back (100 ft), kitchen side (107.92 ft).   |

The size of the property is <u>11,261</u> square feet. Notice is required in all cases. Additional notice is required if the property is

located: (please check if applicable)

G) H)

|               | <ol> <li>adjacent to a</li> <li>adjacent to c</li> </ol>   | eet of another mu<br>in existing or proportion county land<br>a state highway ( | cosed county road. (no)                                | 10)   |
|---------------|--|---|--|---|
| If th<br>appl | Have there been any proliving this property? Ye answer to (H) is YES, icable Board.  Iministrative Officer can be any deed rest  | ESNO X<br>attach a copy of t<br>an assist applica                               | the written decision(s)  nt with this informa          | )* adopted by the   |
| (J)<br>Con    | Is this application filed tributing Dwellings in S   | pursuant to the Spection 40-49? Ye  | pecial Zoning RequiresNo_X                             | ements for  |
| A) P          | TION 3. INFORMATION appropries of the control of th | ON ABOUT REC<br>copriate to your ap<br><u>Existing</u>                          | QUESTED RELIEF: oplication and check t <u>Proposed</u> | (see Chapter 40-21) hose areas requiring Allowed/Required |
| <u>X</u> I    | Floor Area Ratio (%)   | 16.2%   | 22.5%  | 17%   |
| I             | mproved Lot Coverage   | (%) 29.3%   | 24.8%  | 25%   |
| Setb          | acks:  |   |  |   |
|               | Front  | 42.0'   | 41.25  | 41.2' (avg)   |
| X             | Side   | 20.67'  | 20.0'  | 25.0'   |
| <u>X</u>      | Side   | 20.86'  | 20.86'   | _25.0'  |
|               | Rear   | 21.17'  | 27.5'  | 25.0'   |
| <u>X</u> X    | Shoreline  | N/A   | N/A  | N/A   |
|               | Jse  | RES   | RES  | RES   |
|               | Height*  | <u>24'-7"</u>   | 30'-8"   | 35.0'   |
| *See          | Chapter 40-21A.(4a)[6  | 6] to determine i   | f your height varian                                   | ce is a C or D  |
| vari          |  |   |  |   |
|               | Other (describe)   |   |  |   |
|               |  |   |  |   |
| D)            | T 1' + 1 C 1 C 1'  | 0.4 5   | 0.5  |   |
| B)            | Indicate the Sub-Sectio  |   |  | and Use Ordinances  |
|               | Chapter 40-21 under w  |   |  |   |
|               | Appeal of action of  |   |  |   |
|               | Interpretation of z  |   | or map   |   |
|               | "C-1" (40-21.3A)   |   |  |   |
|               | "C-2" (40-21.3B)   | "benefits woul  | ld substantially outwe                                 | eigh any detriment"                                       |
|               |  | rea 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.

Opening the existing  $2^{nd}$  floor to create a consistent roof while creating an open floor plan consistent with the character and style of the neighborhood with modern amenities.

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 neighborhood was appropriately screened to create a façade that is consistent with the surrounding homes while adding an aesthetically pleasing landscape.

## FLOOR AREA RATIO CALCULATION (Existing & Proposed) -See Appendix A

#### FOR A NEW HOUSE OR AN ADDITION

| Owner    | Micha      | el Booth & Kiera | Keller               |
|----------|------------|------------------|----------------------|
| Address  |            | 136 Ball Rd      |                      |
| Block Nu | ımber      | 103              | Lot(s) 83            |
| Zone     | <u>R-A</u> | 1                | Permissible FAR, %17 |

#### For Proposed House or Addition:

|   | Areas    |                   |                                 |           | (sq. ft.)                            |                                |                 |                 |
|---|----------|-------------------|---------------------------------|-----------|--------------------------------------|--------------------------------|-----------------|-----------------|
|   | Basement | Basement Proposed | 1 <sup>st</sup> Floor  Existing | 1st Floor | 2 <sup>nd</sup><br>Floor<br>Existing | 2 <sup>nd</sup> Floor Proposed | *Upper<br>Story | *Upper<br>Story |
|   | Existing |                   |                                 | Proposed  |                                      |                                |                 |                 |
| Area of Basic House<br>Footprint                        |          |                   | 1,117                           | 1,253     | 705                                  | 1,215                          |                 |                 |
| Additional Factored<br>Area for Cathedral<br>Ceiling    |          |                   |                                 |           |                                      |                                |                 |                 |
| Additions   |          |                   |                                 |           |                                      |                                |                 |                 |
| Over Attached Garage                                    |          |                   |                                 |           |                                      |                                |                 |                 |
| Bay Window  |          |                   |                                 | 11        |                                      |                                |                 |                 |
| Heated Porches, Entries and Breezeways                  |          |                   |                                 |           |                                      |                                |                 |                 |
| Garage Space Greater<br>than 500 square feet            |          | III               |                                 | 557       |                                      |                                |                 |                 |
| Roofed Porches,<br>Breezeways & Decks<br>over 500 sq ft |          |                   |                                 |           |                                      |                                |                 |                 |
| Other   |          |                   |                                 |           |                                      |                                |                 |                 |
| Deductions  |          |                   |                                 | -500      |                                      |                                |                 |                 |
| SUB-TOTALS  |          |                   | 1,117                           | 1,321     | 705                                  | 1,215                          |                 |                 |

<sup>\*</sup> 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. f | t.) 1,822 | 2,536    |
| Site Area (sq. ft.)     | 11,261    | 11,261   |
| Actual FAR, %           | 16.2%     | 22.5%    |

Certified by: Print Name: Kenneth P. Mihalik AIA
License #: 7/12/22

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

| Owner Michael Booth & Kiera Keller |                            |
|------------------------------------|----------------------------|
| Address 136 Ball Rd                |                            |
| Block Number 103                   | Lot(s) 83                  |
| Zone R-A                           | Permissible Coverage, % 25 |

|   | Existing Area (sq. ft.) | Proposed Area<br>(sq. ft.) | Remarks  |
|---|-------------------------|----------------------------|--|
| Area of Basic House Footprint                 | 1,117                   | 1,253                      |  |
| Additions                                     |                         | 1                          | ***************************************  |
| Attached Garage                               | 240                     | 557                        |  |
| Detached Garage                               | <del> </del>            | 1                          |  |
| Entries & Steps - rear yard                   | 32                      | 25                         | were animonius du  |
| Porches, Breezeways & Roofed<br>Decks         | 379                     | 118                        |  |
| Patios & Terraces                             | 425                     |                            | to the terror control of the control |
| Driveways & Parking Lots (paved or otherwise) | 823                     | 686                        |  |
| Sidewalks & Walkways                          | 190                     | 71                         |  |
| Tool Sheds                                    |                         |                            |  |
| Swimming Pools                                |                         |                            |  |
| Walls   | 94                      |                            |  |
| Other AC Units Steps to terrace               |                         | 10<br>74                   |  |
| TOTAL IMPROVED AREA                           | 3,300                   |                            | THE TOTAL CONTRACT OF  |

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

| Seal:            |                               | Existing | Proposed      |
|------------------|-------------------------------|----------|---------------|
| 1 47 F. 16       | Total Improved Area (sq. ft.) | 3,300    | 2,794         |
|                  | Site Area (sq. ft.)           | 11,261   | 11,261        |
| HA               | Actual Coverage, %            | 29.3     | 24.8          |
| Certified by:    | Print Name K                  | enneth   | P.Mihalik AIA |
| License #: 11756 | Date: 7/12/                   | 122      |               |
|                  | , ,                           |          |               |

\_

### SECTION 4. VERIFICATION AND AUTHORIZATION:

#### A) APPLICANT'S VERIFICATION

100 0 0

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.

Michael Booth

Applicant's Signature

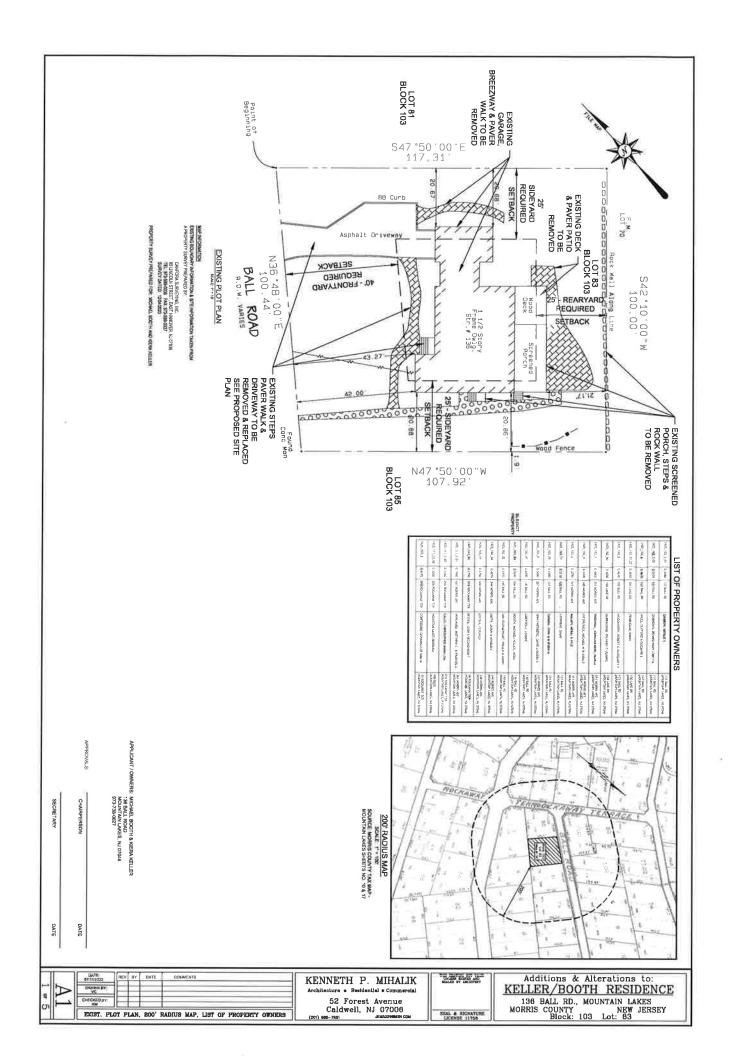
I hereby certify that I reside at 136 Ball Rd in the County of Morris and State of New Jersey;

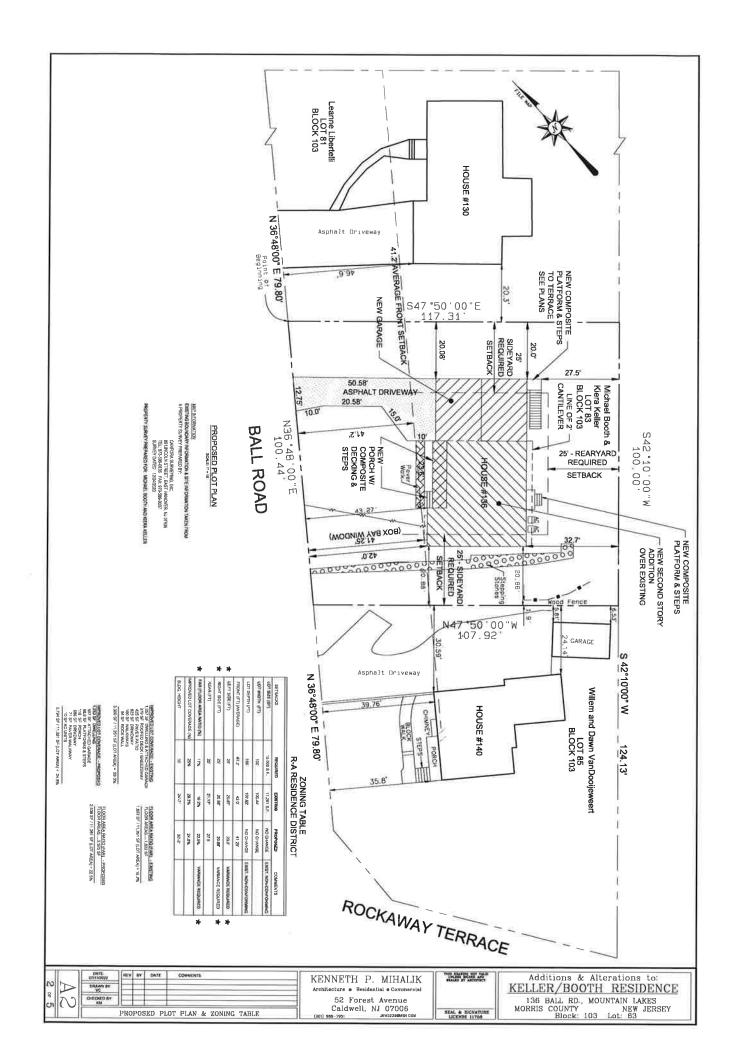
and that I am the owner of all that certain lot, piece or parcel of land known as Block(s) 103

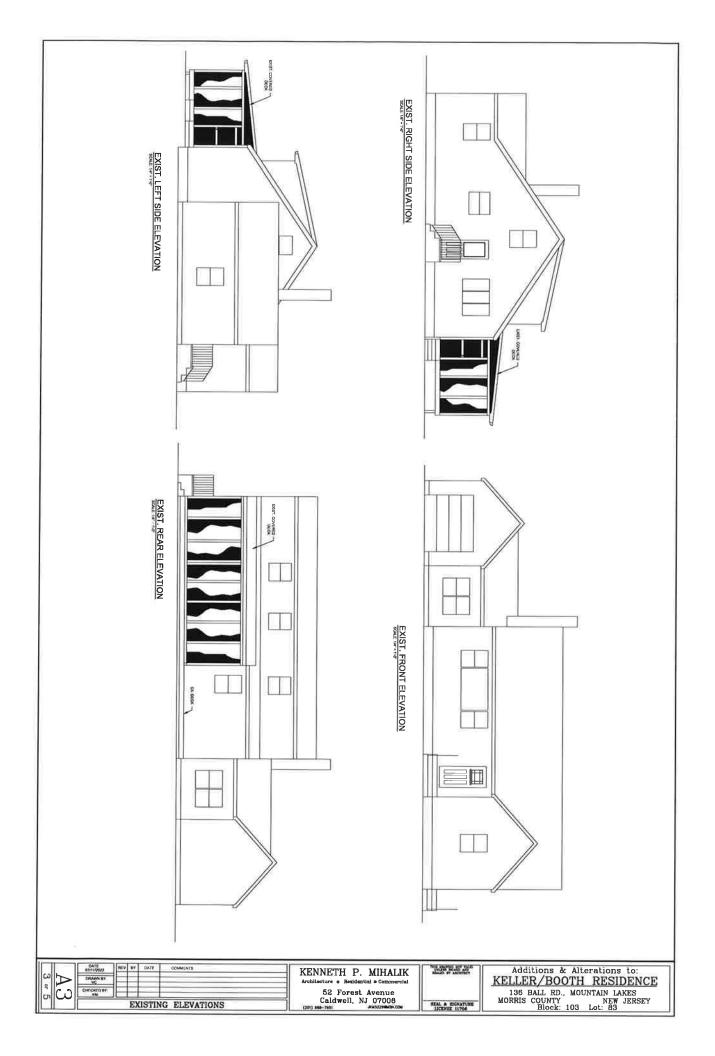
Lot(s)  $\underline{83}$  on the Tax Map of  $\underline{R-A}$  which property is the subject of the above application, and that said application is hereby authorized by me.

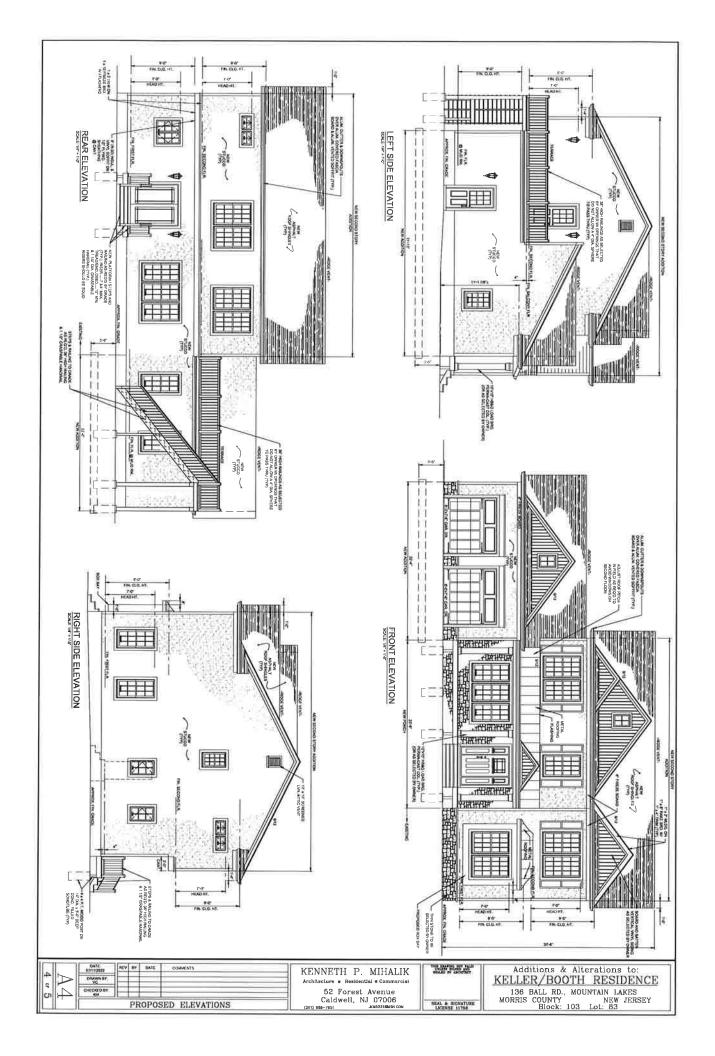
Michael Booth

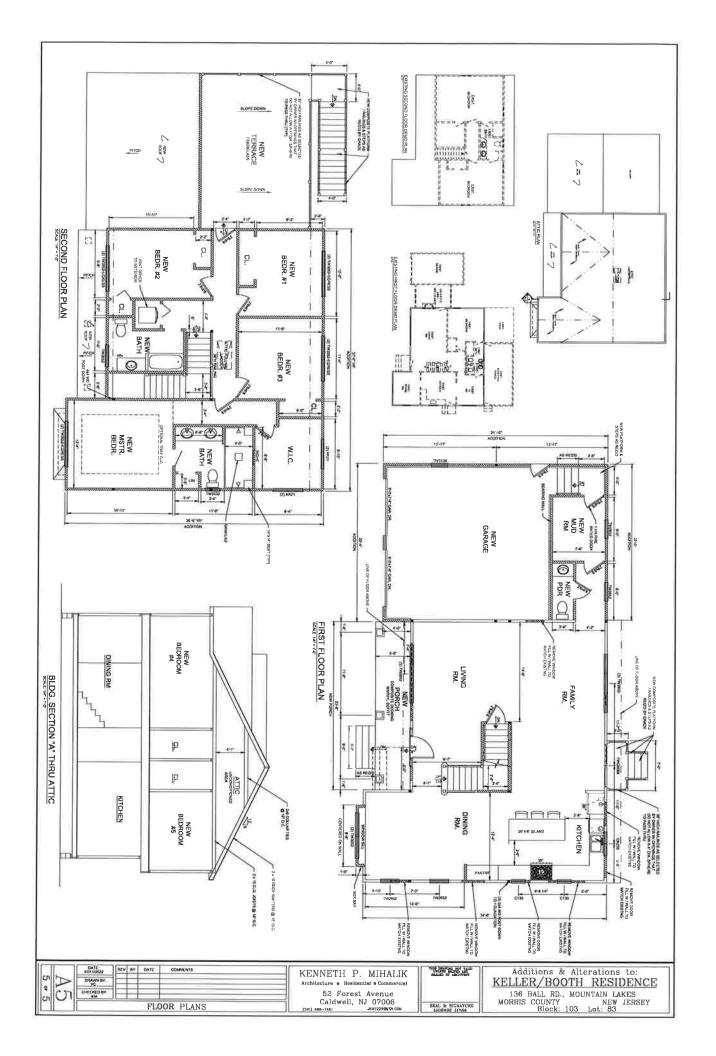
Owner's Signature











## RECEIVED

## Borough of Mountain Lakes Zoning Board of Adjustment Checklist

JUN 0 6 2022

BOROUGH OF MOUNTAIN LAKES

| Applicant's Name: Jeanne  | Manubay            |
|---------------------------|--------------------|
| Address: 9 Van Duyne Road | Blk 49 Lot 38.02   |
| Application #: 22-740     | Date: June 6, 2022 |

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 |
|----------------|--|-----|--------|-----|
| l <sub>®</sub> | Lot lines, with dimensions shown on a current survey prepared<br>by a licensed professional surveyor, engineer, architect or<br>landscape architect in the state of NJ                     | /   |        | 8   |
| 2.             | Tax Block and Lot Numbers  | V   |        |     |
| 3              | Zoning District  | V   |        |     |
| 4.             | Name of roads on which the property fronts   | V   |        |     |
| 5.             | Easements, right-of-way and zone boundaries  |     |        | /   |
| 6.             | Location of streams, lakes and fresh water wetlands  |     |        | V   |
| 7,.            | Topographic Information  | V   |        |     |
| 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.   | V   |        |     |
| 12.            | Names of adjoining property owners with lot and block designation  | ~   |        |     |
| 13.            | Location of all buildings on adjoining properties including set backs (Example shown in Appendix B)  | ~   |        |     |
| 14.            | Zoning Compliance Chart  | V   |        |     |

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

|     | Application Number 22-146   |
|-----|---|
|     | Date Filed 6 22   |
|     | Fee Paid # 150  |
|     | Taxes Paid ys   |
|     | No.   |
|     | CTION 1. INFORMATION REGARDING THE APPLICANT:   |
| A)  | Applicant's Name Jeanne Manubay Address 9 Van Duyne Road Telephone (646)344-2266  |
| B)  | owner's Name 1. And 1. Com  |
| D)  | Owner's Name Jeanne Manubay and Matthew Taibbi<br>Address 9 Van Duyne Road Telephone (646)344-2266                                      |
|     | email jmanubay Chotmail.com (917)723-6798   |
|     | (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)  |
|     | 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)          |
| SEC | STION 2 INFORMATION REGARDING THE PROPERTY  |
| SEC | The street address of the Property is 2 No. 10  |
| A)  | The street address of the Property is _ 9 Van Duyne Road  |
| B)  | The location of the Property is approximately 99.98 feet from the intersection of Van Duyne Road and Lookout Road.                      |
| C)  | The tax map Block number(s) is $\underline{49}$ the Lot number(s) is $\underline{38.02}$ . (See tax bill or deed for this information.) |
|     | (See tax bill of deed for this information.)  |
| D)  | The zone in which the Property is located is*   |
| E)  | The dimensions of the Property are $150' \times 1' \times 243.81' \times 50' \times 49.76' \times 145' \times 287.33'$                  |
| F)  | The size of the property is689 Ac square feet.  |
| G)  | Notice is required in all cases. Additional notice is required if the property is located: (please check if applicable)                 |

|   | 200 feet of another munnt to an existing or prop     |                                       | *                      |
|---|--|---------------------------------------|------------------------|
|   | nt to an existing of prop<br>nt to other county land | •                                     | )                      |
| •   | nt to a state highway (                              | ` /                                   |                        |
|   | (  | ,                                     |                        |
| H) Have there been                                | any previous Board of A                              | Adjustment or Plann                   | ing Board hearings     |
| involving this property                           | y? YESNO   | ===                                   |                        |
| If the answer to (H) is                           | YES, attach a copy of the                            | he written decision(s                 | s)* adopted by the     |
| applicable Board.                                 |  |                                       |                        |
| * Administrative Off                              | ïcer can assist applicar                             | nt with this informa                  | ation.                 |
| (I) Describe any dee                              | ed restrictions, easement                            | ts or other matters af                | fecting this property. |
|   |  |                                       |                        |
| (J) Is this application                           | a filed pursuant to the Cu                           | nacial Zanina Bassis                  | was are to fare        |
| (5) - 15 uns application<br>Contributing Dwelling | n filed pursuant to the Spags in Section 40-49? Yes  | oeciai Zoning Kequii<br>se No ./      | rements for            |
| commoning Dwening                                 | ;5 m 500001 40-47: 10                                | .s                                    |                        |
| SECTION 3. INFOR                                  | MATION ABOUT REC                                     | DUESTED RELIEF:                       | (see Chanter 40-21)    |
| A) Provide informatio                             | n appropriate to your ap                             | plication and check                   | those areas requiring  |
| variance relief:                                  | Existing   | Proposed                              | Allowed/Required       |
|   |  |                                       |                        |
| Floor Area Ratio (                                | %)   |                                       |                        |
|   |  | _                                     | *                      |
| Improved Lot Cov                                  | erage (%) 9.06                                       | 9.06                                  | _20                    |
| ۲ م ا م م ا م م                                   |  |                                       |                        |
| Setbacks:<br>✓ Front                              | 0.2  | 8.2'                                  |                        |
| ∕ Front<br>Side                                   | 8.2  |                                       | 25'                    |
| Side<br>Side                                      | 22.5'  | 33.3'                                 | <u>25'</u><br>25'      |
| Rear  |  | 22.5'                                 |                        |
| Shoreline   | N/A  | _N/A_                                 | N/A                    |
| Shoretine   | NIA  | NIA                                   | N/A                    |
| Use   |  |                                       |                        |
| Height*   |  | 2                                     | -                      |
| •   | .(4a)[6] to determine if                             | vour height varia                     | ice is a C or D        |
| variance .  | ( )[ ]   | , , , , , , , , , , , , , , , , , , , |                        |
| Other (describe)                                  |  |                                       |                        |
|   |  |                                       |                        |
|   |  |                                       |                        |
| <ol><li>Indicate the Sub-</li></ol>               | Section of the Borough                               | of Mountain Lakes 1                   | Land Use Ordinances    |
| Chapter 40-21 un                                  | nder which this applicati                            | on is submitted:                      |                        |
|   | ction of administrative of                           |                                       |                        |
| Interpretation                                    | on of zoning ordinance of                            | or map                                |                        |
|   | 21.3A) hardship                                      |                                       |                        |
|   | 21.3B) "benefits woul                                | d substantially outw                  | eigh any detriment"    |
| "D" Use, F  | loor 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.

This application is for approval of variance relief for our front setback distance to be 8.2', instead of the allowed distance of 40' (confirmed by John Zamierowski, since there is only one other house to our right on Van Duyne Road).

This variance relief is requested to approve the replacement of the HVAC condensing unit on the far right of our property, which is located 8.2' from the property line, as well as replacement of the other three units in the near future. This application is also being submitted to approve the placement of a standby generator, shown on the survey to the left of the bridge, 12.5' from the front property line.

placement of a standby generator, shown on the survey to placement of a standby generator, shown on the survey to the left of the bridge, 12.5' from the front property line. the left of the bridge, 12.5' from the front property line. (see attached specifications sheet for the 24kw Air-Cooled Standby generator Model 7210-1)

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.

Due to hardship and lot topography, placement of the HVAC condensing units and standby generator are not possible at any other location on our property. The condensing units were pre-existing and non-conforming prior to our ownership, and have not been replaced since the house was built in the 1980's. (See photos)

\*This worksheet must be completed, sealed and certified by a licensed architect or engineer. IMPROVED LOT COVERAGE CALCULATION (Existing & Proposed) -See Appendix A Owner Jeanne Manubay & Matthew Taibbis
Address 9 Van Duyne Road Block Number 49 Lol(s) 38.02 Zone ZONE RAA Permissible Coverage, % 20 **Existing Area** Proposed Area Remarks (sq. ft.) (sq. ft.) Area of Basic House Footprint 1620 1620 No change **Additions** Attached Garage Detached Garage Entries & Steps Porches, Breezeways & Roofed 130 Decks 130 No change Patios & Terraces Driveways & Parking Lots (paved or otherwise) 270 No change 270 Sidewalks & Walkways Tool Sheds **Swimming Pools** 

No change 3060 Divide the Total Improved Area by the Site Area to get the Actual Coverage in percent.

1040

Walls

Other

Bridge

TOTAL IMPROVED AREA

| Seal:         |     |       |                            |                     | Existing | Proposed |
|---------------|-----|-------|----------------------------|---------------------|----------|----------|
|               |     |       | Total Impro                | oved Area (sq. ft.) | 3060     | 4.00     |
|               |     |       | Site Area (s<br>Actual Cov |                     | 06 %     |          |
| Certified by: |     |       |                            | Print Name          | UBBat    |          |
| License #:    | 246 | 50432 | 6700                       | Date: /0-/-         | 202/     |          |

1040

3060

### 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 t  | hat I reside at | 9 Van Duyne Road                      | _ in the |
|-----------------|---------------------|-----------------|---------------------------------------|----------|
| County of       | Morris              | _ 19 (94)       | and State of                          |          |
| New :           | Tersey              | ;               |                                       |          |
| and that I am   | the owner of all th | at certain lot. | piece or parcel of land known as      |          |
| Block(s) 4      | 9                   |                 |                                       |          |
| Lot(s) 38.      | 02 on the           | Tax Map of_     | Mountain Lakes                        | which    |
| property is the | subject of the abo  | ove application | on, and that said application is here | by ®     |
| authorized by   |                     |                 | **                                    | •        |

6



## 20/22/24 kW

High Engine Temperature Shuldown

Common external fault capability

Internal Fault/incorrect Wiring protection

## **Specifications**

| Ganeralor   |   |   |                                 |                        |                       |
|---|---|---|---------------------------------|------------------------|-----------------------|
| Model   | G007038-1   | G007042-2                                       | G007038-3                       | G007042-3              | G007209-0             |
|   | G007039-1   | G007043-2                                       | G007039-3                       | G007043-3              | G007210-1             |
|   | (20 kW)   | (22 kW)   | (20 kW)                         | (22 kW)                | (24 kW)               |
| Rated maximum continuous power capacity (LP)  | 20,000 Watts*                                       | 22,000 Watts*                                   | 20,000 Watts*                   | 22,000 Walts*          | 24,000 Watts*         |
| Rated maximum continuous power capacity (NG)  | 18,000 Walls*                                       | 19,500 Watts*                                   | 18,000 Walts*                   | 19,500 Walls*          | 21,000 Walls*         |
| Rated voltage   |   | 10,000 114.0                                    | 240                             | 10,000 11440           | E 1,000 Hatto         |
| Raled maximum conlinuous load current – 240 volts (LP/NG)   | 83.3 / 75.0   | 91.7 / 81.3                                     | 83.3 / 75.0                     | 91.7 / 81.3            | 100 / 87 5            |
| Total Harmonic Distortion   | 033/130   | 31.17.01.3                                      |                                 | 9177013                | 1007 67 3             |
| Main line circuit breaker   | 00  | 400   | Less than 5%                    | 400                    | 400                   |
|   | 90 amp  | 100 amp   | 90 amp                          | 100 amp                | 100 amp               |
| Phase   |   |   | 1                               |                        |                       |
| Number of rotor poles   |   |   | 2                               |                        |                       |
| Raled AC frequency  |   |   | 60 Hz                           |                        |                       |
| Power factor  |   |   | 1.0                             |                        |                       |
| Battery requirement (not included)  | 12 V  | olts, Group 26R 540 C                           | CA minimum or Group             | 35AGM 650 CCA mi       | nımum                 |
| Unit weight (lb / kg)   | 448 / 203   | 466 / 211                                       | 436 / 198                       | 445 / 202              | 455 / 206             |
| Dimensions (L x W x H) in / cm  |   | 48 x  | 25 x 29 / 121.9 x 63.5          | x 73 7                 |                       |
| Sound output in dB(A) at 23 ft (7 m) with generator operating at normal load**  | 67  | 67  | 67                              | 67                     | 67                    |
| Sound output in dB(A) at 23 lt (7 m) with generator in Quiet-Test * fow-speed exercise mode**   | 55  | 57  | 55                              | 57                     | 57                    |
| Exercise duration   | 00  | 9)  | 5 min                           | 01                     | 31                    |
| Engine  |   |   | O MIIII                         |                        |                       |
| ***   |   |   |                                 |                        |                       |
| Engine type   |   | GEN   | ERAC G-Force 1000 S             | Series                 |                       |
| Number of cylinders   |   |   | 2                               |                        |                       |
| Displacement  |   |   | 999 cc                          |                        |                       |
| Cylinder block  |   | Alt   | minum w/ cast iron sli          | eeve                   |                       |
| Valve arrangement   |   |   | Overhead valve                  |                        |                       |
| Ignilion system   |   |   | Solid-state w/ magnet           | 0                      |                       |
| Governor system   |   |   | Electronic                      |                        |                       |
| Compression ratio   |   |   | 9.5:1                           |                        |                       |
| Starter   |   |   | 12 VDC                          |                        |                       |
| Oil capacity including litter   |   |   |                                 |                        |                       |
|   |   |   | Approx 1.9 qt / 1.8 L           |                        |                       |
| Operaling rpm   |   |   | 3,600                           |                        |                       |
| Fuel consumption Natural gas (f3/hr (m3/hr)   |   |   |                                 |                        |                       |
| Natural gas (t³/hr (m³/hr)<br>1/2 Load  | 204 (5,78)  | 228 (6.46)                                      | 164 (4.64)                      | 203                    | (5.75)                |
| Full Load   | 301 (8.52)  | 327 (9.26)                                      | 287 (8.13)                      |                        | (8.66)                |
| Liquid propane ft <sup>3</sup> /hr (gal/hr) [L/hr]  | (0.00)  | 00. (0.20)                                      | 207 (0=10)                      | 000                    | (0.00)                |
| 1/2 Load  | 87 (2.37) [8.99]                                    | 92 (2.53) [9.57]                                | 86 (2.36) [8.95]                | 92 (2.5                | 3) [9.57]             |
| Full Load   | 130 (3.56) [13.48]                                  | 142 (3.90) [14.77]                              | 136 (3.74) [14.15]              | 142 (3.9               | 0) [14.77]            |
| Note: Fuel pipe must be sized for full load. Required fuel pressure to generator fuel inlet at all gas. For BTU content, multiply ft <sup>3</sup> /hr x 2500 (LP) or ft <sup>3</sup> /hr x 1000 (NG). For Megajoule content, mu | l load ranges = 3,5–7 i<br>ultiply m³/hr x 93,15 (L | n water column (0.87-<br>P) or m³/hr x 37.26 (N | -1.74 kPa) for NG, 10-          | -12 in waler column    | (2.49–2.99 kPa) for L |
| Controls  |   |   |                                 |                        |                       |
| Two-line plain text multillingual LCD   |   | Classi.   | or interfere for the control of | agasatian              |                       |
| Mode bultons; AUTO  |   |   | er interface for ease of        |                        |                       |
|   |   |   | Weekly, Bi-weekly, o            |                        |                       |
| MANUAL  | Start v   |   | stays on, If utility fails      |                        | s place               |
| OFF   |   | Stops unit, Power is                            | removed. Control and            | charger still operate. |                       |
| Ready to Run/Maintenance messages   |   |   | Standard                        |                        |                       |
| Engine run hours indication   |   |   | Standard                        |                        |                       |
| Programmable start delay belween 2–1500 seconds   |   | Standard  | (programmable by de             | aler only)             |                       |
| Utility Vollage Loss/Return to Utility adjustable (brownout setting)  |   |   | m 140-171 V / 190-21            |                        |                       |
| Future Set Capable Exerciser/Exercise Set Error warning   |   | 710   | Standard                        |                        |                       |
| Run/Alarm/Maintenance logs  |   |   | 50 events each                  |                        |                       |
| Engine start sequence   |   | Cuolin graphing, 16                             |                                 | ennuirouse duralian)   |                       |
| Starter lock-out  |   |   | sec on, 7 rest (90 sec          |                        |                       |
|   |   | pranter cannot te-et                            | gage until 5 sec after          | engine has stopped.    |                       |
| Smart Battery Charger   |   |   | Standard                        |                        |                       |
| Charger Fault/Missing AC warning  |   |   | Slandard                        |                        |                       |
| ow Baltery/Ballery Problem Protection and Battery Condition indication  |   |   | Standard                        |                        |                       |
| Automatic Voltage Regulation with Over and Under Voltage Protection   |   |   | Standard                        |                        |                       |
| Under-Frequency/Overload/Stepper Overcurrent Protection   |   |   | Standard                        |                        |                       |
| Safety Fused/Fuse Problem Protection  |   |   | Slandard                        |                        |                       |
| Automatic Low Oil Pressure/High Oil Temperature Shutdown  |   |   | Standard                        |                        |                       |
| Overcrank/Overspeed (@ 72 Hz)/rpm Sense Loss Shutdown   |   |   | Slandard                        |                        |                       |
| High Engine Temperature Shuldown  |   |   | Distribuc                       |                        |                       |

Standard

\*\*Sound levels are taken from the front of the generator. Sound levels taken from other sides of the generator may be higher depending on installation parameters. Rating definitions - Standby: Applicable for supplying emergency power for the duration of the utility power outage. No overload capability is available for this rating. (All ratings in accordance with BS5514, ISO3046 and DIN6271). \* Maximum kilovolt amps and current are subject to and limited by such factors as fuel BTU/megajoule content, ambient temperature, allitude, engine power and condition, etc. Maximum power decreases approximately 3.5% for each 1,000 it (304.8 m) above sea level; and also will decrease approximately 1% for each 10 °F (6 °C) above 60 °F (16 °C).

Standard

Standard

Standard

# RESOLUTION OF MOUNTAIN LAKES ZONING BOARD OF ADJUSTMENT

Application No. 79-13-A Daniel and Lois Fermaglich

WHEREAS, in a public hearing held on Thursday, September 13, 1979 the subject application was presented and the public was given an opportunity to be heard, and

WHEREAS, since the property located at 9 Van Duyne Road has a slope of exceptional topographic condition, and the Board finds this to be an to build a conventional driveway would create practical difficulties and undue hardship upon the owner, and

WHEREAS, although the structure of the proposed house on an elevated platform would result in a total height of 42°, only 9° of the proposed house would extend above Van Duyne Road, and

WHEREAS, the proposed elevated driveway into the garage portion of the house has been designed to give a pleasing appearance and meet safety requirements, and

WHEREAS, the Board heard extended discussion from members of the public, including the owners of the property immediately to the Southwest of the subject property, on all aspects of the proposed construction,

WHEREAS, there were no objections to the granting of the subject variance from members of the public, and

WHEREAS, the Board finds there would be no substantial detriment to the public good and no substantial impairment of the intent and purpose of the Zoning Ordinance,

NOW, THEREFORE, BE IT RESOLVED, that a variance be granted from Section 5.1.6 of the Zoning Ordinance to permit the construction of the proposed residence as set forth in the plans submitted.

The foregoing motion being duly seconded and there being no further discussion, the Secretary called the roll and recorded the votes as follows:

ROLL CALL VOTE

AGAINST

Eaton Cody Mrs. Mr.

Sonnichsen Hitchcock Burn Messis.

MOTION CARRIED.

## May 13, 1976

- Pat Day, 11 Van Duyne, the left contiguous property, stated she would rather have a house that conforms to the land than to strip the land of trees and put in a house.
- Charles Sanborn, Six Van Duyne, whose home is directly across from the Days', stated he hated to see any more trees destroyed than necessary and as long as the house is built attractively on the land, he does not object. Mr. Sanborn did ask if it were possible to build the house and the carport without a covering on the carport?
- Mr. Russell said it would be possible, but there is somewhat of a safety factor involved with covering the wooden platform driveway when it comes to ice and snow. The wood will deteriorate rapidly, much more so than asphalt.
- Mr. Maypoje stated that if the carport is approved on this application, anyone with a similar problem in the Borough will apply for a variance. This may set a precedent. The Board generally agreed on this point made by Mr. Maypole.
- WHEREAS, the property located at 9 Van Duyne Rosó has a slope of 36 degrees down away from the road, the board does find that to be an exceptional typographic condition, and the Board finds that they have heard evidence that to build a conventional driveway would create practical difficulties and undue hardship upon the owner, and
- WHEREAS, the platform portion of the structure of the proposed house is more than 40 feet from the road and that such structure being a platform alone would not substantially impair the intent and purpose of the Zoning Ordinance;
- NOW, THEREFORE, BE IT RESOLVED, that a variance be granted from Section 5.1.6 of the Zoning Ordinance to permit the construction of such platform as set forth in the plans submitted to the Board of Adjustment. (This is the platform not including the covered portion referred to as the carport.)
- The foregoing motion being duly seconded and there being no further discussion, the Secretary called the roll and recorded the votes as follows:

Messrs: Cody
Hedley
Mappole
Prescott
Stovall
Wickers

Chairman Wickers then read Part II of the Resolution:

- WHEREAS, the Board of Adjustment finds that the covered portion of the platform (carport) to be an accessory structure, and
- WHEREAS, such structure as proposed would be within the 40 foot setback, and
- WHEREAS, the Board has not found hardship to be established with respect to the necessity of a carport within the 40 foot serback requirement of the Zoning Ordinance and that such a structure would impair the general intent and purpose of the Zoning Ordinance that the Board will deny the request for a variance with respect to the covered portion (carport).

# May 13, 1976

The foregoing motion being duly seconded and there being no further discussion, the Secretary called the roll and recorded the votes as follows:

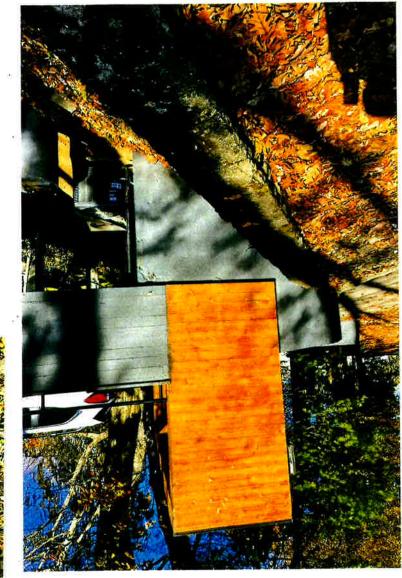
. and reco.
Messrs: Cody
Maypole
Prescott
Stowail
Wickers

Both motions being passed, the request of Herry Russell, III is granted in part and denied in part.

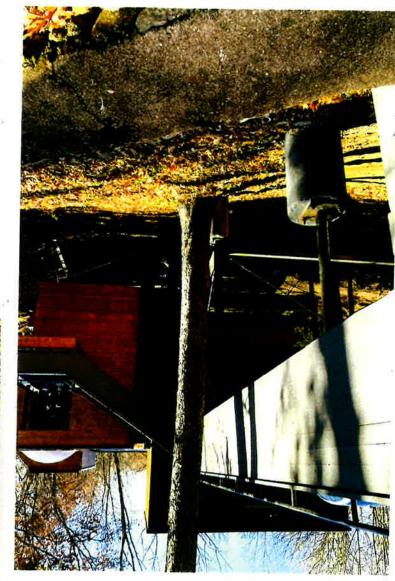
There being no further business, the meeting was adjourned.

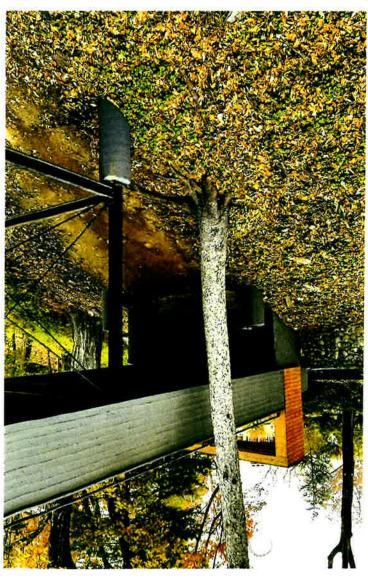
Christine A. Scott Respectfully submitted

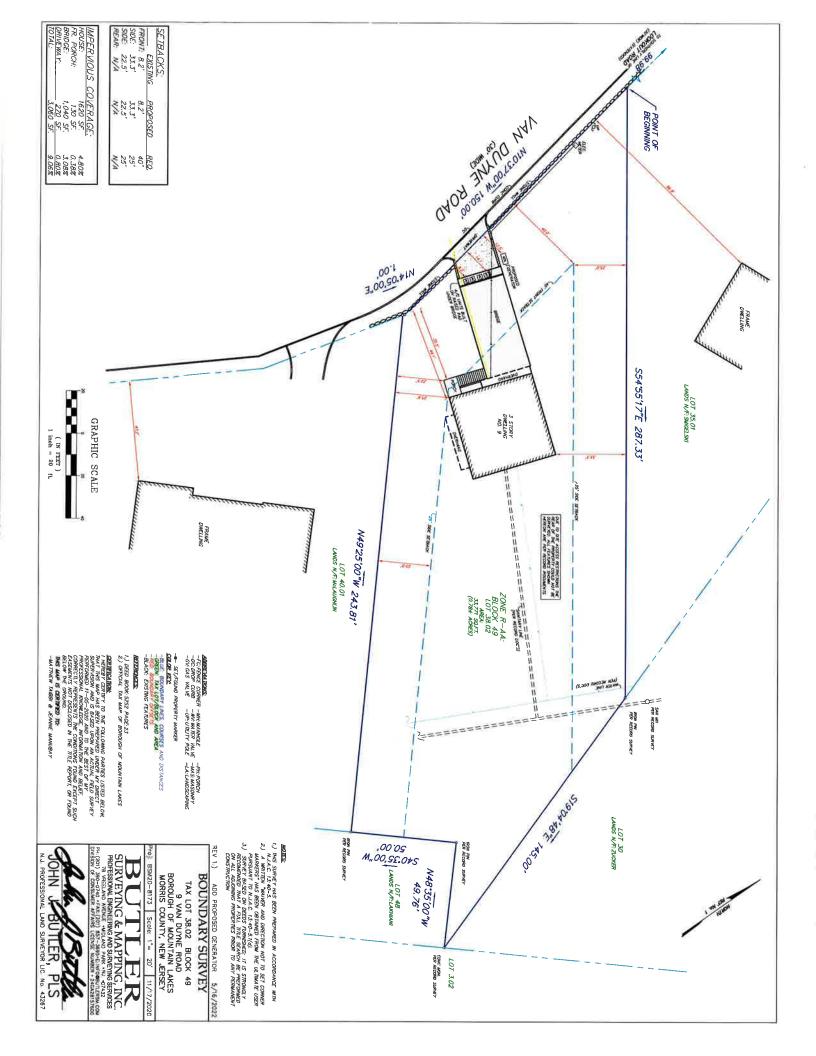
7.7

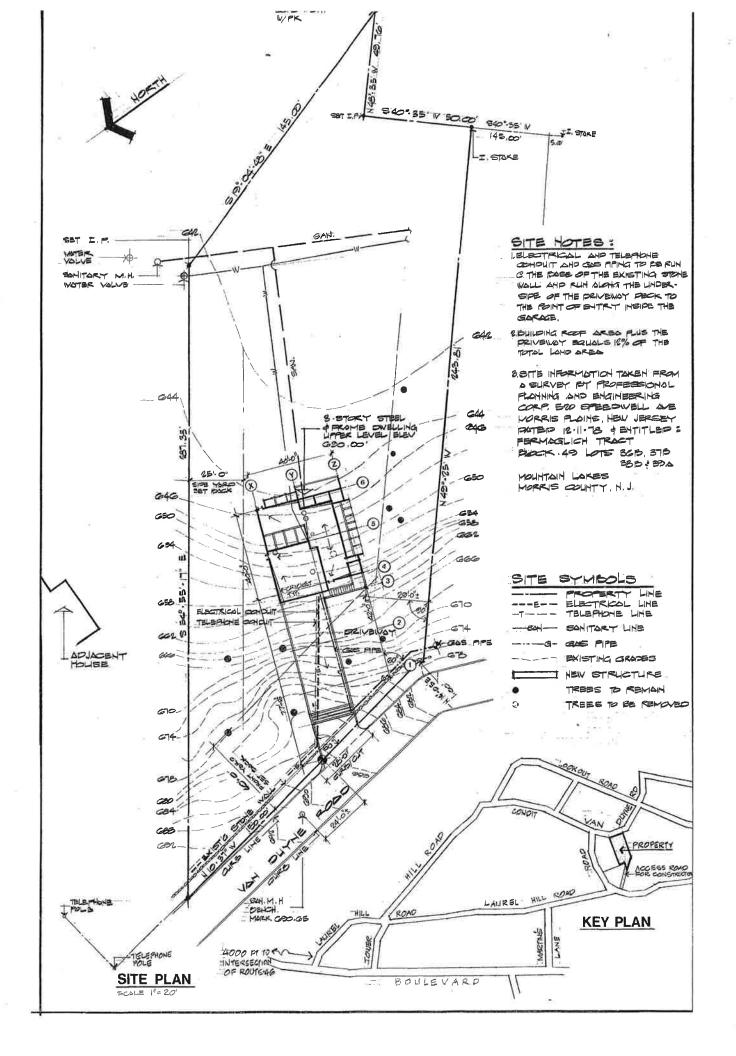












## Borough of Mountain Lakes Zoning Board of Adjustment Checklist



| Applicant's Name: Dan Amato and Jennifer Bulger |  |  |  |  |  |  |
|---|--|--|--|--|--|--|
| Address: 8 Crescent Drive                       | Blk <u><b>127.02</b></u> Lot _ <b>16</b> |  |  |  |  |  |
| Application #: 22-741                           | Date: 16 June 2022                       |  |  |  |  |  |

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

RECEIVED

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

Application Number\_

Date Filed\_

JUN 1 6 2022

SOROUGH OF

|          |   | Fee Paid_ \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\   |  |  |  |  |
|----------|---|--|--|--|--|--|
|          |   | Taxes Paid up  |  |  |  |  |
|          |   | 0  |  |  |  |  |
|          |   | ON REGARDING THE APPLICANT:  |  |  |  |  |
| A)       | Applicant's Name  | <u> </u>   |  |  |  |  |
|          | Address   | 8 Crescent Drive Telephone (732) 770-0981  |  |  |  |  |
|          | Email   | dan.amato02@gmail.com  |  |  |  |  |
|          | Owner's Name  | Dan Amato and Jennifer Bulger  |  |  |  |  |
|          | Address   | 8 Crescent Drive Telephone (732) 770-0981  |  |  |  |  |
|          | Email (If the applicant is not authorization at the en  | dan.amato02@gmail.com the owner of the property, please complete the owner's d of this application.) |  |  |  |  |
| B)       |   | dividual(s) X Corporation Partnership 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. |  |  |  |  |  |
| C)       | Owner X Pr  | applicant to the property is:  urchaser under ContractTenant or Lessee  pecify)                      |  |  |  |  |
| SEC      | TION 2 INCODMATI  | ON REGARDING THE PROPERTY  |  |  |  |  |
| A)       |   | ne Property is <u>8 Crescent Drive</u>   |  |  |  |  |
| 11)      | The street address of d   | to Troporty is to Crescent Drive   |  |  |  |  |
| B)       |   | perty is approximately <u>0</u> feet from the intersection and <u>Center Drive</u> .                 |  |  |  |  |
| C)       | The tax map Block num<br>(See tax bill or deed for  | mber(s) is 127.02 the Lot number(s) is 16 or this information.)                                      |  |  |  |  |
| D)       | The zone in which the   | Property is located is <b>R-2</b> *  |  |  |  |  |
| E)       |   | Property are Front Crescent Drive 106.81'+"Curve", Front rve", Rear 125.00', Side - 90.00'+- Side    |  |  |  |  |
| F)<br>G) |   | y is 10,028 square feet.  1 cases. Additional notice is required if the property is                  |  |  |  |  |

located: (please check if applicable)

| involving If the analysis applicate * Admi | 2. adjacent to a 3. adjacent to o 4. adjacent to a lave there been any property? Y swer to (H) is YES, ble Board. inistrative Officer ca | eet of another municip<br>in existing or proposed<br>other county land (<br>state highway ( )<br>revious Board of Adju-<br>ESNO <u>X</u> _<br>attach a copy of the ward assist applicant wire<br>rictions, easements or | county road. ( ) stment or Plannin ritten decision(s)       | * adopted by the                                   |
|--|--|---|---|--|
| Contrib                                    | outing Dwellings in S  | pursuant to the <i>Specia</i> ection 40-49? Yes   | _No_X   | ·  |
|  |  | copriate to your applica  |   | 7.00m2 15:5= W 12                                  |
|  | e relief:<br>oor Area Ratio (%)  | Existing <b>20.28%</b>  | Proposed  | Allowed/Required 20%                               |
|  | proved Lot Coverage  | 50.00 mass and 1  | <u>23.10%</u><br><u>29.57%</u>                              | 25 %<br>25 %                                       |
| Setback X X —                              | Front-Crescent Front - Center Side Combined Side Rear-   | 27.0'(21.0 Step)<br>41.8'<br>24.1'<br>65.9'<br>20.2   | 21.0'<br>30.0'<br>24.1'<br>54.1'<br>20.2                    | 30'-No Ave<br>30'-(42.5'Ave)<br>10'<br>25.0<br>15' |
| *See Cl                                    | eight*<br>of stories<br>hapter 40-21A.(4a)[<br>ce  | 23.95/23.79<br>1.5<br>6] to determine if you  |   | 35'/38'<br>2 ½<br>ce is a C or D                   |
| D\   | linete the Cult Perform  | aftha Danash at M   |   | -d Has Ordinanas                                   |
| Chapte                                     | er 40-21 under which Appeal of action of z Interpretation of z "C-1" (40-21.3A) "C-2" (40-21.3B) "D" Use, Floor Are                      | of the Borough of Mo<br>this application is sub<br>of administrative office<br>coning ordinance or ma<br>hardship<br>"benefits would sub<br>ca Ratio, Height or De  | mitted:<br>er<br>ap<br>ostantially outwei<br>nsity variance |  |

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

We would like to make the following changes:

- 1. Extend the 2<sup>nd</sup> floor dormer at the rear of the property to make head room for a new bedroom.
- 2. Add a front entry roof to protect the front steps from rain water.
- 3. Add a new generator to the rear of the house by the existing gas and electric service.
- 4. Add a new one story addition by the kitchen.
- 5. Add a covered porch in front of the addition.
  - 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.

A new child is on the way. The additional bedroom on the  $2^{nd}$  floor would allow each child and the parents to be on the same floor, each having their own room.

The new room on the 1st floor will be a common area for the family.

The existing home is non-conforming in the front yard setback, floor area ratio, and Improved lot coverage. The proposed renovation does not change or exasperate the improved lot coverage.

The proposed changes will match the existing architecture of the existing contributing dwelling.

The benefits of the deviation will substantially outweigh any detriment.

# FLOOR AREA RATIO CALCULATION - (Existing & Proposed -)

#### FOR A NEW HOUSE OR AN ADDITION

- See Appendix A

| Owner:       | Dan Amato and Jennifer Bulger |                                       |     |   |
|--------------|-------------------------------|---------------------------------------|-----|---|
| Address:     | 8 Crescent Drive              |                                       |     |   |
| Block Number | 127.02                        | Lots:                                 | 16  |   |
| Zone:        | R-2                           | Permissible F.A.R., %                 | 20% |   |
|              |                               | · · · · · · · · · · · · · · · · · · · | 1   | _ |

### For Proposed House or Addition:

|                              | Areas (sq. ft.)                           |   |   |                       |   |   |  |   |
|------------------------------|---|---|---|-----------------------|---|---|--|---|
|                              | Basement                                  |   | d Existing  | 1st floor<br>Proposed | 2nd Floor<br>Existing   | 2nd Floor<br>Proposed                                   | *Upper<br>Story<br>Existing  | *Upper<br>Story<br>Proposed                                     |
|                              | Existing                                  | Proposed  |   |                       |   |   |  |   |
|                              |   |   | 1155.00   | 1155.00               | 799.00  | 799.00  |  |   |
| red<br>Iral                  |   |   |   | 109.00                | 52.00   | 52.00   |  |   |
|                              |   |   |   | 217.00                |   | 65.00   |  |   |
| Garage                       |   |   |   |                       |   |   |  |   |
|                              |   |   | 28.00   | 28.00                 |   |   |  |   |
| 5<br>S                       |   |   |   |                       |   |   |  |   |
|                              |   |   |   |                       |   |   |  |   |
| (Garage)                     |   |   | 234.00  | 234.00                |   |   |  |   |
| Side                         |   |   |   |                       |   |   |  |   |
|                              |   |   |   |                       |   |   |  |   |
| (Garage<br>Porch<br>Basement |   |   | -234.00   | -234.00               |   |   |  |   |
|                              | 0.00                                      | 0.00  | 1183.00   | 1509.00               | 851.00  | 916.00  | 0.00   | 0.0   |
|                              | red<br>Iral<br>Garage<br>(Garage)<br>Side | Existing  red liral  Garage  (Garage)  Side  (Garage Porch Basement | Existing Proposed  red iral  Garage  (Garage)  Side  (Garage Porch Basement | 1155.00               | Existing   Proposed   Existing   Proposed   1155.00 | Basement   Basement   1st Floor   1st floor   2nd Floor | Basement   Basement   1st Floor   1st floor   2nd Fl | Basement   Basement   1st Floor   2nd Floor   2nd Floor   3tory |

| Divide the total floor area by the Site area to get the actual FAR in percent. |                            |           |           |
|--|----------------------------|-----------|-----------|
| Seal:  |                            | Existing  | Proposed  |
|  | Total Floor Area (sq. ft.) | 2,034.00  | 2,425.00  |
| $\bigcap II$   | Site Area (sq. ft.)        | 10,028.00 | 10,028.00 |

Actual FAR, %

Certified by:
License: Al 11524 Print Name: Richard W. Nelson
Date: 15-Jul-22

24.18%

20.28%

\*This worksheet must be completed, sealed and certified by a licensed architect or engineer.

### IMPROVED LOT COVERAGE CALCULATIONS- (Existing & Proposed)

See Appendix A

16

| Owner:   |  |
|----------|--|
| Address: |  |

Dan Amato and Jennifer Bulger

8 Crescent Drive

Block Number Zone:

127.02

R-2 Permissible Improved, % 25%

Lots:

|   | Existing Areas (sq. ft.) | Proposed Areas<br>(sq. ft.) | Remarks                         |
|---|--------------------------|-----------------------------|---------------------------------|
| Area of Basic                           | 1,155.00                 | 1,155.00                    |                                 |
| House footprint                         | 1,100.00                 | 1,100.00                    |                                 |
| Fireplace                               |                          |                             |                                 |
| Bay Window                              | 28.00                    | 28.00                       |                                 |
| Flue                                    |                          |                             |                                 |
| Additions                               |                          | 217.00                      | New 1 story Addition over patio |
| Attached Garage                         | 234.00                   | 234.00                      | 1417.00 Ricks h., bay, gar,     |
| -                                       |                          |                             | 1404.00 Walkers                 |
| Detached garage                         |                          |                             | 13.00 Difference                |
| Entries & Steps                         | 54.00                    | 54.00                       | Front                           |
| ·                                       | 38.00                    | 38.00                       | Side                            |
|   |                          | -38.00                      | Remove Side Steps               |
| Porches, Breezeways                     |                          | 130.00                      | New Porch                       |
| and Roofed Decks                        |                          |                             |                                 |
| Patios & Terraces                       | 217.00                   | 217.00                      | Side Patio                      |
|   |                          | -217.00                     | Remove Side Patio               |
| Driveways & Parking lots                | 798.00                   | 798.00                      |                                 |
| (paved or otherwise)                    | 1 30.00                  | 7 50.55                     |                                 |
| Sidewalks & Walkways                    | 221.00                   | 221.00                      | Front                           |
| A SE | 29.00                    | 29.00                       | Garage                          |
|   | 32.00                    | 32.00                       | Side                            |
|   |                          | -32.00                      | Remove Side                     |
| Tool Sheds                              |                          |                             |                                 |
| Swimming Pools                          |                          |                             |                                 |
| Pool Deck                               |                          |                             |                                 |
| Pool Equipment below deck               |                          |                             |                                 |
| Other                                   | 9.00                     | 9.00                        | Condencing Unit                 |
|   | 14.00                    | 14.00                       | Shower                          |
|   |                          | -14.00                      | Remove Shower                   |
|   | 76.00                    | 76.00                       | Walls- three section            |
| Other                                   |                          | 14.00                       | New Generator                   |
| Juici                                   |                          | 14.00                       |                                 |
|   | -13.00                   | 1                           | Adjustment to house footprint   |
|   | -26.00                   |                             | Side walks Adjustment           |
|   | 1                        | 1                           |                                 |

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

Seal:

Total Improved Area (sq. ft.)

Site Area (sq. ft.)

Actual Coverage, %

Proposed Existing 2866.00 2965.00 10,028.00 10,028.00

29.57%

Certified by:

License:

AI 11524

Print Name: Date:

Richard W. Nelson 15-Jun-22

28.58%

## 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 a | t 8 Crescent Drive | in the |
|----------------------------------|--------------------|--------|
|                                  | d C4-4 C           |        |

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) 127.02

Lot(s) 16 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

