

**TOWNSHIP OF WEST MILFORD  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting Minutes  
November 19, 2024  
7:00 p.m.  
MAIN MEETING ROOM OF TOWN HALL**

The meeting was called to order at 7:05 p.m.

**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) 728-2798.

**PLEDGE was recited**

**ROLL CALL**

*Present:* Russell Curving, Michael DeJohn, Daniel Jurkovic, Peter McGuinness, Arthur McQuaid, Stacy-Ann Webb  
*Chairman:* Frank Curcio  
*Secretary:* Pamela Jordan  
*Absent:* Michael Hensley  
*Late:*  
*Also Present:* Stephen Glatt, Esq., Kenneth Ochab P.P., Patrick D. McClellan, P.E., MCB Engineering

The Chairman appointed Stacy-Ann Webb as a voting member.

The Chairman greeted the Board and members of the public stating guidelines and the role and responsibility of the Board.

**MEMORIALIZATIONS**

**Resolution 27-2024**

**Patrick Zedzian**

**2 Durant Road**

**REGARDING - RESOLUTION 04-2024, Condition #3**

Memorialized January 23, 2024

**APPROVED** – Extension of time

**Motion to Approve Resolution 27-2024:** Stacy-Ann Webb

**Second:** Russell Curving

**Eligible to vote:** Russell Curving, Michael DeJohn, Peter McGuinness, Stacy-Ann Webb, Frank Curcio

**Yes:** Russell Curving, Michael DeJohn, Peter McGuinness, Stacy-Ann Webb, Frank Curcio

**No:**

**Resolution 28-2024**

**Peter & Jamie Thomas**

**ZB-08-24-24**

**851 East Shore Road**

**Block 4401 Lot 6 Zone LR**

**APPROVED BULK VARIANCE** for an addition to the existing home.

**Side yard setback (R)** 30 feet is required, 14.3 exists, 10.8 proposed

**Lot coverage** 10% permitted, 24% proposed

**Motion to Approve Resolution 27-2024:** Stacy-Ann Webb

**Second:** Russell Curving

**Eligible to vote:** Russell Curving, Michael DeJohn, Peter McGuinness, Stacy-Ann Webb, Frank Curcio

**Yes:** Russell Curving, Michael DeJohn, Peter McGuinness, Stacy-Ann Webb, Frank Curcio

**No:**

**CARRIED APPLICATIONS**

**Tad Shawinski  
ZB-08-24-20**

**Complete:** September 4, 2024  
**Deadline:** January 2, 2025

## **6 Rumson Court**

**Block 2412 Lot 14 Zone LR**

**SEEKING BULK VARIANCE** for a garage addition with 2<sup>nd</sup> floor living space to an existing dwelling adding a bathroom, office and modifying layout.

Side yard setback (L) – 10 ft. is required, 15.5 exists, 3 ft. is proposed

Rear yard setback – 30 ft. is required, 29 ft. is proposed

Lot coverage – 20% is required, 13.2% exists, 25.6% is proposed

Mr. Skawinski was sworn in by the Board Attorney.

Mr. Skawinski stated:

He would like to add a garage to his house.

He proposes to move two bedrooms upstairs above the garage.

The lot is 80' x 100'

He chose the location for the addition because there was enough space on the side for the expansion.

The lot is similar in size to the neighboring lots.

The neighbor to the left has a much larger parcel.

The proposed garage is 25' x 40' moving the master bedroom and his son's room above the garage.

The existing garage is under the front patio with low ceilings, not adequate for car storage.

The garage is proposed to be next to the neighbor's field.

The house will remain 2 bedrooms.

A bathroom will be added to the second floor in the master bedroom.

The right rear corner of the house will be squared inside to gain room for kitchen expansion.

The septic is located behind the garage.

The well is located on the about 10 feet off the right side of the property.

The neighbor's property on the side of the proposed addition and driveway is L shaped. The house is in the corner of their property.

The ground is rocky.

The house is too small for his family.

Mr. Skawinski would like to continue living in this area.

The garage will store the "nicer" trucks.

West Milford Engineering and Health Department noted concern for runoff. Mr. Shawinski stated drainage is proposed to be directed to his front of the yard.

The Board Engineer offered; The West Milford Engineering department will require a lot development plan will require more detail and address drainage. The applicant proposed build is mostly on existing driveway and would not create much change in drainage.

The septic location of the neighboring property should be addressed.

Referencing the submitted Site Plan, T-1, the Board Attorney noted, the left side is the existing house. The house has the diagonal and shows the driveway goes to the left and makes a turn in front of the left side house.

Mr. Shawinski stated the property against the house where the existing garage is located is planned to be blocked off. The existing deck will remain and be a covered front porch. The house will remain U shaped.

The application qualifies for the R10 zoning

The front yard setback is 30 feet. Variances required are for one side yard setback, rear yard setback and lot coverage.

The Board Planner and Engineer stated their questions had been addressed with testimony.

With no further questions from the Board, the application was opened to the public.

Seeing no one Peter McGuinness **moved to close**

**Second:** Arthur McQuaid

**All were in favor**

During discussion the Board found the application to be straight forward. The proposed changes to the house will be an improvement to the community. The covered porch, being attached to the house is included in the lot coverage calculations – while the porch was existing, not covered prior. The lot size is undersized and creates a hardship.

**Motion to approve** ZB-08-24-20 by Daniel Jurkovic as described above for Bulk Variance for a garage addition for reasons stated during discussion

**Second:** Arthur McQuaid

**Roll Call**

**Yes:** Russell Curving, Frank Curcio, Michael DeJohn, Daniel Jurkovic, Pet McGuinness, Arthur McQuaid, Stacy-Ann Webb

**No:**

The Board Attorney explained the Resolution would be available for memorialization at the next Zoning Board meeting, the approval would be published in the paper and the 45 day appeal period and any risk of starting construction prior.

**Alexander Woods**

**ZB-08-24-22**

**215 Point Breeze Drive**

**Block 2601 Lot 40 LR Zone**

**SEEKING BULK VARIANCE** for construction of a new deck to an existing home.

Rear yard setback, 5 feet is required, 2 feet proposed.

Mr. Woods was sworn in by the Board Planner.

Mr. Woods stated his address is 215 Point Breeze Drive.

He would like to add a balcony/deck on the lake side of his house.

The deck is modest in size.

The lake HOA is fine with the deck.

The location of the balcony/deck will not encroach on the septic or impact the neighbors.

There is currently not a deck

The deck is proposed to be built approximately 17 feet from the lake.

The deck is to be built from the second floor

The septic is located on the side of the house.

The well is located in the front of the house, *the road side*.

The Board Engineer stated there are rules in place that allow homeowners to make improvements to their property. He stated he was satisfied the scope of this project would not require further permits from outside entities.

With no further questions from the Board, the application was opened to the public.

Seeing no one Peter McGuinness **moved to close**

**Second:** Arthur McQuaid

**All were in favor**

During discussion the Board found the application to be straight forward.

**Motion to approve** ZB-08-24-22 by Peter McGuinness for rear yard setback Variance for a new deck/balcony. The application is de minimus and will not impact the surrounding homes.

**Second:** Arthur McQuaid

**Roll Call**

**Yes:** Russell Curving, Frank Curcio, Michael DeJohn, Daniel Jurkovic, Peter McGuinness, Arthur McQuaid, Stacy-Ann Webb

**No**

The Board Attorney explained the Resolution would be available for memorialization at the next Zoning Board meeting, the approval would be published in the paper and the 45 day appeal period and any risk of starting construction prior.

**NEW APPLICATIONS**

**Lisa Dec & Michael Schillaci**

**ZB-09-24-23**

**102 Racetrack Road**

**Block 2611 Lot 29 LR Zone**

**SEEKING BULK VARIANCE** for an addition to the existing home.

Front yard setback 40 feet required, 29.25 exists, 30.1 proposed

Side yard setback (R) 30 feet is required, 14.3 exists, 10.8 proposed

Side yard (deck) 15 ft. required, 7 feet exists, 6.9 feet proposed

Lot coverage 10% permitted, 16.08% exists, 17.93% proposed

Michael Schillaci and Lisa Dec were sworn in by the Board Attorney stating;

They reside at 102 Racetrack Road

They would like to expand the house 4 feet and move the deck proportionately.

The septic is located at the back of the house.

The septic is in good working order.

The well is located in the front of the house.

The Board Planner added;

This application requires two sets of variances. One for the house addition that include side yard setback to the right and lot coverage, the other for the deck that include deck in the front yard and side yard setback to the right.

The deck is proposed in the front of the house facing the lake. The septic system restricts a deck in the rear yard.

The house is situated on a slight slant.

The Board Planner and Engineer stated they are satisfied with testimony.

With no further questions from the Board, the application was opened to the public.

Seeing no one Stacy-Ann Webb **moved to close**

**Second:** Peter McGuinness

**All were in favor**

Board members found this application to be straight forward. The deck will be replaced and will improve the appearance. The community and Master plan will not be impacted. The addition is a sensible add on.

**Motion to approve** ZB-09-24-23 by Daniel Jurkovic for bulk variances to an existing home as described without changes.

**Second:** Peter McGuinness

**Roll Call**

**Yes:** Russell Curving, Frank Curcio, Michael DeJohn, Daniel Jurkovic, Peter McGuinness, Arthur McQuaid, Stacy-Ann Webb

**No**

The Board Attorney explained the Resolution would be available for memorialization at the next Zoning Board meeting, the approval would be published in the paper and the 45 day appeal period and any risk of starting construction prior.

The Board members took a 10 minute break 7:55 PM

The Board reconvened 8:06 PM

**Christopher Pandorf**

**ZB-08-24-21**

1421 Macopin Road

**Block 9501 Lot 8.01 R-3 Zone**

**SEEKING – USE VARIANCE** for an addition and renovation including a 3 apartment conversion. Two, 2 bedroom apartments, one, 1 bedroom apartment in the single family residential zone.

**BULK VARIANCE** Setbacks and existing non-conformities

Front yard setback 100 feet required, -8 feet/0 feet exist and proposed

Rear yard setback 100 feet required, 12.6 feet exists / 25 feet (addition) proposed

Additional non-conformities to remain the same

Lot size

Lot frontage

Lot Width

John Barbarula, Esq., stepped forward on behalf of the Applicant.

Mr. Barbarula stated the site subject to this application was established when West Milford was mostly farms. The property existed with a feed and grain store on the first floor and an apartment on the second floor.

Mr. Barbarula referenced the Board Planners report for 1421 Macopin Road dated September 26, 2024. Tax records indicated the first floor was a Feed and Grain store until approximately 1969 and later (approximately 2012) residential purposes.

Mr. Barbarula stated;

He did an OPRA request with the municipality

Somewhere in the 1980's the first floor was converted to a residential apartment.

The property started being listed in 2012 as a two family.

The Planners report stated there are no records of a two family acknowledging an approved two family.

Mr. Barbarula wishes the board to at the least to recognize the dwelling was a two family home from 2012.

The Applicant has a Planner, a Realtor and the applicant Mr. Pandorf to provide testimony.

**Board member Russell Curving recused himself from the application.**

The Board Attorney stated there were 6 active members on the Board, with Mr. Curving recused, one member resigned and one other to listen to testimony.

Mr. Barbarula took a brief pause to speak to Mr. Pandorf about rules for a use variance and voting.

Returning, Mr. Barbarula addressed the Board wishing to carry this matter without further notice or publication.

**Motion to carry ZB-09-24-23 to the next scheduled Zoning Board meeting of December 17, 2024 by Arthur McQuaid with no further notice or advertising at this time.**

**Second:** Peter McGuinness

**All were in favor.**

The Board Attorney announced to anyone interested in the public the applicant requested to carry the matter for the bulk and use variance. Council would like to hear the matter with a full Board.

#### **I. APPROVAL OF INVOICES**

**Motion to Approve:** Russell Curing

**Second:** Peter McGuinness

**All in favor**

#### **II. APPROVAL OF MINUTES**

October 22, 2024

**Motion to Approve:** Michael DeJohn

**Second:** Stacy-Ann Webb

**Eligible to vote:** ~~Russell Curving~~, Frank Curcio, Michael Hensley, Daniel Jurkovic, Peter McGuinness, Arthur McQuaid

**Roll Call**

**Yes:** Frank Curcio, Michael DeJohn, Stacy-Ann Webb

**Motion to adjourn 8:22 PM:** Peter McGuinness

**Second:** Stacy-Ann Webb

**All were in favor**

Respectfully Submitted,

---

Pamela Jordan, Secretary  
Zoning Board of Adjustment