

**MINUTES
Of the Township of West Milford
ZONING BOARD OF ADJUSTMENT**

**January 26, 2010
Reorganization Meeting**

Pledge

All in attendance joined in the reciting of the Pledge of Allegiance.

Denyse Todd, Board Secretary presided over the Reorganization Meeting of the Zoning Board of Adjustment. The meeting was opened at **7:06 p.m.** with the reading of the Legal Notice.

Oath of Office

The Secretary administered the oath of office for Board Members Ada Erik Citizen 6 who has a term through December 31, 2013 Gian Severini, Citizen 7 who has a term through December 31, 2013 and James Olivo, Alternate #1, who has a term through December 31, 2011. They were re-appointed to the Zoning Board of Adjustment at the Township Council Reorganization Meeting of January 1, 2010.

Roll Call

Present: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo and Vivienne Erk.

Also Present: Denyse Todd, Board Secretary.

Absent: There were no professionals at this meeting as there was no need for a regular meeting.

Nominations

The Secretary asked for nominations for Chairman, Vice Chairman and Secretary for the period ending 12/31/10.

Nomination Ada Erik to nominate Robert Brady as the Chairman of the Zoning Board of Adjustment.

Second by Gian Severini

There being no other nominations for Chairman, Ada Erik moved to close and confirm. Arthur McQuaid Second.

Mr. McQuaid commented that Mr. Brady has done a real fine job as Chairman of the Board for 6 years and always looks out for the needs of the citizens all were in agreement.

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk, Robert Brady.

No: None.

Abstain: None.

Motion carried.

Mr. Brady thanked everyone for their kind words and vote of confidence.

Mr. Brady presided over the rest of the meeting and asked for nominations for Vice Chairman.

**Motion by Francis Hannan to nominate Arthur McQuaid for Vice Chairman
Second Gian Severini**

Mr. Hannan commented that Mr. McQuaid has been a fantastic member for about 15 or 20 years and taught him the ropes when he was appointed to the Board 6 years ago.

Mr. Brady agreed with Mr. Hannan

There being no other nominations for Vice Chairman, Ada Erik moved to close and confirm.

Second Gian Severini

Roll Call Vote:

Yes: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk.

No: None.

Mr. Brady presided over the remainder of the meeting and thanked the Board members for their support.

Mr. Brady asked for nominations for Secretary.

Ada Erik nominated Denyse Todd

Second by Francis Hannan

Ada Erik moved to close and confirm and there was a second.

Mr. McQuaid complimented the secretary.

Roll Call Vote:

Yes: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk.

No: none

The Board Appointments for the calendar year through December 31, 2010

**Motion by Ada Erik to appoint Stephen Glatt as Board Attorney
Second Arthur McQuaid**

There being no other nominations for Board Attorney there was a motion and second to close and confirm.

Roll Call Vote:

Yes: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk.

No: none

**Motion by Ada Erik to appoint William H. Drew, P.P., AICP as Board Planner
Second by Robert Brady**

There being no other nominations for Board Planner there was a motion and second to close and confirm.

Roll Call Vote:

Yes: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk.

No: none

Motion by Ada Erik to appoint Richard McFadden as the Board Engineer.

Second by Robert Brady

There being no other nominations for Board Engineer there was a motion and second to close and confirm.

Roll Call Vote:

Yes: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk.

No: none

Motion by Ada Erik to appoint Robert C. Kirkpatrick as Substitute Planner

Second by Robert Brady

There being no other nominations for Substitute Board Planner there was a motion and second to close and confirm.

Roll Call Vote:

Yes: Robert Brady, Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk.

No: none

Motion by Arthur McQuaid to nominate the Herald News as the Board newspaper.

Second by Ada Erik

There being no other nominations for Newspaper there was a motion and second to close and confirm

Roll Call Vote:

Yes: Ada Erik, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk, Robert Brady

No: none

Francis Hannan recused himself from the vote.

Motion by Ada Erik to adopt the meeting schedule.

Second by Gian Severini

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk Robert Brady.

No: none

There was discussion regarding the Annual Report to Mayor and Council and what was to be added. Mr. Brady commented that there was a big move within the State for Green Acres and a thing of that nature and since the Highlands Act is coming under fire. He would like a recommendation to the Council that the Township investigate the possibility of buying small land locked pieces of property selling them back to contiguous property owners to put them back on the tax map. Green Acres is not what we need up here because it takes it off the tax map, revenue bearing is needed because it will take a lot of litigation before anything happens with water shed or with the Highlands Act. Someone should look into that. It would stop shoehorning between pieces of property and making flag lots and things of that nature. Mr. McQuaid added that this is an environmentally sensitive area; most of the lots are in lake communities and septic systems are not healthy for the lakes and if we can eliminate the possibility as a Township without hurting the property owner because the property owner would be compensated. Mr. Brady would like a study to find out how many lots are out there. There have been applications before the Board where houses are shoehorned and are one or two bedroom homes which there is no reason for, plus an additional septic. Belchers Creek was also mentioned because there is undeveloped land. Mr. Hannan pointed out that there was already a list compiled of undersized lots. It is in the

Highlands packet. It was pointed out that this suggestion has been made for three or four years in a row. Mr. Hannan mentioned that we could be proactive that notification be made to the Environmental Commission when there is an undersized lot where someone wants to ram a home into it, this would have to be mentioned to the Board Attorney. Mr. McQuaid added that copies of all applications are given to the Environmental Commission. Mr. Brady feels the problem is that after the application is received it is too late and we should preempt that before it becomes a problem. He is not referring to eminent domain, but an actual offer should be made to a property owner. It should be done in an official capacity, offer a fair price, put back on the tax maps instead of Green Acres, the contiguous property owner could purchase it at a fair rate. It might allow someone to put in a garage but not a home. It should be looked into before someone tries to build on it or the money would go up.

Motion by Arthur McQuaid for Mr. Drew to draft the same language from last years annual report for this years report.

Second by Gian Severini

Motion by Francis Hannan for Mr. Drew to research where we are with last year's suggestions.

Second by Ada Erik

Mr. Hannan added that last year there was a recommendation that inspections were done while the building was being constructed and does not know if that was done. Include this as well. Mr. Brady suggested that time be spent with the Planner on this subject as well. Mr. Drew should be present to discuss the items that were mentioned. If anyone thinks of anything else keep it in mind for the next meeting.

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, Barry Wieser, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Vivienne Erk Robert Brady.

No: none

Ms. Erik would like to attend the second class for the NJPO Advanced Zoning Classes; the secretary was looking into it.

Mr. Olivo and Ms. Erk received their certificates from the Planning and Zoning class they took in the fall.

Motion by Ada Erik to adjourn the Reorganization Meeting of January 26, 2009

Second by Arthur McQuaid

All in favor to adjourn the Reorganization Meeting.

Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Denyse Todd, Secretary
Zoning Board of Adjustment

Reorganization meeting

1/26/10

5

|