

**TOWNSHIP OF WEST MILFORD
ZONING BOARD OF ADJUSTMENT**

MINUTES

AUGUST 10, 2004

The meeting opened at 7:45 p.m. with the reading of the legal notice.

ROLL CALL

Present: Thomas Bigger, Robert Brady, Anthony DeSenzo, Joseph Giannini, Francis Hannan and Daniel Jurkovic; Stephen Glatt, Board Attorney; Linda Lutz, Staff Planner; Richard McFadden, Township Engineer.

Absent: Arthur McQuaid and Ed Spirko

The Chairman appointed Ed Spirko, alternate, as a voting member and the following application was called:

CEFES FINANCIAL, INC.
***De Minimis* Exception**
Bulk Variance #0230-0614
Block 1806; Lot 4
Magnolia Rd; LR Zone

John Barbarula, Esq., appeared on behalf of Cefes Financial, Inc., and requested the application be listed after August 27, 2004 because he filed a Motion In Aid of Litigant's Rights with the Superior Court for further determination and ruling. He felt the Board has gone beyond the scope of the remand and is requesting the Judge determine whether or not the questioning regarding the drainage issue is prohibited. The transcription will be forwarded to the Board Attorney when completed.

The Board Attorney stated he had received the Motion and intends to oppose it.

MOTION was made by Daniel Jurkovic to carry the Cefes Financial court remand to the September 28, 2004 meeting with the applicant's consent to extend any time frames that may apply, with no further notification and all in favor.

A letter requesting the above Court Remand of Cefes Financial, Inc., to be carried to the September 28, 2004 meeting. All Board members were in favor of carrying the matter to the September 28, 2004 meeting with no further notice necessary.

Applications Carried From Previous Meeting

DAVID POST	COMPLETE	06-02-04
Bulk Variance #0430-0655	DEADLINE	09-30-04
Block 5614; Lot 2		
63 Center Street; LR Zone		

The Board Attorney advised an ordinance is being introduced before the Town Council to offer to the two contiguous property owners only, the vacant property at Block 5614; Lot 1 on Center Street. The adjoining property owners have until September 24, 2004 to submit sealed bids. This creates a potential for applicant to alleviate some of his variances.

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Applicant, David Post, testified he was not interested in purchasing the lot for various reasons and would rather reduce the size of his addition and revise his plans. He stated there were environmental problems with the lot and he had good reasons for not wanting to purchase it. He submitted photos of the lot owned by the Township. He requested the matter be carried in order to look over the Township's proposal and decide if he would purchase the lot or reduce the size of his addition.

MOTION was made by Daniel Jurkovic to carry the David Post application to the September 28, 2004 meeting and the applicant granted the Board an extension through October 31, 2004, with all in favor.

Minutes

MOTION was made by Daniel Jurkovic to approve the Minutes of the November 28, 2000 meeting, seconded by Thomas Bigger, with all in favor.

MOTION was made by Daniel Jurkovic to approve the Minutes of the July 25, 2000 Reorganization meeting, seconded by Robert Brady, with all in favor.

MOTION was made by Daniel Jurkovic to approve the Minutes of the July 25, 2000 meeting, seconded by Robert Brady, with all in favor.

MOTION was made by Daniel Jurkovic to approve the Minutes of the June 27, 2000 meeting, seconded by Joseph Giannini, with all in favor.

Miscellaneous

The Board Attorney updated the Board on some miscellaneous litigation.

ADJOURNMENT

The meeting was adjourned by unanimous vote at 8:48 p.m.

Respectfully submitted,

Carol DenHeyer
Secretary