

TOWNSHIP OF WEST MILFORD
PLANNING BOARD
MINUTES
March 5, 2009
Regular Meeting

The Regular Meeting of the Planning Board was opened at 7:32 pm by Chairman Andrew Gargano with a reading of the Legal Notice followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Clinton Smith, Geoffrey Syme, Alternate Kerry Goceljak, Chairman Andrew Gargano, Board Planner Charles McGroarty.

Absent: Douglas Ott, Chris Rosica, Councilman Philip Weisbecker, Alternate Michael Siesta, Board Attorney Thomas Germinario, Board Engineer Paul Ferriero.

Chairman Gargano asked Kerry Goceljak to sit on the Board in the absence of a regular Board member.

PUBLIC PORTION

With no one present wishing to address the Planning Board, the Public Portion was closed on a **motion** by Steven Castronova and a **second** by Geoffrey Syme.

SITE PLAN APPLICATION REVIEW WAIVERS – None.

APPLICATIONS

TIME EXTENSIONS

THOMAS A. CELANO
Minor Subdivision #0410-1960
Variance 0430-0669

Block 5309; Lots 1.01 & 1.02
Cahill Cross Road; R-2 Zone

Seeking: Time extension for filing Minor Subdivision deeds.

Thomas Celano was present to address the Board regarding a request for a time extension for filing his minor subdivision deeds. Mr. Celano advised that the Highland's Office had received his application for a determination in August and had deemed it administratively complete in December, but needed additional information regarding impervious surfaces that he provided to them in February. As of this date the application for Highland's exemption was in review by the NJDEP. The Chairman asked Mr. Celano to provide a brief history of this application, and Mr. Celano complied. He purchased the property in 1996 and attempted to subdivide the property into three lots, but conflicts arose because the subject property was located in the airport hazard zone. He was subsequently granted Planning Board approval in 2004 for a two-lot subdivision with variances; Highlands approval was ultimately deemed necessary after initially being advised that it was exempt. Mr. Celano testified that his subdivision would consist of two one-acre residential lots with sewer and water hook-up to a municipal system, adding that he received updated approvals from the water company last year. He expects to have a response from the Highland's in the next few months. The Chairman inquired if a year extension will be sufficient, to which Mr. Celano replied in the affirmative.

Motion was made by Steven Castronova with a **second** by Clinton Smith to approve a one-year time extension for filing minor subdivision deeds for Thomas Celano.

Roll Call: **Yes** - Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Clinton Smith, Geoffrey Syme, Kerry Goceljak, and Chairman Andrew Gargano.
No - None.

PENDING APPLICATIONS

Carried To April 2, 2009
1952 UNION VALLEY ROAD, LLC
Preliminary & Final Site Plan #0820-0167AB
Block 3601; Lots 1 & 3
1952 Union Valley Road; CC Zone

Complete: September 8, 2008
Decision By: April 2, 2009

Seeking: Preliminary and final site plan approval and variance relief for the removal of an existing structure and the construction of a new deli/convenience store with two apartments.

Chairman Gargano read a fax from John Barbarula, Esq., attorney for the applicant, requesting that this matter be carried to the April 2, 2009 Planning Board meeting due to the unavailability of the applicant's engineer.

NEW APPLICATIONS - None.

NEW BUSINESS – None.

MEMORIALIZATIONS

Resolution 2009 – 7

THOMAS A. CELANO

Time Extension for Filing Deeds

Minor Subdivision #0410-1960

Variance 0430-0669

Block 5309; Lots 1.01 & 1.02

Cahill Cross Road; R-2 Zone

Granted: Time extension for filing Minor Subdivision deeds.

Motion was made by Steven Castronova with a **second** by Mayor Bettina Bieri to approve Resolution 2009 - 7 granting a one-year time extension to file minor subdivision deeds.

Roll Call: **Yes** - Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Clinton Smith, Geoffrey Syme, Kerry Goceljak, and Chairman Andrew Gargano.
No - None.

Resolution 2009 - 8

JACK LEVKOVITZ (Village On Ridge-Section II)

Amended Final Subdivision #0510-1744C

Block 5201; Lots 16, 19 & 20; Block 5301; Lot 1; R-3

Ridge Road; R-3 Zone

Denied: Time extension for filing Major Subdivision Deeds and amendment of conditions of approval.

The Chairman announced that this resolution would be on the next Regular meeting agenda of the Planning Board.

ORDINANCES FOR INTRODUCTION – None.

ORDINANCES REFERRED FROM COUNCIL – None.

PLANNING BOARD PLANNER’S REPORT – None.

PLANNING BOARD ATTORNEY’S REPORT – None.

PLANNING BOARD ENGINEER’S REPORT – None.

MISCELLANEOUS

Approval Of Invoices – Board Professionals – None.

Subcommittee Reports

Master Plan Subcommittee – None.

Ordinance Subcommittee – None.

Building Design Subcommittee – None.

Site Plan Committee – None.

MINUTES

The approval of the minutes of the February 26, 2009 Regular meeting would be on the next regular meeting agenda.

The following were noted and filed

COMMUNICATIONS

1. Notice of Deficiency dated February 11, 2009 from the NJDEP regarding Township Museum - 1477 Union Valley Road – Missing Progress Reports and Revised Classification Exception Area.
2. Notice and application received February 24, 2009 for Robert Gigliuto, Block 8401; Lot 21, 10 New Dockerty Hollow Road, of application for a GP 25 for installation of a subsurface sanitary disposal system.
3. Revised plan for application for GP #2 received on February 19, 2009 for Ed Ostrowicz, Block 4701; Lot 33.04, 350 Morsetown Road per DEP request.
4. “No further action and covenant not to sue” letter regarding Elaine Berkowitz, 628 Warwick Tpk., Block 902; Lot 9 and remedial action with regard to a 550 gallon underground oil tank.

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Revised application for Highlands Exemption dated February 24, 2009 for Mr. Wonton, LLC, Block 6303; Lot 18, with required documents and plans.

2. Notice and application for Highlands Exemption received on February 25, 2009 for Shoebox Storage, LLC, Block 16006; Lot 1.01, 140 Oak Ridge Road, regarding demolition of existing buildings and construction of multi use building with commercial, residential, and storage.
3. "Notice of violation and offer of settlement" for Peter Esposito for property located at Block 6701; Lot 13, advising that violations remain uncorrected and a restoration plan has not been received by the DEP with regard to the placement and grading of 23,000 sq. ft of fill on subject property.

ADJOURNMENT

With no further business to come before the Board, the regular meeting of the Planning Board was closed at 7:48 p.m. on a **motion** by Geoffrey Syme with a **second** by Mayor Bettina Bieri, followed immediately by the Workshop meeting.

Approved: March 26, 2009

Respectfully submitted by

Tonya E. Cubby
Secretary