

**TOWNSHIP OF WEST MILFORD
ZONING BOARD OF ADJUSTMENT
Regular Meeting Minutes
October 22, 2024
7:00 p.m.
MAIN MEETING ROOM OF TOWN HALL**

The meeting was called to order at 7:06 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, Peter McGuinness, Stacy-Ann Webb
Chairman: Frank Curcio
Secretary: Pamela Jordan
Absent: Michael Hensley, Daniel Jurkovic, Arthur McQuaid
Late:
Also Present: Stephen Glatt, Esq., Kenneth Ochab P.P., Patrick D. McClellan, P.E., MCB Engineering

*There are 4 members of the Board present. 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.

I. OLD BUSINESS

Patrick Zedzian

2 Durant Road

REGARDING - RESOLUTION 04-2024, Condition #3

Memorialized January 23, 2024

SEEKING – Extension of time

The Board Attorney stated Mr. Zedzian had a previous matter before this Board. Resolution 04-2024 was memorialized January 23, 2024. Condition #3 of this Resolution required the applicant to begin construction on the approved home (principal residence) one year from the date of the memorialization.

Patrick Zedzian was sworn in by the Board Attorney.

Mr. Zedzian is aware of condition number 3 on Resolution 04-2024. He stated he is certain he will not be able to meet the one year requirement to begin construction. He is before the Board to request an extension of time.

Mr. Zedzian stated construction would have begun, however, there has been a significant issue with VEOLIA (water company). A water main runs through the property straight through Stansby Road into Greenbrook.

EXHIBIT A1- October 22, 2024

Page 1 described as- DEP approval

Mr. Zedzian stated;

He attempted to obtain easements from the water company.

Veolia has hired a lawyer and has stopped speaking to him.

The Engineer did not locate a water line.

The Engineer for the project is revising the plans to move the proposed dwelling away from the water line.

There is no foundation.

A property line survey was completed

Typography was completed

Title search was complete prior to purchasing the property

The water line was disclosed when Mr. Zedzian attempted to set up temporary water meter
He went to the County clerk's office in Paterson to search records
There are two easements on the property – both for a water main.
One easement is on the south end, the easement was provided by the water company.
Paperwork for a second easement was provided from VEOLIA- stating a "proposed water main."
Both easements were from approximately 1986-1987.
No proof of easement has been provided.

New DEP permits must be obtained and submitted to the Health Department.

The applicant has attempted to comply with conditions of the approval.

The Board Engineer recommended allowing Mr. Zedzian a year to obtain permits.

Revised plans with setbacks must be submitted for review and approval for Board signature.

The Board Attorney stated the premise of condition #3 was to assure that the existing pole barn would not remain without a principal structure.

The Board Engineer will review the revised plans.
The Applicant is required to notice and advertise the new location.

Motion to grant a 1 year extension to begin construction with a revised site plan. The site plan must be submitted to the Board for review by Peter McGuinness

Second: Russell Curving

Roll call:

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

No:

II. MEMORIALIZATIONS

RESOLUTION 23-2024

Michele Golding

ZB-05-24-14

1025 Union Valley Road

Block 7701 Lot 9 R1 Zone

APPROVED: BULK VARIANCE for an existing pool

Side yard pool setback – 10 ft required, 7 ft approved

Side yard deck setback – 7.5 ft required, 1 ft approved

Eligible to vote: Frank Curcio, Michael DeJohn, Michael Hensley, Daniel Jurkovic, Arthur McQuaid, Stacey- Ann Webb

Motion to approve Stacy-Ann Webb

Second: Michael DeJohn

Roll call:

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

No:

RESOLUTION 24-2024

John Graf

ZB-07-24-17

Morsetown Road

Block 5802 Lot 2 Zone R3

APPROVED USE VARIANCE for storage & parking of non-commercial equipment/trailers, installation of portable tent/carport, potential for electric for cameras & lights on property without a dwelling.

Eligible to vote: Frank Curcio, Michael DeJohn, Michael Hensley, Daniel Jurkovic, Arthur McQuaid, Stacey- Ann Webb

Motion to approve Stacy-Ann Webb

Second: Michael DeJohn

Roll call:

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

No:

RESOLUTION 25-2024

Nicholas DePietro

ZB 07-24-19

20 Quinton Road

Block 2001 Lot 18 Zone LR

APPROVED BULK VARIANCE for front yard setback 40 ft is required, 21 ft exists and 17.75 feet is proposed for a roofed front porch to the existing home.

Eligible to vote: Frank Curcio, Michael DeJohn, Michael Hensley, Daniel Jurkovic, Arthur McQuaid, Stacey- Ann Webb

Motion to approve Stacy-Ann Webb

Second: Michael DeJohn

Roll call:

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

No:

RESOLUTION 26-2024

John Struble

ZB-05-24-16

22 Germantown Road

Block 13601 Lot 3 Zone R4

APPROVED BULK VARIANCE to construct a 5000 square foot pole barn where 3000 sq feet is permitted for the construction of a new 2 story dwelling

Eligible to vote: Frank Curcio, Michael DeJohn, Michael Hensley, Daniel Jurkovic, Arthur McQuaid, Stacey- Ann Webb

Motion to approve Stacy-Ann Webb

Second: Michael DeJohn

Roll call:

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

No:

III. CARRIED APPLICATIONS

Tad Shawinski

ZB-08-24-20

6 Rumson Court

Block 2412 Lot 14 Zone LR

SEEKING BULK VARIANCE for a garage addition with 2nd 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

Notice was examined by the Board Secretary and found to be insufficient.

The Board Attorney suggested the matter shall be carried to the November 19, 2024 meeting.

No members of the public appeared to speak on behalf of this application.

Motion to carry: Peter McGuinness

Second: Michael DeJohn

Roll Call:

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

Complete: September 4, 2024

Deadline: January 2, 2025

Alex 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.

Complete: September 27, 2024

Deadline: January 25, 2024

The Applicant was not present at the meeting.

Peter & Jamie Thomas

ZB-08-24-24

851 East Shore Road

Block 4401 Lot 6 Zone LR

SEEKING 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, 17.2% proposed (corrected)

Complete: September 27, 2024

Deadline: January 25, 2024

The Applicants were sworn in stating their names and address.

Mr. Thomas stated;

The House is on Greenwood Lake.

The lot is between 50 feet and 60 feet.

Lots in the area are typically very narrow.

The lots are not perpendicular to the house.

His family also owns 853 East Shore – this house was purchased by his grandfather in 1950.
The home is L shaped.
The house is proposed to be squared off in the front.
The front will not be closer to the lake.
Entering the house from the front side there are extremely steep steps.
Expanding the front about 5 feet allows will allow for the steps to be replaced and brought up to code requirements.
The steps are currently not safe.
The total addition is 397 square feet.
The upstairs layout includes a library/sitting room with a deck.
There is not a closet in the library room.
Bedrooms will not increase.
The second floor bedroom will be removed.
A half bath will be added to the first floor.
Lot coverage increases from 10% to approximately 24%.
The Applicant is working with an engineer to determine topography maps.

The Board Engineer offered, the improvements were de minimus, well under the states threshold of major development with no notable impact on the surrounding area.

The Board Planner offered, the zoning table on the submitted plan listed proposed lot coverage increase incorrectly. The total indicated includes the principal building and accessory building together and should not be combined. The correct lot coverage for the sake of this variance is 17.2 %.

The Board Planner indicated all items on his memo have been satisfied.

The Board Engineer indicated he was satisfied with the applicant's testimony.

The Application was opened to the public.

Seeing no one, Peter McGuinness moved to close the public portion

Second: Michael DeJohn

Roll call:

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

No:

Motion to approve **ZB-08-24-24**, 851 East Shore Road for Bulk Variance for a side yard setback of 10.8 feet and lot coverage of 17.2% for a de minimus addition to an existing home. There were no members of the public present.

Second: Stacy: Ann Webb

Roll call:

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

No:

IV. APPROVAL OF INVOICES

Motion to Approve: Peter McGuinness

Second: Michael DeJohn

All in favor

V. APPROVAL OF MINUTES

September 24, 2024

Motion to Approve: Stacy-Ann Webb

Second: Michael DeJohn

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 7:53 PM: Stacey Ann Webb

Second: Russell Curving

All were in favor



Respectfully Submitted,
Pamela Jordan, Secretary
Zoning Board of Adjustment

Approved November 19, 2024