

2020 Year End Report
Board of Adjustment
West Milford Township



In accordance with N.J.S.A. 40:55D-70.1 the Board of Adjustment hereby submits its annual report on variances that were heard in calendar year 2020. The Municipal Land Use Law requires that the Board of Adjustment review its decisions on applications and appeals for variances and prepare and adopt by resolution a report of its findings on zoning ordinance provisions that were the subject of variance requests. Furthermore, the Board is to provide its recommendations for zoning ordinance amendments or revisions, if any. The MLUL requires that the report be forwarded to the Governing Body and to the Planning Board. The applications decreased due to the pandemic and not having meetings for several months.

Application Summary

The Board held public hearings and decided the following number of variance application cases in 2020:

Bulk	7	(N.J.S.A.40:55D-70c)
Use	2	(N.J.S.A.40:55D-70d)
Interpretations	0	(N.J.S.A. 40:55D-70b)
Appeals from Zoning Officer	0	(N.J.S.A. 40:55D-70a)

The Board completed the review of a number of “d” variance requests, including;
Approved a vehicle and boat storage facility on Cahill Cross Rd. in the R-2 zone.
Approved a residential use on Macopin Rd. in the OR zone.

The variance for the vehicle and boat storage was located behind the retail store across from Bald Eagle Manor. The site had been used for contractor storage during the construction of Bald Eagle and cannot be seen from the roadway.

The residential use variance was for an existing non-conforming residential home in the Office Research Zone near Maple Ave. The proposal was to expand the home in an area that had several residential homes.

Below are the type of bulk, or “c” variances requested during the year:

	Front Yard	Side Yard	Rear Yard	Coverage	Acc. Bldgs.	Fences
Variances	3	2	6	6	0	0

All of the bulk variance applications were in the Lakeside Residential Zone.

Planning and Zoning Issues Discussed During the Year

Bulk Zoning Criteria in the Lake Residential (LR) zone

As discussed in the 2019 annual report of the Board, the bulk variance process in the lake communities provides an opportunity for the public to participate in the land use and development of the lake communities. This is done through the variance applications that provide public notice to the lake community property owners so that they can provide comment and input on the development of smaller lots.

As discussed, this process is well thought out as the Board has conducted many hearings on these smaller properties and encouraged the public to participate in the variance decision process. This has resulted in lake community development that is consistent with the pattern of each individual neighborhood but also encouraged the expansion of homes and improvement to property values of the entire area.

Of the number of applications for bulk variances in the Lake Residential zone, 7 applications were heard by the Board and all were approved, some with modifications after review and public comment. In addition, the Board of Adjustment has been able to impose conditions and controls on approvals that help to mitigate the impacts of the variance requests. Of the seven bulk applications this year, two were in the Upper Greenwood Lake, two in the Lindy Lake area, two on Greenwood Lake and one in Pinecliff Lake.

The Board does continue to recommend that the governing body consider specific zoning regulations concerning accessory garages to eliminate the possibility for apartments on the second floor of these structures and more specific zoning regulations concerning decks concerning coverage and setback requirements in the LR zones.

Date: March 24, 2021



Robert A. Brady, Chairman
Zoning Board of Adjustment