

MINUTES
Of the Township of West Milford
ZONING BOARD OF ADJUSTMENT
FEBRUARY 26, 2008
Regular Meeting

Robert Brady, Board Chairman, opened the Regular Meeting of the Zoning Board of Adjustment at 7:42 p.m. The Board Secretary read the Legal Notice.

PLEDGE

The Chairman asked all in attendance to join in the Pledge of Allegiance

ROLL CALL

Present: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady

Also Present: Stephen Glatt, Board Attorney, William Drew, Planning Director, Richard McFadden, Board Engineer, and Denyse Todd, Board Secretary.

Absent: Daniel Jurkovic and Gian Severini

The Chairman explained the procedures for the Board of Adjustment

MEMORIALIZATIONS

STEPHEN B. GLATT BOARD ATTORNEY
Resolution No. 1-2008

Action: Approval of contract for the Board Attorney Stephen Glatt

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady
No: None

SHOEBOX STORAGE, LLC
Resolution No. 2-2008
***deminimus* Exception**

Block 16005; Lot 16
Paul Street, CC & R-4 Zone

Action: *DeMinimis Exception* for a driveway to be constructed for access to a residential side street, Paul Street since wetlands will be crossed by using Oak Ridge Road.

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady
No: none

SHOEBOX STORAGE LLC
Resolution No. 3-2008
Use Variance #0740-0788
Block 16005; Lot 16

Paul Street, CC & R-4 Zone

Action: Approval for a use variance, associated bulk variances for front and side yard setback and for issuance of a building permit for a lot not related to an improved street and *De Minimis* Exception approval to construct a new home in the CC Zone.

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady
No: None

CARRIED APPLICATIONS

SCOTT LEONESCU

USE VARIANCE #0740-0789

Block 15401; Lot 51, R-4 Zone
187 Larue Road

The applicant made a request for a time extension. The applicant's attorney is now Robert Masessa. Mr. Glatt spoke with Mr. Masessa, and the request for the time extension is because the new attorney would like to review the application to see if it can be amended or if a new application will need to be filed. There will be a need to re-notice if the application is changed. The special planner for this application cannot make the March 25, 2008 meeting. The applicant was present and was asked to sign a 60 day extension for the matter to be carried to the April 22, 2008 meeting.

Motion by Arthur McQuaid to grant the time extension.

Second by Ada Erik

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady
No: none

1952 UNION VALLEY ROAD

Use Variance #0540-0698

Preliminary & Final Site Plan #0420-0167AB

Bulk Variance #0430-0647

***De Minimis* Exception**

Block 3601; Lots 1 & 3
1952 Union Valley Road; CC Zone

Request for 2 month adjournment for the purpose of coordinating the professionals that will testify on the applicant's behalf. Mr. Glatt confirmed that Mr. Quarmon is represented by Mr. Barbarula and since only an adjournment was being requested, he could speak on his own behalf. Mr. Quarmon was present and was asked to sign a 60 day extension for the matter to be carried to the April 22, 2008 meeting.

Motion by Ada Erik to grant the time extension

Second by William Lynch

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady
No: None

NEW APPLICATIONS

MICHAEL AND TRACEY LOMBARDI

Bulk Variance #0730-0792

Block 15401; Lot 34, R-4 zone
11 Meadowview Court

Mr. and Mrs Lombardi were sworn in, Mr. Lombardi stated why they wanted their variance. Their 3 bedroom home is too small. They have an architect Christopher O. Dougherty, he is registered in the state of NJ, he has been working with the Lombardi's for about a year. Mr. Brady asked for Mr. Dougherty's credentials and he has freelanced for 12 years, he also stated areas in the state he worked in, his credentials were accepted. He worked on the modifications for the 2nd floor addition and the rear addition also. The rear addition would be off their kitchen. The existing deck area will be removed for modifications to stay within the square footage allowed. Rear yard setback is questioned because it is only 1/3rd of a foot. The side yard is a preexisting condition already. They are asking for 29 feet for the porch and 36 feet exists. This is for a front stair case covered porch not enclosed, roof comes over like an overhang. Mrs. Lombardi was asked if this would be a detriment to the neighborhood she said no it would be better. They were asked if additional property could be purchased and they said no. Mr. Drew asked about the setbacks because it isn't on the plans. The scale is 20 feet and it says 12 on the application. If it is a mistake it is OK, Mr. Dougherty will issue a clarification. Mr. Glatt said it is amended to 20.6 feet and that the side yard is a preexisting condition and not being changed. The only variance is the front yard setback. Mr. Brady asked if the Board had any questions, there were no questions. The meeting was opened to the public. There wasn't anyone to comment Ada Erik made a motion to close and William Lynch second.

All in favor to close public portion.

Mr. Hannan asked if the Engineer's report was received by the applicant and if there were any problems with anything. The applicant said no there wasn't. Engineer's report as follows: 1. any regrading shall not direct stormwater runoff onto adjacent properties. 2. A drywell and drywell details shall be added to the plans, provisions made for overflow of the drywell, calculations for sizing of the drywell shall be submitted. Health Department's report stating this should remain a 3 bedroom home were received and did they have any problems with the recommendations.

Motion by Francis Hannan to approve this application, for front yard set back to bump out the porch. Also the slight difference in the rear yard of about one third of a foot subject to Engineer's and Health Department's recommendations, Health's being that home remains a three bedroom home.

Second: Ada Erik

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady
No: none

JOHN & NANCY MC GRATH
BULK VARIANCE #0730-0795
Block 15203; Lot 10, R-4 zone
30 Longstreak Road

Mr. Glatt swore in Mr. & Mrs. McGrath of 30 Longstreak Road. There is an existing above ground pool and they want to put in an in-ground pool. The area in question is already cleared because of the existing pool and they don't want to disturb another area. They live on a corner lot, so they have 2 front yards, approximately 3/4 acre. They were asked if the existing brook would pose a problem, and it shouldn't be affected by the installation of the pool. Mr. Drew asked if the area was being maintained by them (not overgrown...) and they said yes. Mr. Brady confirmed that the Engineer's report regarding any regrading associated with the construction shall

not direct stormwater runoff onto adjacent properties. The applicant said the recommendations would be followed. Mr. Brady asked if there was any additional land that they could purchase additional land and they said no. Mr. Brady asked if any Board Members had any questions. There weren't any. Mr. Brady opened the meeting to the public.

Motion by Ada Erik to close public portion.

Second by Arthur McQuaid

All in Favor to close public portion

Motion by William Lynch to approve the Variance

Second by Ada Erik

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, William Lynch, Arthur McQuaid, Barry Wieser, Frank Curcio, Robert Brady

No: none

Approval of minutes

Motion by Ada Erik to approve the minutes of the January 22, 2008 Reorganization Meeting of the Zoning Board of Adjustment.

Second by William Lynch

On a voice vote, all were in favor.

Motion by Ada Erik to approve the minutes of the January 22, 2008 Regular Meeting of Zoning Board of Adjustment.

Second William Lynch

On a voice vote, all were in favor.

Adjournment

All in favor to adjourn the meeting

Meeting adjourned at 8:19 p.m.

Adopted: March 25, 2008

Respectfully submitted by,

Denyse L. Todd, Secretary
Zoning Board of Adjustment