

BOA-21-03

PEQUANNOCK TOWNSHIP  
APPLICATION FOR VARIANCE

Applicant's Name: Scanlon Funeral

Fee Paid: 1250

Date Received: 2/9/21

Escrow Paid: 2500

Date Received: 2/9/21

DO NOT WRITE ABOVE THIS LINE

1. Applicant's Name, Address and Telephone Number: M. John Scanlan Funeral

Home, 781 Newark Pompton Turnpike, Pompton Plains, NJ 07444 973-986-9434

2. Present Owner's Name, Address and Telephone Number: M. John Scanlan Funeral

Home, 781 Newark Pompton Turnpike, Pompton Plains, NJ 07444 973-986-9434

3. Attorney's Name, Address and Telephone Number: Frank E. Scangarella, Esq.

565 Newark Pompton Turnpike, Pompton Plains, NJ 07444, 973-839-8400

4. N.J.S.A. 40:55D-70

\_\_\_\_\_ (a) Review of Order \_\_\_\_\_ (b) Interpretation

\_\_\_\_\_ (c) Hardship or C(2) Variance X (d) Use Variance

5. Permission to: \_\_\_\_\_ (a) Alter or add to an existing building  
(Check applicable) \_\_\_\_\_ (b) Construct a new building on vacant land  
\_\_\_\_\_ (c) Change from existing use  
\_\_\_\_\_ (d) Subdivide land creating one or more nonconforming lots  
X (e) Other

6. Proposed building or use is contrary to the following sections of the Zoning Ordinance:

Section	Brief Description
<u>189.08.020</u>	<u>Construct garage for business vehicles in R-15 Zone</u>
_____	_____
_____	_____

7. Location of Lot: Number and Street: 781 Newark Pompton Turnpike

Block 701 Lot 24 Zoning R-15

8. Dimensions of Lot 3.2 acres 140,964 square feet  
 Front yard setback 50 ft. Rear yard setback 40 ft.  
 Side yard setback 15 ft. and 35 ft.  
 Lot depth 150 ft. Lot width 100 ft.
9. Do lots have frontage on a public street or ROW?  
 Yes  No   
 Property is located on a  Municipal,  County or  
 State Road. (Check all that apply)
10. Has tract been involved in a prior application before the Zoning Board of Adjustment or the Planning Board? Yes  No   
 If Yes, name of Board Zoning Board of Adjustment  
 Type of Application Use Variance (1965); Use and Bulk Variances (1965)  
 Action Taken Approved addition to house (December, 1965)  
Approved additional living quarters (March 1984)
11. Number of buildings or structures existing 4, proposed 5  
 Ground floor area of all structures 8923 square feet.  
 Dimensions of proposed addition 720 square feet.
12. Have efforts been made to acquire additional land to be joined with the subject premises? No Explain: The acquisition of additional lands will not reduce the need for variances on the property.
13. Are there any existing covenants or deed restrictions on the property?  
 Yes  No  If Yes, Describe: \_\_\_\_\_
14. Is the property located in the 100 year Floodplain or Floodway as shown on the FEMA Maps dated July 3, 1986? Yes  No
15. Name, Address and Title of person preparing the plats and exhibits presented: William F. Zimmerly & Associates
16. List all the plans and other exhibits submitted with this application:  
Site Plan, Landscape and Soil Erosion Plan, Elevations Plan

17. Explain reasons why relief should be granted (attach narrative giving complete factual and legal contentions).

M. John Scanlan Funeral Home has operated its business at 781 Newark Pompton Turnpike since the mid-1950s. The property is approximately 3 acres and designated as Block 701, Lot 24 of the Pequannock Township Tax Map. It is located in an R-15 District and its business activities predate Pequannock Township's enactment of the R-15 District.

The property's front yard is bounded (i) by State Route 23 and County Route 646 (Newark Pompton Turnpike) in the approximate distance of 452 feet; and (ii) by Mountain Avenue to the south in the approximate distance of 254 feet. Its side yard is bounded by three residential properties to the west in the approximate distance of 425 feet, and to the north by a commercial property in the approximate distance of 334 feet.

The application seeks a use variance for the construction of a two-car garage 24' x 30' feet in diameter, approximately 50' from the easterly property boundary line and 149.98' from the southerly property boundary line. The Applicant currently owns multiple vehicles in its business, a hearse and a limousine are currently parked in the existing parking lot. The garage will be utilized to house these vehicles when not in use.

The garage will be visible to vehicular traffic on Route 23 and the Newark Pompton Turnpike and partially visible to two residential properties on Mountain Avenue.

The garage's architectural design comports with the character of the residential neighborhood. In addition, existing foliage around the garage and arborvitae to be planted adjacent to the garage will serve to visually buffer the structure from neighboring properties. Moreover, housing these vehicles in the garage removes these vehicles from public view when not in use and increases the harmonization of the use with the surrounding residential area.

**I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE.**

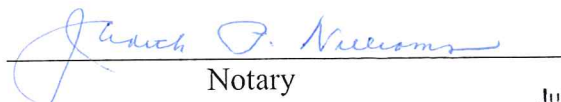


\_\_\_\_\_  
Signature of Applicant

Sworn to and Subscribed

Before me this 8<sup>TH</sup> day

of FEBRUARY 2021

  
\_\_\_\_\_  
Notary

Judith P. Williams  
A Notary Public of New Jersey  
My Commission Expires May 22, 2023

TOWNSHIP OF PEQUANNOCK

SUPPLEMENT TO VARIANCE APPLICATION

The following questions are necessary for the Health Department's review of your application. The completed form will also be made available to the Board of Adjustment prior to the hearing date. Filling out this form completely and accurately will facilitate the application process and is required for your application to be deemed complete.

Property Owner(s) M. John Scanlan Funeral Home

Address: 781 Newark Pompton Turnpike, Pompton Plains, NJ 07444

Block 701 Lot 24

Property to Sewered (  ) Property is on Septic (  )

Number of bedrooms presently in structure (  )

Number of bedrooms to be added (  )

Number of bedrooms to be deleted (  )

Total number of bedrooms when project is completed (  )

Size of Septic (if known) \_\_\_\_\_

Type and size of disposal field (if known) \_\_\_\_\_

Please enclose an up to date plot plan or survey with this form. This survey should include all structures located on the property as well as any easements. The location of all septic system components must also be shown on the survey. The Health Department may have information that will assist you. Please contact them with your inquiries.

PEQUANNOCK TOWNSHIP  
VARIANCE CHECKLIST

APPLICANT'S NAME: M. John Scanlan Funeral Home

1.   X   2 complete applications (once the application has been deemed complete the applicant shall submit 18 additional copies of the application).
2.   X   2 copies of the plat (an additional 18 copies will be required once the application application has been deemed complete.
3.   X   Payment of the administrative and escrow review deposits.
4.   X   Proof of payment of taxes signed by the Tax Collector.
5.   X   Names and address of: (a) holders of 10% or more of stock in applicant and/or owner, if either is a corporation; or (b) holders of 10% or more of interest in applicant if partnership (per N.J.S.A. 40:55D-48.1). **Please see attached "Schedule 1"**
6. Waiver In the case where a building or structure is to be built on a vacant parcel of land, the applicant shall submit Health Department approval of a septic system where sanitary sewers are not available.
7. Waiver Completed flood plain development application (where required by ordinance)
8.   X   Each submission shall be drawn at an appropriate scale not less than 1" equals 100' and shall be submitted on one of four of the following standard sheet sizes (8½"x 13"; 15"x 21"; 24"x 36" or 30" x 42").
9. Pending ALL USE VARIANCE applications shall submit a report prepared by a licensed professional planner indicating the special reasons, zoning impacts and similar data under which the application is being prepared.

ONCE THE APPLICATION HAS BEEN DEEMED COMPLETE THE APPLICANT SHALL PROVIDE EIGHTEEN COPIES OF ALL MATERIALS RELATING TO THE PENDING APPLICATION.

In addition, the following information shall appear on all plans in order to be deemed complete:

- A.   X   A key map showing the entire tract, the zone in which the subject property and all property within 200' radius of the subject property including the tax map block and lot numbers and owner's name. Said map to be drawn at a scale of 1"= 100'
- B.   X   Title Block in accordance with the rules governing title blocks for professional engineers (N.J.S.A. 45:8-36);
  1. Name, title, address and license number of the professional or professionals who prepare the plat or plan.
  2. Scale (both graphic and written)
  3. Date of original preparation and of each subsequent revision thereof and a list of of the specific revisions entered on each sheet
- C.   X   1. North Arrow

2. Name, title, address and telephone number of the applicant.
  3. Name, title and address of the owner or owners of record.
  4. Graphic Scale.
- D.   X   Certification that the applicant is the owner of the land or his properly authorized has given his consent under an option agreement.
- E.   X   Approval Signature lines:  
 1. Chairman  
 2. Secretary
- F.   X   Acreage to the nearest hundredth of an acre and a computation of the area of the tract to be disturbed.
- G. Waiver Identification of wetlands per NJ Freshwater Wetlands Act.
- H. Waiver Identification of the Flood Hazard Area per FEMA maps dated July 3, 1986 as revised or submission of a perfected LOMA.
- I. Waiver The location of all existing water courses, wooded areas, and major trees (trees with a six inch or greater caliper as measured three feet above ground shall be individually identified if the during construction), easements, right-of-ways and streets.
- J.   X   All existing lot lines per Township Tax Map; setbacks and yard dimensions as proposed, together with a table listing the required bulk areas for the zone, the proposed bulk dimensions variances required.
- K.   X   Preliminary architectural plans for the proposed building or structures, indicating typical floor plans, elevations, height and general design or architectural styling.
- L. Waiver The location of the septic system if the structure is not served by sanitary sewer.
- M.   X   The location of all existing and proposed principle buildings or structures and the location of all existing and proposed accessory structures or buildings and the distance to the nearest property line of each.
- N.   N/A   The location, quantity and type of off-street parking where prohibited.

IN THE CASE OF BIFURCATED APPLICATIONS, THE APPLICANT SHALL SUBMIT THE APPROPRIATE SITE PLAN OR SUBDIVISION PLANS TO THIS BOA FOLLOWING THE APPROVAL OF A USE VARIANCE. THE SITE PLAN OR SUBDIVISION APPLICATION SHALL BE DEEMED COMPLETE ONCE THEY ARE IN CONFORMANCE WITH THE APPROPRIATE CHECKLIST.

WHERE THE APPLICANT IS REQUESTING THE SIMULTANEOUS REVIEW OF THE USE VARIANCE AND THE SITE PLAN OR SUBDIVISION, NEITHER APPLICATION WILL BE DEEMED COMPLETE UNTIL ALL ITEMS ON THE APPROPRIATE CHECKLIST ARE SATISFIED.

**SCHEDULE 1**

**Township of Pequannock**

Variance Application: M. John Scanlan Funeral Home  
Variance Checklist

Equity Holders Equal To or Greater Than 10%

Kiera Wespestad  
32 Summit Terrace  
Sparta NJ 07871

Barbara Scanlan  
781 Newark Pompton Turnpike  
Pompton Plains, NJ 07444