

TOWNSHIP OF WEST MILFORD

ZONING BOARD OF ADJUSTMENT

AGENDA

October 30, 2003

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 Aim Newspapers and The North Jersey Herald & News 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: Thomas Bigger, Robert Brady, Joseph Giannini, Daniel Jurkovic, Arthur McQuaid, William Milnes and Laetitia Munro
Alternates: Dennis Kirwan and Gene Richards
Board Attorney: Stephen Glatt
Principal Planner: Linda Lutz
Township Engineer: Richard McFadden
Radio Frequency Expert: Charles Hecht

MEMORIALIZATIONS

CHRISTIAN LIFE CENTER
OF THE ASSEMBLIES OF GOD
Resolution #33-2003
Use Variance #0240-0581
Preliminary Site Plan #0220-0124A
Bulk Variance #0230-0582
Block 6203; Lot 13
184 Marshall Hill Road; R-1 Zone

DISMISSED WITHOUT PREJUDICE

Eligible to vote: Thomas Bigger, Arthur McQuaid, Laetitia Munro, Dennis Kirwan, Gene Richards and Daniel Jurkovic

Alberto Dautaj (Momento's II)

Resolution #34-2003

Final Site Plan, Phase II, #0320-0054C
Block 4701; Lot 38.02
374 Morsetown Rd.; R-3 Zone

GRANTED: Final Site Plan approval

Eligible to vote: Thomas Bigger, Laetitia Munro, Dennis Kirwan, Gene Richards and Daniel Jurkovic

CHARLES AIKEY

Resolution #35-2003

Preliminary Subdivision #0210-1950
Bulk Variance #0230-0613
Block 9501; Lots 19.02
144 Wesley Drive; R-3 Zone

GRANTED: Subdivision with bulk variance for lot width to create five lots

Eligible to vote: Thomas Bigger, Laetitia Munro, Dennis Kirwan and Daniel Jurkovic

STEVEN BLACKSMITH

Resolution #36-2003

Bulk Variance #0330-0631
Block 5618; Lot 1
15 Quarry Avenue; LR Zone

GRANTED: Bulk variances for front yard setback, side yard setback and lot coverage

Eligible to vote: Thomas Bigger, Arthur McQuaid, Laetitia Munro, Dennis Kirwan, Gene Richards and Robert Brady

MEETING SCHEDULING

Possible dates for special meetings:

Monday, November 10, 2003

Tuesday, December 2, 2003

APPLICATIONS CARRIED FROM PREVIOUS MEETING

KERRY GREENE

Use Variance #0240-0605

COMPLETE 02-07-03

DEADLINE 12-31-03

Minor Subdivision #0210-1951

Bulk Variance #0330-0629

Block 1404; Lot 5.02

832 Warwick Tpk.; NC Zone

Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d (1)

because the proposed residential lots are not permitted in a commercial zone

***De Minimis* Exception**

Block 1404; Lot 5.02

832 Warwick Tpk.; NC Zone

De Minimis exception from the Residential Site Improvement Standards –

New Jersey Administrative Code; Title 5; Chapter 21 (5:21-3.1).

Minor Subdivision #0210-1951

Bulk Variance #0330-0629

Block 1404; Lot 5.02

832 Warwick Tpk.; NC Zone

To create three residential lots

This application does not comply with Section 18-4.4 and 18-9.7 of the Land Development Ordinance for the following reasons:

| ITEM | REQUIRED | PROPOSED LOT 5.03 | PROPOSED LOT 5.04 |
|--------------------------------------------------------------------------------------------------------|----------|----------------------|----------------------|
| Lot Frontage | 100 feet | 30 feet | 50.28 feet |
| Lot Width | 100 feet | 30 feet | ----- |
| Section 35 MLUL – issuance of a building permit on a lot that does not have access to a public street. | | | |

This application was carried from the July 17, 2003 public hearing. Members present to hear testimony were Thomas Bigger, Joseph Giannini, Daniel Jurkovic, William Milnes, Laetitia Munro, Dennis Kirwan and Robert Brady.

WM UV Assoc., LLC

(ORCHARD VIEW ESTATES)

Use Variance #0240-0603

Block 7701; Lots 7 and 11

Union Valley Road; R-1 Zone

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

COMPLETE 03-25-03

DEADLINE 12-21-03

***De Minimis* Exception**

Block 7701; Lots 7 and 11

Union Valley Road; R-1 Zone

De Minimis exception from the Residential Site Improvement Standards –

New Jersey Administrative Code; Title 5; Chapter 21 (5:21) for reduction in right-of-way width and exception from sidewalk requirement.

Preliminary Subdivision #0210-1934A

Bulk Variance #0230-0604

Block 7701; Lots 7 and 11
Union Valley Road; R-1 Zone
Subdivision to create eight lots.

This application was carried from the July 22, 2003 public hearing. Members present to hear testimony were Joseph Giannini, Daniel Jurkovic, Laetitia Munro, Dennis Kirwan and Robert Brady.

JOSEPH PATERNO, LLC

***De Minimis* Exception**

Block 2707; Lots 2 & 5
Flanders Road; LR Zone

De Minimis exception from the Residential Site Improvement Standards –
New Jersey Administrative Code; Title 5; Chapter 21 (5:21-3.1) for: paving road, drainage, grading.

Bulk Variance #0330-0623

Block 2707; Lots 2 & 5
Flanders Road; LR Zone
Construction of single-family dwelling

COMPLETE 06-18-03
DEADLINE 12-15-03

This application does not comply with Section 18-3.7 Paragraph D of the Land Development Ordinance for the following reasons:

| | Required | Proposed |
|----------------------------------|----------------|-----------------------------|
| Lot area | 20,000 sq. ft. | 13,992 sq. ft. |
| Lot frontage | 120 ft. | 118.24 ft. & 60 ft. |
| Lot width | 120 ft. | 102 ft. & 60 ft. |
| Side yard setback | 30 ft. | 12 ft. |
| Front yard setback | 40 ft. | 34.5 ft. |
| (max.) Wall height in front yard | 4 ft. | 6 ft. (in both front yards) |

Section 35 MLUL – lot does not gain access from a public street.

This application was carried from the August 7, 2003 public hearing. Members present to hear testimony were Joseph Giannini, Daniel Jurkovic, Arthur McQuaid, William Milnes, Laetitia Munro and Robert Brady. Dennis Kirwan listened to the recording.

AT&T WIRELESS COMPLETE 06-30-03
Use Variance #0240-0607 DEADLINE 12-27-03
Block 1701; Lot 59
776 Warwick Tpke; LR Zone
Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d(3) – two standards of the conditional use provisions are not being met (elevation of proposed tower exceeds elevation 1080 and no provision of landscaping).

Preliminary & Final Site Plan #0220-0132AB
Block 1701; Lot 59
776 Warwick Tpke; LR Zone
Unmanned wireless telecommunications facility

This application was carried from the August 7, 2003 public hearing. Members present to hear testimony were Joseph Giannini, Daniel Jurkovic, Arthur McQuaid, William Milnes, Laetitia Munro and Robert Brady.

WORLD FOR CHRIST CRUSADE, INC. COMPLETE 07-01-03
Use Variance #0340-0622 DEADLINE 11-28-03
Block 7701; Lot 11
1005 Union Valley Road; R-1 Zone
Expansion of a pre-existing non-conforming use.
Use Variance per New Jersey Municipal Land Use Law C.40:55D-70d(2) for a dining hall.

Preliminary & Final Site Plan #0320-0138AB
Block 7701; Lot 11
1005 Union Valley Road; R-1 Zone
Construction of a dining hall.
This application does not comply with Section 18-3.7 Paragraph A of the Land Development Ordinance for the following reasons:

| | Required | Proposed |
|-----------------------------------|------------------|------------------|
| Accessory Structure: | | |
| Distance to other structure (min) | 20 feet | 13.5 feet |
| Building Size (max) | 1500 square feet | 2830 square feet |

MISCELLANEOUS

ADJOURNMENT