

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

July 23, 2019

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: Russell Curving, James Olivo, Daniel Jurkovic, Arthur McQuaid, Frank Curcio, Michael Gerst
Chairman: Robert Brady
Alternates: Matthew Conlon, Steven Castronova
Board Attorney: Stephen Glatt, Esq.
Board Planner: Kenneth Ochab, Kenneth Ochab Assoc., LLC
Board Engineer: Patrick D. McClellan, P.E., MCB Engineering

MEMORIALIZATIONS

RANDA INVESTMENTS

RESOLUTION 13-2018 (Original and Amended Applications)

USE AND BULK VARIANCE #ZB02-18-02

Block 7601; Lot 2

1463 Union Valley Road; VC Zone

Decided: Denial of a use variance application for a 10 Unit (Amended to 8 Units) Townhouse/Apartment complex in the village commercial zone (VC)
Denied: July 24, 2018 (and April 23, 2019 Amended Application)
Eligible to vote: (Original Application) Russell Curving, Frank Curcio, Arthur McQuaid, Steven Castronova, Robert Brady, James Olivo, Michael Gerst
(Amended application) Russell Curving, Frank Curcio, Arthur McQuaid, Matthew Conlon, Robert Brady, James Olivo, Michael Gerst

JOHN MOORE

RESOLUTION 10-2019

BULK VARIANCE ZB04-19-07

Block 15302; Lot 21.02

70 Charcoal Road; R-4 Zone

Decided: Approval of a bulk variance for a side yard setback where 50 feet is required and 35 feet is proposed for a detached 30 foot by 30 foot garage for residential use.

Approved: June 25, 2019

Eligible to vote: Daniel Jurkovic, Frank Curcio, Arthur McQuaid, Steven Castronova, Robert Brady

CARRIED APPLICATIONS

**B&B ORGANIC WASTE RECYCLING, LLC
USE & BULK VARIANCE & PREL. &
FINAL SITE PLAN ZBo6-18-05**

Block 6002; Lot 29
280 Marshall Hill Road; LMI Zone

Complete: 9/20/18
Deadline: 1/18/19
New Deadline: 7/24/19

Preliminary and final site plan and use and bulk variance approval requested for an organic recycling facility with accessory composting, topsoil production and mulch manufacturing, retail sales and offices are proposed for the front building. There are additional variances proposed for 2 wall heights and driveway grade. Testimony had been previously taken on October 23, 2018 and June 23, 2019. All Board members were present for this application on October 23, 2018 and on June 23, 2019 Daniel Jurkovic, Frank Curcio, Arthur McQuaid, Steven Castronova and Robert Brady were present. Michael Gerst, James Olivo, Russell Curving, were absent. Matthew Conlon absent and recused.

**BATTINELLI ENTERPRISES
USE & BULK VARIANCE & PREL. &
FINAL SITE PLAN ZBo8-18-10**

Block 3907; Lot 1.01, 1.02 & 2
1611 Greenwood Lake Tpke; LMI Zone

Complete: 9/27/2018
Deadline: 1/25/2019
New Deadline: Pending other application(s)

Preliminary and final site plan and use and bulk variance approval requested. D2 variance required for Lot 2 to expand the garden center onto Lot 2. Lot 2 is proposed to be used only for accessory storage in connection with the garden center. Bulk variance requested for existing non-conformities, total area, Lot width and depth, front, rear and side yard setback, and street, side, rear, residential line buffers.

Attachment A – List of Variances

Use Variance Pursuant to N.J.S.A. 40:55D-70(d)(2)

1. (d)(2) variance required for Lot 2 to expand the garden center onto Lot 2. Lot 2 is proposed to be used only for accessory storage in connection with the garden center.

Bulk Variances Pursuant to N.J.S.A. 40:55D-70(c) (all existing non-conformities)

1. Total Area: Required – 3 acres; Existing – 1.39 acres; Proposed – 1.39 acres.
2. Lot Width: Required – 300 feet; Existing – 231 feet; Proposed – 231 feet.
3. Lot Depth: Required – 300 feet; Existing – 120 feet; Proposed – 120 feet.
4. Front Yard Setback: Required – 125 feet; Existing – 14.4 feet; Proposed – 14.4 feet.
5. Rear Yard Setback: Required – 75 feet; Existing – 63.6 feet; Proposed – 63.6 feet.
6. Accessory Building Side Yard Setback: Required – 50 feet; Existing – 34.7 feet; Proposed – 34.7 feet.
7. Buffer to Street Line: Required – 50 feet; Existing – 0 feet; Proposed – 0 feet.
8. Buffer to Side Line: Required – 40 feet; Existing – 0 feet; Proposed – 0 feet.
9. Buffer to Rear Line: Required – 50 feet; Existing – 0 feet; Proposed – 0 feet.
10. Buffer to Residential Line: Required – 75 feet; Existing – 0 feet; Proposed – 0 feet.

MICHAEL DARMSTATTER (Amended)

Bulk Variance ZB 06-18-04

Block 6403; Lot 1.01
151 Lincoln Avenue; R-1 Zone

Complete: 2/15/2019

Deadline: 8/17/2019

Originally approved and variance granted by the board last year for a proposed accessory building 12 feet by 30 feet, and was located 11 feet from the side property line to stable a horse.

The revised application proposes an expansion of the accessory horse stable to 12 feet by 36 feet, maintaining the 11 foot side yard setback and the 33.7 foot separation to the existing residential structure. The expansion requires the approval of these two variances. The purpose of the expansion is to allow two horses to be kept on the property. The applicant agreed to carry the application to the July 23, 2019 meeting to accommodate the objectors' engineer.

GREENWOOD LAKE SERVICES

APPEAL ZB 01-19-01

Block 3107; Lot 1
322 Lakeside Road; LR Zone

Complete: 2/15/2019

Deadline: 9/13/2019

The Applicant appeals the Zoning Official's decision that the proposal is an expansion of a pre-existing non-conforming use and the proposed survey does not show the current conditions. The applicant requested to be carried to the July 23, 2019 meeting.

NEW APPLICATIONS

UNION VALLEY ASSOCIATES, LLC
USE VARIANCE ZB03-19-04
Block 6902; Lot 23
1793 Union Valley Road; R-4 Zone

Complete: 6/4/2019
Deadline: 10/2/2019

Use variance requested for an expansion of a pre-existing non-conforming use, for a three car garage with second floor storage. The property itself is both in the CC, Community Commercial Zone and R-4 Zone, with the proposed building being in the R-4 Zone, with other accessory buildings on the property. The proposed accessory structure is to be located in front of the primary structure.

JOSEPH BARDI
USE & BULK VARIANCE ZB01-19-02
Block 507; lot 2
11 Laramie Trail; LR Zone

Complete: 6/10/2019
Deadline: 10/8/2019

Use variance requested for a garage where there is no primary structure. Bulk variance requested for a front yard setback where 40 feet is required, 15.4 feet is existing and 25 feet is proposed.

DISCUSSION

Annual report

APPROVAL OF INVOICES-BOARD PROFESSIONALS

Review and approval of invoices for Stephen Glatt, Board Attorney, Kenneth Ochab, Board Planner, Patrick McClellan, MCB Engineering, Board Engineer

COMMUNICATIONS

LITIGATION

None

APPROVAL OF MINUTES

October 23, 2018 (Final draft not submitted initially, a working draft was inadvertently submitted.)
June 25, 2019

ADJOURNMENT

Next meeting August 27, 2019 at 7:30 p.m.