

# TOWNSHIP OF WEST MILFORD

## ZONING BOARD OF ADJUSTMENT

### AGENDA

January 24, 2006

7:30 p.m.

Main Meeting Room of Town Hall

### LEGAL

*In accordance with Chapter 231, Public Laws of the State of New Jersey of 1975, adequate advance notice of this meeting was sent to The Herald News and The Record for publication, is posted on the Bulletin Board in the main corridor of Town Hall and is on file in the Township Clerk's Office. The Main Meeting Room is ADA accessible. Special needs can be accommodated by contacting the Zoning Board of Adjustment at (973) 728-2895.*

### PLEDGE

### ROLL CALL

**Regular Members:** Robert Brady, Ada Erik, Joseph Giannini, Daniel Jurkovic, Thomas Lemanowicz, Arthur McQuaid and Ed Spirko  
**Alternates:** Michael Ramaglia and Francis Hannan  
**Board Attorney:** Stephen Glatt  
**Principal Planner:** Linda Lutz  
**Township Engineer:** Richard McFadden

### MEMORIALIZATIONS

#### **MIKE DONADIO**

#### **Resolution 13-2005**

Bulk Variance #0430-0688

Block 9901; Lot 38

33 Wooley Road; R-4 Zone

Decided: May 24, 2005

#### **DENIED**

**Eligible to vote:** Daniel Jurkovic and Robert Brady

#### **NEW CINGULAR WIRELESS PCS, LLC**

#### **D/B/A AT&T WIRELESS**

#### **Resolution 30-2005**

Use Variance #0440-0691

Block 2802; Lot 3

333 Warwick Turnpike; NC Zone  
Decided: November 22, 2005

**GRANTED:** Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d for the height of a new, unmanned, wireless telecommunications facility.

**Eligible to vote:** Daniel Jurkovic, Arthur McQuaid, Ed Spirko, Ada Erik and Robert Brady

**NEW CINGULAR WIRELESS PCS, LLC**

**D/B/A AT&T WIRELESS**

**Resolution 31-2005**

Preliminary & Final Site Plan #0420-0197AB

Block 2802; Lot 3

333 Warwick Turnpike; NC Zone

Decided: November 22, 2005

**GRANTED:** Preliminary and Final Site Plan for a new, unmanned wireless telecommunications facility.

**Eligible to vote:** Daniel Jurkovic, Arthur McQuaid, Ed Spirko, Ada Erik and Robert Brady

**SAL FALCIGLIA, JR.**

**Use Variance #9540-0158**

**Resolution 1-2006**

Block 6101; Lot 23

72 Marshall Hill Road; R-1 Zone

Decided: December 20, 2005

**GRANTED:** Continuation of a previously-granted use variance for an off-site sign

**Eligible to vote:** Daniel Jurkovic, Arthur McQuaid, Ed Spirko, Thomas Lemanowicz, Ada Erik and Robert Brady

## **APPLICATIONS CARRIED FROM PREVIOUS MEETING**

**VINCENT LANZA**

***De Minimis* Exception**

**Bulk Variance #0430-0673**

Block 2708; Lots 1, 5 & 6

27 Flanders Road; LR Zone

Construction of new home

COMPLETE 01-28-05

DEADLINE 03-31-06

*De minimis* exception from the Residential Site Improvement Standards – New Jersey Administrative Code; Title 5; Chapter 21 (5:21-3.1) for: pavement, curbs, storm drains, etc.

This application did not comply with Section 18-3.7 Paragraph D of the Land Development Ordinance for the reasons of side yard setback, front yard setback and relief from the MLUL C.40:55D-35 requirement that no permit for the erection of any

building or structure shall be issued unless the lot abuts a public street giving access to such proposed building or structure.

Testimony was taken at the July 26, 2005 public hearing. Members who were present to hear testimony were Joseph Giannini, Arthur McQuaid, Ada Erik, Daniel Jurkovic and Robert Brady.

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**ROBERT DiBELLA**  
**Use Variance #0540-0712**  
**Bulk Variance #0530-0722**

COMPLETE 09-27-05  
DEADLINE 02-24-06

Block 2403; Lot 11  
Upper Greenwood Lake Rd; LR Zone  
Construction of garage

Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d(1) for an accessory structure on a lot with no principal structure.

This application also does not comply with Section 18-3.7 Paragraph D of the Land Development Ordinance for the reasons of accessory structure: distance to side line; maximum coverage, and relief from the MLUL C.40:55D-35 requirement that no permit for the erection of any building or structure shall be issued unless the lot abuts a public street giving access to such proposed building or structure.

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**THOMAS OPPELAAR** (*formerly listed as Vincent Lanza*)  
**Use Variance #0540-0715**  
**Bulk Variance #0530-0724**  
Block 4302; Lot 5  
Forest Lake Drive; LR Zone  
Construction of a garage

COMPLETE 11-15-05  
DEADLINE 03-15-06

Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d(1) for an accessory structure on a lot with no principal structure.

This application also does not comply with Section 18-3.7 Paragraph D of the Land Development Ordinance for the reasons of accessory structure: maximum coverage, location in a front yard, and such other variance relief as the Board deems necessary.

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**VINCENT LANZA**  
**De Minimis Exception**  
**Bulk Variance #0530-0717**  
Block 206; Lot 14.02  
Lookover Drive; LR Zone  
Construction of a new home

COMPLETE 12-08-05  
DEADLINE 04-07-06

*De minimis* exception from the Residential Site Improvement Standards – New Jersey Administrative Code; Title 5; Chapter 21 (5:21-3.1).

This application did not comply with Section 18-3.7 Paragraph D of the Land Development Ordinance for the reasons of lot area, lot frontage, lot depth, front yard setback, rear yard setback and relief from the MLUL C.40:55D-35 requirement that no permit for the erection of any building or structure shall be issued unless the lot abuts a public street giving access to such proposed building or structure.

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<b>DAVID MULLIGAN</b>	COMPLETE	12-15-05
<b>Use Variance #0540-0723</b>	DEADLINE	04-14-06
<b>Bulk Variance #0530-0725</b>		
Block 3604; Lot 1		
31-33 Ringwood Lane; LC Zone		
Addition to a single-family dwelling		

Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d(2) for the expansion of a pre-existing, non-conforming use.

This application did not comply with Section 18-4.5 Paragraph B of the Land Development Ordinance for the reasons of buffer to street and buffer to side line, and such other relief as the Board deems necessary.

## NEW APPLICATIONS

<b>JOSEPH HAJBURA</b>	COMPLETE	12-23-05
<b><i>De Minimis</i> Exception</b>	DEADLINE	04-22-06
<b>Bulk Variance #0530-0728</b>		
Block 1207; Lot 14		
Carmel Road; R-2 Zone		
Construction of a new home		

*De minimis* exception from the Residential Site Improvement Standards – New Jersey Administrative Code; Title 5; Chapter 21 (5:21-3.1) for: pavement, drainage infrastructure and graded areas.

This application did not comply with Section 18-3.7 Paragraph A of the Land Development Ordinance for the reasons of lot area and relief from the MLUL C.40:55D-35 requirement that no permit for the erection of any building or structure shall be issued unless the lot abuts a public street giving access to such proposed building or structure.

## **COMMUNICATIONS**

Letter from Darlene Kane, Treasurer, HCLL, Inc., received December 21, 2005, requesting extension of time (in accordance with the Municipal Land Use Law, 40:55D-52) for **High Crest Lake Lodge, Inc.**, Preliminary & Final Site Plan #0120-0096AB, Block 13002; Lot 9, High Crest Drive/Hearthstone Drive; R-2 Zone. Applicant must appear to present case.

## **MINUTES**

Approval of Minutes of the December 20, 2005 Regular Meeting.

## **MISCELLANEOUS ITEMS**

1. Discussion of the hiring of Ross Sorci, Radio Frequency Expert for the Board, with reference to the following applications (applicants were provided with notice of this discussion):

**OMNIPOINT COMMUNICATIONS, INC.**  
**Use Variance #0540-0706**  
**Preliminary & Final Site Plan #0520-0214**  
Block 12501; Lot 26  
666 Macopin Road; R-3 Zone

**OMNIPOINT COMMUNICATIONS, INC.**  
**WATER TREATMENT PLANT**  
**Use Variance #0540-0726**  
**Preliminary & Final Site Plan #0520-0224AB**  
Block 14102; Lot 1  
Center Island, Route 23; R-4 Zone

2. Discussion of Draft Annual Report

## **ADJOURNMENT**