

TOWNSHIP OF WEST MILFORD ZONING BOARD OF ADJUSTMENT

MINUTES JULY 15, 2004

The meeting opened at 7:40 p.m. with the reading of the legal notice.

OATH

The Board Attorney administered the oath to the newly appointed alternate, Thomas Lemanowicz.

ROLL CALL

Present: Thomas Bigger, Robert Brady, Anthony DeSenzo, Joseph Giannini, Francis Hannan, Daniel Jurkovic, Arthur McQuaid, Ed Spirko and Thomas Lemanowicz; Stephen Glatt, Board Attorney; Linda Lutz, Staff Planner.

Absent: Richard McFadden, Township Engineer.

Memorializations

JOHN REAPE

Resolution #10-2004

Preliminary & Final Site Plan #0320-0147AB

Bulk Variance #0430-0671

Block 3611; Lot 16

1930-1932 Greenwood Lake Turnpike; R-1 Zone

GRANTED: Preliminary and Final Site Plan approval and bulk variance for number of parking spaces, no loading zone and parking lot aisle width.

MOTION made by Joseph Giannini, seconded by Thomas Bigger, to memorialize the action.

On roll call vote: Yes - Thomas Bigger, Anthony DeSenzo, Joseph Giannini, Francis Hannan, Arthur McQuaid, Ed Spirko and Robert Brady

No - None

ZANADO ENTERPRISES

Resolution #11-2004

De Minimis Exception

Block 1809; Lot 7

Neptune Road; LR Zone

GRANTED: *De Minimis* exception from the Residential Site Improvement Standards – New Jersey Administrative Code; Title 5; Chapter 21 (5:21-3.1) for pavement and drainage.

MOTION made by Joseph Giannini, seconded by Arthur McQuaid, to memorialize the action.

On roll call vote: Yes - Thomas Bigger, Anthony DeSenzo, Joseph Giannini, Francis Hannan, Arthur McQuaid, Ed Spirko and Robert Brady

No - None

ZANADO ENTERPRISES

Resolution #12-2004

Bulk Variance #0430-0660

Block 1809; Lot 7

Neptune Road; LR Zone

GRANTED: Bulk variances for lot area, lot width, side yard setback, front yard setback and for the issuance of a building permit for a lot that does not abut a public street.

MOTION made by Thomas Bigger, seconded by Arthur McQuaid, to memorialize the action.

On roll call vote: Yes - Thomas Bigger, Anthony DeSenzo, Joseph Giannini, Francis Hannan, Arthur McQuaid, Ed Spirko and Robert Brady

No - None

The Chairman advised of the following carries:

WEST MILFORD AUTO RECYCLERS, INC.	COMPLETE	03-12-04
Bulk Variance #0430-0646	DEADLINE	09-08-04
Block 12501; Lots 18 & 19		
Weaver Road; R-3 Zone		

Dana D'Angelo, Esq., attorney for above applicant, West Milford Auto Recyclers, Inc., requested a carry in order to attempt to resolve some zoning issues. The Board agreed to carry the matter to the July 27, 2004 meeting with no further notice necessary, with all in favor.

JEFFREY HUEBNER	COMPLETE	06-01-04
Bulk Variance #0430-0652	DEADLINE	09-29-04
Block 6705; Lot 2		
19 Greenbrook Drive; R-1 Zone		

Applicant, Jeffrey Huebner, has requested a carry since he has retained an attorney and could not meet the deadline for submitting revised plans. The Board agreed to carry the matter to the July 27, 2004 meeting with no further notice necessary, with all in favor.

The following application was called:

MICHAEL ZUPP	COMPLETE	06-01-04
<i>De Minimis</i> Exception	DEADLINE	09-29-04
Bulk Variance #0430-0662		
Block 12110; Lot 6		
Inwood Road; R-2 Zone		

Applicant, Michael Zupp, testified he would like to build a single-family home to be accessed off Martha Street for his family.

Kent Rigg, P.E., testified as applicant's engineer and planner and reviewed the site plan.

Applicant requested a carry in order to obtain an attorney. The Board carried the matter to the August 24, 2004 meeting with no further notice necessary, all were in favor.

The following application was called:

CAROLYN POST	COMPLETE	06-01-04
Bulk Variance #0430-0658	DEADLINE	09-29-04
Block 13701; Lot 37		
9 Seminole Way; LR Zone		

Applicant, Carolyn Post, testified they would like to bump out the rear of their home and connect the home to an existing detached garage to have a family room, larger kitchen and an additional bathroom. There is no additional land to purchase to alleviate the variances requested.

It was noted there was a conflict between the Engineer's plan and the Architect's plan with regard to one of the dimensions for width. The Board felt the lot coverage requested was very high.

Applicant's husband, Dan Post, testified this is the best design they have come up with to suit their needs.

The meeting was opened to the public and no one wished to speak.

MOTION was made by Thomas Bigger to close the public portion, Joseph Giannini seconded, with all in favor.

MOTION was made by Daniel Jurkovic to deny the variances requested because applicant has not shown this is the only available way to develop the property and there are alternative methods to develop the property to acquire the necessary space within the home. They would like other possibilities explored to reduce the 18.3% lot coverage that would result from the addition, Joseph Giannini seconded. A yes vote is for denial.

On roll call vote: Yes - Thomas Bigger, Anthony DeSenzo, Joseph Giannini, Francis Hannan, Daniel Jurkovic, Arthur McQuaid and Robert Brady

No - None

The Board recessed and upon reconvening, all Board members were present.

The following application was called:

DAVID POST	COMPLETE	06-02-04
Bulk Variance #0430-0655	DEADLINE	09-30-04
Block 5614; Lot 2		
63 Center Street; LR Zone		

Applicant, David Post, testified he was not related to the previous applicants.

The Board Attorney advised applicant his revised plans were not received by the deadline and, therefore, were not reviewed and were returned to applicant. He cannot present the plans at this meeting.

David Post testified he is proposing a 15 feet wide by 18 foot deep addition to his home in order to install a 6 foot basement to house a new heating system, new water system and water purification system. He currently has a crawl space area only. There is a vacant lot adjacent to the right of his property where his garage exists and he stated purchasing it would not alleviate his variance.

The Board advised him his coverage would be reduced by purchasing the adjoining lot and he is obligated to attempt to purchase the lot which is owned by the Township.

Mr. Post agreed to send a letter to the Township attempting to purchase the lot and agreed to carry his application. He also testified he has filed paperwork to abandon one of the wells on his property.

The Board agreed to carry the application of David Post to the July 27, 2004 meeting with no further notice, all were in favor.

Miscellaneous

The Board Attorney advised the Board of the status of current litigation and Board procedures.

ADJOURNMENT

The meeting was adjourned by unanimous vote at 10:03 p.m.

Respectfully submitted,

Carol DenHeyer
Secretary