

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**MINUTES
JANUARY 24, 2001**

The Chairman, Michael Tfank, called the meeting to order at 7:37 p.m. Legal notice read.

ROLL CALL

Present: Paul Donoghue, Robert Moshman, Edward Orthouse, George Spence, Andrew Tynan. Alternates: Rich Stecher, Mark Vetter. Chairman: Michael Tfank. Board Attorney: Glenn Kienz. Planning Director: William Drew, P.P. Township Engineer: Arthur Vitale, P.E.

Absent: Maria Harkey, James O'Bryant.

The Chairman appointed Rich Stecher and Mark Vetter to sit for the absent members.

PUBLIC PORTION

As no one wished to speak a **MOTION** was made by Andrew Tynan, seconded by Paul Donoghue, to close the public portion. On voice vote all were in favor.

APPLICATIONS

MELISSA BROWN BLAEUER
Minor Subdivision #9910-1920
Variance #0030-0466
Block 202; Lots 14 and 15
Goldfinch Lane; LR Zone
Lot line adjustment

COMPLETE: 11-27-00
DEADLINE: 03-27-01

George Spence recused himself.

Pamela Mainardi, Esq., representing the applicant, advised that the proposed subdivision would annex a long flag pole strip of land from lot 15 on to lot 14. This action would reduce the square footage of lot 15 to 19,425 square feet, which would require a variance. She explained that at the time lot 15 was originally created this long strip of land was necessary to provide access to the property. With the creation of Goldfinch Lane the owner no longer needs this strip of land. This annexation would have no negative impact and would improve the layout of the lots. Tom Adamkiewicz, the owner of lot 14, testified that he was in full agreement with the proposal.

As no one wished to speak a **MOTION** was made by Andrew Tynan, seconded by Mark Vetter, to close the public hearing. On voice vote all were in favor.

William Drew advised that the Planning and Health Departments had no objections to this application. Arthur Vitale, Township Engineer, suggested a condition of approval regarding future septic improvements in his memo of November 17, 2000.

MOTION made by Andrew Tynan, seconded by Robert Moshman, to approve the minor subdivision with the required variance conditioned upon the recommendations of the Township Engineer.

On roll call vote: Yes - Paul Donoghue, Robert Moshman, Edward Orthouse, Andrew Tynan, Rich Stecher, Mark Vetter, Michael Tfank.
No - None

Mr. Spence rejoined the Board.

ANTHONY CURCIO, JR.
Minor Subdivision #0010-1926
Bulk Variance # 0030-0456
Block 9501; Lot 2
Macopin Road; R-3 Zone
Create 3 building lots

COMPLETE: 12-27-00
DEADLINE: 04-26-01

Anthony Curcio, Jr., and Don Montesano, owners of the property, testified that they planned to create 3 building lots. They proposed to live on two of the lots and sell the third lot. There are wetlands located on the property and a Letter of Interpretation had been submitted to the DEP. The rear of the property is sloped and will be left untouched. A cul-de-sac would be created where the three driveways meet.

As no one wished to speak a **MOTION** was made by Mark Vetter, seconded by Andrew Tynan, to close the public hearing. On voice vote all were in favor.

During discussion the Board questioned the location of the wetlands and what approvals had been received. Arthur Vitale, Township Engineer, outlined the recommendations made in his memo of December 21, 2000. Planning Director, William Drew, advised that there was concern regarding the proposed lot layout, which does not provide the best utilization of the land. Board members expressed concern regarding the number of lots, the proposed wetlands mitigation, the steep slopes and the proposed shared driveways.

Mr. Curcio noted that 4 lots could have been created on the property, which is 14 acres and in an R-3 zone. However, the applicants wished to have more space and thus decided to create only 3 lots. They had not considered installing a road. A contract, which all three property owners would have to sign, would be drawn up to provide for the maintenance of the proposed shared driveway. The center lot would be sold to help defray the cost of improving the other two lots. The proposed buffers required by the DEP were discussed.

The Board noted that there were a number of variances being requested and that the proposed configuration of the lots was a major concern. They suggested that the applicant might wish to reconsider the number of lots. The applicant agreed to give the matter further consideration and the application was carried to the February meeting.

MOTION made by Paul Donoghue, seconded by George Spence, to carry the matter to the February meeting with no further notice required.

On roll call vote: Yes - Paul Donoghue, Robert Moshman, Edward Orthouse,
George Spence, Andrew Tynan, Rich Stecher, Mark Vetter,
Michael Tfank.
No - None

JOSEPH CAPONE
PRELIMINARY & FINAL SITE PLAN #0020-0093AB
VARIANCE #0030-0473
Block 15803; Lot 15
70 Oak Ridge Road; LMI Zone

The applicant, Joseph Capone, called Bruce Gallo, P.E., to testify on his behalf. Mr. Gallo advised that the plans had been revised to address the concerns of the Passaic County Planning Board. The applicant is leasing the building for an auto body shop. A variance is required for the curbing. The application was required because the site does not comply with an approved site plan dated August 1988.

The Board Attorney noted that the building was constructed under a court mandate and the previous site plan was not perfected. This application is to provide an as-built site plan.

MOTION made by Paul Donoghue to approve the minutes of the December 13, 2000 and January 4, 2001 regular meetings as submitted. Seconded by Andrew Tynan.

On roll call vote: Yes - Paul Donoghue, Robert Moshman, Edward Orthouse,
George Spence, Andrew Tynan, Rich Stecher, Mark Vetter,
Michael Tfank.

No - None

MISCELLANEOUS

Letter dated December 12, 2000 to Township Manager from attorney for property owner of Block 7006; Lot 1, requesting return of contribution (\$5,000.00) towards cost of traffic signal at Rockport Shopping Center discussed. William Drew advised that he had researched the site plan files for the property in question as well as the adjacent Rockport Plaza site. There was no information in those files that provided any direction regarding the return of the escrow. After discussing the matter the Board noted that the Council should decide whether the Township should proceed with the installation of the traffic signal. And, based upon that decision a determination may than be made with regard to the request to return the escrow money.

Responses to inquiries regarding grandfathering and whether developers could be required to pay into a general fund for maintenance of detention basins carried to a future meeting.

Capital Improvement Budget. William Drew advised that cost estimates had been received for a water availability analysis and a consumptive-depletive analysis, which would provide valuable information regarding the future development of the Township. The areas to be covered, the value of each and the need for such studies were discussed. Members requested additional information prior to making any recommendation.

Discussion with Planning Board on Board Procedures. Suggested that members attend accreditation courses being given by the New Jersey Planners Association.

Rich Stecher noted that the Planning Director had responded to the inquiries regarding COAH.

Review of Proposals for Services – environmental analysis, vehicular safety and roadway geometric analysis and structural engineering analysis regarding Eagle Ridge at West Milford, Preliminary Site Plan. Mr. Drew noted that they are waiting for additional responses on the environmental analysis. Mr. Vitale recommended that the Board proceed with the other two studies and accept the proposal of Hardesty and Hanover for the structural review and the vehicular safety analysis proposal from Frank Miskovich. The applicant would pay for the cost of these studies, which the Engineer opined were reasonable.

MOTION made by Paul Donoghue, seconded by Mark Vetter, to move forward with the two engineering studies presented by the Township Engineer.

On roll call vote: Yes - Paul Donoghue, Robert Moshman, Edward Orthouse,
George Spence, Andrew Tynan, Rich Stecher, Mark Vetter,
Michael Tfank.

No - None

COMMUNICATIONS

The following correspondence was received and filed:

Letter from the Passaic County Planning Board dated December 13, 2000 advising that approval of a site plan for Joseph Capone, Block 15803; Lot 15, 70 Oak Ridge Road, has been withheld until the site has been brought into compliance with the intent of the previous site plan for the property.

Response from Department of Environmental Protection dated December 14, 2000 to request of Donald & Maribel Montesano and Anthony Curcio for a Letter of Interpretation and Transition Area Waiver-Averaging Plan for property known as Block 9501; Lot 2.

Letter from the Passaic County Planning Board dated December 27, 2000 advising that additional information is required for the minor subdivision application of Montesano and Curcio, Block 9501; Lot 2, 1455 Macopin Road.

Letter from the Passaic County Planning Board dated December 27, 2000 advising that a quit claim deed must be submitted in connection with the site plan for the Oak Ridge Post Office, Block 16102; Lot 24, 255 Oak Ridge Road.

Notice from Cerenzio & Panaro dated December 20, 2000 advising that the Township Municipal Utilities Authority has applied to the DEP for Treatment Works Approval for Phase 1 of the Awosting Sanitary Sewer System.

Letter from the Passaic County Planning Board dated January 11, 2001 advising that approval of a site plan for Joseph Capone, Block 15803; Lot 15, 70 Oak Ridge Road, has been withheld pending receipt of revised plans.

Letter from the Passaic County Planning Board dated January 18, 2001 advising that a deed for road widening or a quit claim deed for the 5-foot strip of land across Macopin Road must be received in connection with the minor subdivision application of Montesano and Curcio, Block 9501; Lot 2, 1455 Macopin Road.

Letter from Professional Environmental Associates, Inc. dated January 19, 2001 advising that Indian Ridge at West Milford is apply for a Letter of Interpretation for property known as Block 8301; Lot 1.

ADJOURNMENT

Meeting adjourned by unanimous vote at 9:52 p.m.

Respectfully submitted,

Grace R. Davis
Secretary