

**MOUNTAIN LAKES DISTRICT
ZONING BOARD OF ADJUSTMENT
June 22, 2017**

Call To Order – Don Dubrule called the meeting to order at 4:06 pm. Board Chair Karen Rajsteter was absent and Don Dubrule nominated himself to serve as chair. Marcia Selent seconded and the motion passed.

Roll Call – Don Dubrule, Marcia Selent and alternate member Mike Williams. Don Dubrule moved to designate Mike Williams as a full voting member for the meeting in place of Karen Rajsteter; Marcia Selent seconded and the motion passed. Don Dubrule declared a quorum to be present.

In Attendance – Robert Roudebush, Bob Long, Finn Finnegan and Joseph Fiore of Fiore Builders.

Verification of Abutter Notification: Don Dubrule asked Kristi Garofalo if certified letters had been mailed to all abutters. She replied they were mailed out on June 1, 2017, and copies were in the file. She reported the office received one call from an abutter, Kenneth Marcinowski, who wanted more information about the variance request but had no objection to the setback of the home as built “as long as it doesn’t get any closer”.

Verification of Published Notices: Don Dubrule asked Kristi Garofalo if notice of the meeting was published in a public forum. She replied notices were posted at the District office and on the District website on June 1, 2017, and published in The Bridge Weekly on June 8, 2017, with a copy placed in the file. She also confirmed postage and publication charges were paid by the applicant.

Request for Variance – Hetherton – 312 Swiftwater Circle – Map 203, Lot 213

Don Dubrule reviewed criteria for granting a variance with the Board members. Joe Fiore of Fiore Builders spoke of the circumstances which led to the variance request. He said the slope of the lot made it necessary to build as close as possible to the front setback, but the front setback was mistakenly measured from the side of the road rather than from the lot boundary pin which couldn’t be located at the time. He said the homeowner also added a covered entrance porch during construction which further infringed on the setback. Once the discrepancy was discovered, he hired a surveyor to locate the missing pin and create a new lot drawing (a copy is in the file) which shows the home as built is 30 feet from the front lot line instead of 50 feet.

The ZBA members reviewed the drawing and other file information provided by the applicant. After discussion, Don Dubrule said the house is in place, the front can’t be removed, and the house can’t be moved back because of the slope. He said due to the degree of construction investment made and ignorance of the violation at the time, the cost of correcting far outweighs the public benefit to be gained and it would be inequitable to require performance to the actual setback in his opinion. He moved to grant the front setback variance as requested and Marcia Selent seconded. The motion passed unanimously and the variance was granted.

Don Dubrule moved to adjourn; Marcia Selent seconded. The motion passed and the meeting was adjourned at 4:24 P.M.

Respectfully submitted,
Kristi Garofalo