

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

October 22, 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

GREENWOOD LAKE SERVICES

RESOLUTION 14-2019

APPEAL ZB 01-19-01

Block 3107; Lot 1

322 Lakeside Road; LR Zone

Decided: Reversal of the Zoning Official's decision to not approve a zoning permit.
Approved: August 27, 2019
Eligible to vote: Daniel Jurkovic, Frank Curcio, Arthur McQuaid, Steven Castronova and Robert Brady were present. Michael Gerst, and Russell Curving

**CHARLES SCHNEIDER
RESOLUTION 15-2019**

BULK VARIANCE ZB04-19-08
Block 3007; Lot 10
1 Kushaqua Trail North; LR Zone

Decided: Approval of a bulk variance for a 6 foot high front yard fence.
Approved: September 24, 2019
Eligible to vote: Daniel Jurkovic, Frank Curcio, Michael Gerst, Matthew Conlon and Robert Brady.

**PROCOPIOS TSAKOTELIS
RESOLUTION 16-2019**

BULK VARIANCE ZB07-19-14
Block 3402; Lot 2
66 Reidy Place; R-1 Zone

Decided: Approval of a bulk variance for rear yard setback where 50 feet is required, 54.8' is existing and 45.5' is proposed, and lot coverage where 10% is required, 10.14% is existing and 13.57% is proposed for a kitchen expansion.
Approved: September 24, 2019
Eligible to vote: Daniel Jurkovic, Frank Curcio, Michael Gerst, Matthew Conlon and Robert Brady.

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: 11/28/2019**

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.

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: 11/1/2019

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: 1/6/2020

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.

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

Complete: 8/2/2019
Deadline: 11/30/2019

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.

EDITH SAUTER
BULK VARIANCE ZB07-19-15
Block 4301; Lot 40
27 Forest Lake Drive; LR Zone

Complete: 8/16/2019
Deadline: 12/14/2019

Bulk variance requested 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%, and assessor building coverage where 3% is required, 0% is existing and 3.7% is proposed for an addition to an existing dwelling.

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 NEXT YEAR'S MEETING DATES

January 2020-December 2020

APPROVAL OF MINUTES

September 19, 2019 Special meeting
September 24, 2019 Regular meeting

ADJOURNMENT

Next regular meeting November 26, 2019 at 7:30 p.m.