

**Township of West Milford
Zoning Board of Adjustment
Agenda
September 23, 2008
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 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) 728-2796.

PLEDGE

ROLL CALL

Regular Members: Ada Erik, Francis Hannan, Daniel Jurkovic, William Lynch, Arthur McQuaid, Gian Severini
Chairman: Robert Brady
Alternates: Barry Wieser, Frank Curcio
Board Attorney: Stephen Glatt, Esq.
Board Planner: William H. Drew, P.P., AICP
Township Engineer: Richard McFadden, P.E.

**PETER ESPOSITO D/B/A
MOUNTAIN LAKES CARWASH
RESOLUTION 19-2008
APPEAL #0880-0811**

Block 6701; Lot 12; CC Zone
1946 Union Valley Road

Action: In favor of the Applicant's appeal of Zoning Officer's decision regarding erection of mobile carports.

Decided: July 22, 2008

Eligible to Vote: Ada Erik, Francis Hannan, Daniel Jurkovic, Arthur McQuaid, Gian Severini, Barry P. Wieser, Robert Brady

**1952 UNION VALLEY ROAD
RESOLUTION 21-2008
Use Variance #0540-0698
Preliminary & Final Site Plan No. 0420-0167AB
Bulk Variance #0430-0647
De Minimis Exception
Block 3601; Lots 1 & 3
1952 Union Valley Road; CC Zone**

Action: Dismissed application without prejudice.

Decided: July 22, 2008

Eligible to Vote: Ada Erik, Francis Hannan, Daniel Jurkovic, Arthur McQuaid, Gian Severini, Barry P. Wieser, Robert Brady

**KENNETH KLOSZ
RESOLUTION 22-2008
BULK VARIANCE #0830-0806
Block 9711; Lot 8, R-1 Zone
84 Bergen Drive**

Action: Approval of a bulk variance for an addition to a single family home.

Decided: August 22, 2008

Eligible to Vote: Ada Erik, Francis Hannan, Daniel Jurkovic, Arthur McQuaid, Barry Wieser, Frank Curcio

**CHARLES AIKEY
RESOLUTION 23-2008
FINAL SUBDIVISION #0810-1950D (section II)
Block 9501; Lot 19.02
144 Wesley Drive; R-3 Zone**

Action: Approval of final subdivision application.

Decided: August 22, 2008

Eligible To Vote: Ada Erik, Francis Hannan, Daniel Jurkovic, William Lynch, Arthur McQuaid, Barry Wieser, Robert Brady

ANDREW MALKO
RESOLUTION NO 24-2008
BULK VARIANCE #0830-0813
 Block 206; Lot 1
 1866 Clinton Road, R-1 Zone

Action: Approval of a bulk variance for a fence, six feet in height since it is a corner lot, applicant has two front yards.

Decided: August 22, 2008

Eligible To Vote: Ada Erik, Francis Hannan, Daniel Jurkovic, William Lynch, Arthur McQuaid, Barry Wieser, Robert Brady

PLANNING SERVICES-William H. Drew, P.P., AICP
RESOLUTION NO 25-2008

CARRIED APPLICATIONS

ROCCO AND ROSANNE RICCARDI
Bulk Variance #0530-0719
 Block 3401; Lots 23 and 24
 Lakeside Road; R-2 Zone

Complete: 5/13/08
 Deadline: 9/10/08
 Extension: 10/31/08

Bulk variance relief requested for the following:

	Required	Existing	Proposed
Lot depth	225'	218.91/197.59	218.91/197.59
Rear yard	75'	--	65'
Lot 23 & 24 must be	combined to meet	minimum lot size	
Front yard	75'	--	55'

Also any other variance relief as the Board deems necessary, so as to permit the construction of a single family home. Applicant's engineer submitted new plans.

At the July 22, 2008 meeting, the applicant signed a time extension through October 31, 2008. At the June 24, 2008 meeting, there were six Board Members present, they were Ada Erik, Francis Hannan, Arthur McQuaid, Barry Wieser, Frank Curcio and Robert Brady.

MICHELLE SCHLETTE-HARDING
Bulk Variance #0830-0797
 Block 6101; Lot 21 R1 zone
 1 George Street

Complete: 6/16/08
 Deadline: 10/14/08

Bulk variance relief requested for a side yard setback where 30 feet is required, 39.2 exists and 12.2 is proposed. Testimony was taken at the meeting of July 22, 2008. The Board required new plans because the two sets of plans the applicant submitted did not have the same information. The Board Members present at the previous meeting were Ada Erik, Francis Hannan, Daniel Jurkovic, Arthur McQuaid, Gian Severini, Barry Wieser, Frank Curcio and Robert Brady

KURT GARDENIER

BULK VARIANCE #0830-0802

Block 6204; Lot 16, R-1 Zone
83 McKinley Place

Complete: 7/31/08

Deadline: 11/28/08

Bulk variance relief requested for a side yard setback where 26.8 ft. is existing and 6.8 ft. is proposed; building coverage where 13.6% is existing and 16.8% is proposed; distance between buildings where 20 ft. is required and 15.6 ft. is proposed, and such other variance relief as the Board deems necessary, so as to permit the construction of a garage. The Board carried the application because information regarding an easement was required.

There was testimony taken at the August 26, 2008 meeting. The Board Members present were Ada Erik, Francis Hannan, Daniel Jurkovic, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio and Robert Brady.

INTERPRETATIONS

PATRICIA NICHOLSON

INTERPRETATION #0870-0814

Block 15803; Lot 4
4 Oak Ridge Road, CC Zone

Request for Interpretation of the zoning ordinance Section 500-26 permitted uses pre-existing Township Zoning Ordinance.

NEW APPLICATIONS

THOMAS HORSURGH

Bulk Variance # 0830-0809

Block 13703, Lot 3, LR Zone
21 Navajo Trail

Complete: 8/25/08

Deadline: 12/23/08

Bulk Variance requested for a side yard setback, 30' required 17.6 existing and 5.6' proposed, rear yard setback 60' required 53.1' existing and 53.0' is proposed and building coverage where the maximum permitted is 10%, 16.7% is existing and 20.1% is proposed, also minimum distance between principle and accessory structure 15' required, 13.2' existing and 11.3' proposed and such other variance

relief as the Board deems necessary, so as to permit the construction of an addition to a single family home.

JIM & PATRICIA GOBLE
Bulk Variance #0830-0805
Block 14113, Lot 47, LR Zone
Apple Lane

Complete: 9/2/08
Deadline 12/31/08

Bulk variance relief requested for side yard setback where 30 feet is required, and 27.3 feet and 28.7 feet is proposed, and such other variance relief as the Board deems necessary, so as to permit the construction of a single family home.

SCOTT LEONESCU
USE VARIANCE # 0840-0789A
Block 15401; Lot 51
187 LaRue Road, R4 zone

Complete: 9/3/08
Deadline: 1/2/09

Use variance relief requested for expansion of a pre-existing, non-conforming use for an alternative use to the building if the funeral home should vacate the premises. The alternate use is proposed to be professional office space, and such other variance relief, as the Board deems necessary to allow the alternate use.

APPLICATIONS BEING WITHDRAWN

EXXON ON THE RUN
USE VARIANCE #0640-0764
Preliminary & Final Site Plan #0620-0274
Bulk Variance #0630-0275
Block 15505; Lot 1
2899 State Highway 23

Complete: 8/15/07
Deadline: 12/13/07
Carried from 6/24/08
Extension: 10/31/08

Letter dated August 5, 2008 and received September 17, 2008 from the applicant's attorney advising the Board of a withdrawal.

NEIL OTTENS
RESOLUTION NO. 26-2007
Use Variance #0640-0759
Block 1907; Lot 1
7 Parlin Court; LR Zone

Changes in conditions of Resolution 26-2007

The applicant would like to revisit the condition regarding the deed restrictions.

Attorney Report

Litigation-Lanza VS West Milford Zoning Board of Adjustment regarding the Interpretation application authorizing responsive pleadings to the complaint.

Approval of Invoices-Board Professionals

Review and approval of invoices for Stephen Glatt, Board Attorney and William H. Drew, P.P., AICP, Board Planner.

Discussion regarding the Planning Office Checklists

Review of current checklists with regard to possible additions and/or changes.

Approval of Minutes

August 26, 2008-Regular Meeting

August 26, 2008-Special Meeting

Approval of dates for 2009

Communications

Adjournment

Next meeting October 28, 2008

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