

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

**November 26, 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, Matthew Conlon, Daniel Jurkovic, Arthur McQuaid, Frank Curcio, Michael Gerst  
*Chairman:* Robert Brady  
*Alternates:* JoAnn Blom, 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

**EDITH SAUTER**

**RESOLUTION 18-2019**

**BULK VARIANCE ZB07-19-15**

Block 4301; Lot 40

27 Forest Lake Drive; LR Zone

- Decided:** Approval of a Bulk variance for side yard setbacks where 30 feet is required, 22.5'/8.0' is existing, 10.3'/10.0' is proposed. Rear yard setback where 60 feet is required, 46.8" is existing and 37.1' is proposed, and primary building coverage where 10% is required, 10.9% is existing and 18.9% is proposed, and accessory building coverage where 3% is required, 0% is existing and 3.7% is proposed for an addition to an existing dwelling.
- Approved:** October 22, 2019
- Eligible to vote:** Daniel Jurkovic, Matthew Conlon, Frank Curcio, Arthur McQuaid, Michael Gerst, JoAnn Blom and Robert Brady

**UNION VALLEY ASSOCIATES, LLC  
RESOLUTION 19-2019**

**USE VARIANCE ZB03-19-04**  
Block 6902; Lot 23  
1793 Union Valley Road; R-4 Zone

- Decided:** Approval of a Use Variance for an expansion of a pre-existing non-conforming use, for a three-car garage with second floor storage. The proposed accessory structure is to be located in front of the primary structure.
- Approved:** October 22, 2019
- Eligible to vote:** Daniel Jurkovic, Matthew Conlon, Frank Curcio, Arthur McQuaid, Michael Gerst, JoAnn Blom and Robert Brady

**APPROVAL OF the 2018 BOARD PLANNER'S ANNUAL REPORT  
RESOLUTION 17-2019**

- Decided:** Approval of the 2018 Board Planner's Annual Report
- Approved:** November 26, 2019
- Eligible to vote:** Russell Curving, Daniel Jurkovic, Matthew Conlon, Frank Curcio, Arthur McQuaid, Michael Gerst, JoAnn Blom, Steven Castronova and Robert Brady (Those members present.)

**CARRIED APPLICATIONS**

**BATTINELLI ENTERPRISES  
USE & BULK VARIANCE & PREL. &  
FINAL SITE PLAN ZB08-18-10**  
Block 3907; Lot 1.01, 1.02 & 2  
1611 Greenwood Lake Tpke; LMI Zone

**Complete:** 9/27/2018  
**Deadline:** 12/28/2019

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: 11/28/2019**

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 requested to carry the application to the November 26, 2019 meeting at the August 27, 2019 meeting.

**Eligible to vote:** Daniel Jurkovic, Matthew Conlon, Frank Curcio, Arthur McQuaid, Michael Gerst, Steven Castronova and Robert Brady

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

**Complete: 6/10/2019**  
**Deadline: 2/5/2020**

Use variance approval 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.

**Eligible to vote:** Daniel Jurkovic, Matthew Conlon, Frank Curcio, Arthur McQuaid, Michael Gerst, Jo Ann Blom and Robert Brady

**RONALD RUTZ**  
**USE VARIANCE ZB06-19-12**  
Block 3301; Lot 3  
Fox Island; R-2 Zone

**Complete: 8/2/2019**  
**Deadline: 1/29/2020**

Use variance requested where there is no primary structure and the use is not permitted for a 10' by 9'6" shed built prior to the submission of the application.

**Eligible to vote:** Daniel Jurkovic, Matthew Conlon, Frank Curcio, Arthur McQuaid, Michael Gerst, JoAnn Blom and Robert Brady

### **NEW APPLICATIONS**

**JOANNE & RAY WARD**  
**BULK VARIANCE ZB08-19-16**  
Block 4002; Lot 7  
234 Long Pond Rd; LR Zone

**Complete: 10/31/2019**  
**Deadline: 2/28/2020**

Bulk Variance approval for the prior construction of a garage and deck with roof encroaching on property that is not owned by the applicant, with a rear yard setback requirement of 60 ft, and 1 ft is proposed, a side yard setback where 30 ft is required and 2.1 ft is proposed, and an attached garage where 30 ft is required and 1.9 ft is proposed.

**KAYLAN VAN HOOK**  
**USE VARIANCE ZB03-19-05**  
Block 14605; Lot 7  
460 Snake Den Rd; R-4 Zone

**Complete: 9/13/2019**  
**Deadline: 2/10/2020**

Use variance requested for a food vending truck on Route 23 South for a use that is not permitted by ordinance. This application is on the Agenda for placement only and has requested to be heard at the December 17, 2019 meeting.

### **DISCUSSION**

Approval of 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**

The New Jersey Planner

**LITIGATION**

None

**APPROVAL OF MINUTES**

October 15, 2019 Special meeting  
October 22, 2019 Regular meeting

**ADJOURNMENT**

**Next regular meeting December 17, 2019 at 7:30 p.m.**