

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**Minutes
OCTOBER 23, 2002
Regular Meeting**

Chairman, Michael Tfank, called the meeting to order at 7:36 p.m. with the reading of the legal notice.

ROLL CALL

Present: Paul Donoghue, Robert Moshman, James O'Bryant, Robert Szuszkowski, Andrew Tynan, Kurt Wagner. Alternates: Ada Erik, Leslie Tallaksen. Chairman: Michael Tfank. Board Attorney: Glenn Kienz, Esq. Planning Director: William Drew, P.P. Consulting Engineer: Valerie Rhabel represented Robert Kirkpatrick, P.E.

Absent: Edward Orthouse, George Spence,

The Chairman appointed the alternates to sit for the absent Board members.

PUBLIC PORTION

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

APPLICATIONS

KERRY GREENE

Preliminary Subdivision #0110-1910

Bulk Variance # 0130-0501

Block 10001; Lots 14, 19, 20, 23

Wooley Road; R-3 and R-4 Zones

Application for subdivision with variance relief requested to subdivide four existing lots to create 21 residential building lots.

COMPLETE: 05-13-02

DEADLINE: 11-30-02

Shepard Peck, Esq. advised that the applicant had submitted a concept plan showing the number of lots that could be achieved under conventional zoning (Exhibit A1). Kenneth Ochab, P.P. and Boyce McGeoch, Licensed Surveyor and P.P., presented their credentials. Mr. Ochab was sworn and explained the variances required under this plan, which showed 18 lots, 4 directly on Wooley Road, and the remainder on a cul-de-sac. He noted that proposed lot 4 contains wetlands and would require variances for front yard and side yard setbacks. Three lots at the end of the cul-de-sac meet the 4-acre standard, but due to the cul-de-sac would require variances for lot frontage and lot width. He opined that the map showed that this number of lots was possible. All the lots provide adequate frontage for driveways and reasonable locations for homes. An Environmental Impact Statement (EIS) had been submitted. Some driveways are on slopes of 20%. There is a road crossing of a wetlands, which would occur under both conventional or cluster development. A transition area waiver and averaging plan also would be needed. Proposed location of access road is the best for sight distance. A Statewide Permit had been obtained, but not for this plan. Applicant will need to reapply. Mr. Ochab stated that 16 lots could be obtained under conventional zoning without any variances. Mr. Peck noted that the plan was designed to meet current wetlands and stream encroachment regulations. There is no encroachment to the 35% slope encroachment.

Mr. Peck presented a preliminary subdivision plat (Exhibit A2). Mr. Ochab explained the lot layout of the cluster development. All of the cluster criteria have been met with the exception of lot 17, which would require a variance for lot depth due to the irregular shape of the lot. Lots 19, 9, 10 and 1 contain conservation areas, which will be deed restricted. The majority of the conservation areas contain wetlands. The proposed road conforms to RSIS standards. There will be two driveway crossings of wetlands. Exhibit A3 and A4 was presented, which depicted the house locations. Plan requires wetlands transition area waiver. Under the cluster plan more land would be held for conservation and the amount of disturbance would be less as driveways and the road would be shorter.

The matter was opened to the public for questions of Mr. Ochab's testimony. Richard Randazzo and Linda Connolly asked for an explanation on the inconsistencies noted about the wetland crossings. They expressed concern about the availability of water and the impact on his property values. The proposed access location and the safety of it were also questioned.

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

Boyce McGeoch was sworn and explained the shading shown on the maps and the proposed house locations. He stated that the road would be approximately 100 feet shorter with the cluster development. The applicant had obtained a Letter of Interpretation in May 2000. The different size of the wetlands buffers was determined by the DEP. Three lots would require crossing the wetlands.

The Board questioned the alignment and length of the driveways, the proposed drainage, the percent of usable land on each lot. As the expert was not present to answer some of their questions the Board suggested the matter be carried. Mr. Drew advised that the Township Police Department had requested that the line of sight on Wooley Road be checked. The Board Attorney suggested that the applicant be prepared to address improvements to Wooley Road.

The matter was opened to the public for questions of Mr. McGeoch. Mr. Randazzo again questioned the crossing of the wetlands and the safety of the proposed access. Cheryl Logan expressed concern about the safety of Wooley Road and requested an explanation on the alignment of the road. Ms. Connolly questioned the number of trees to be cleared from lot 1.

As no one else wished to speak a **MOTION** was made by James O'Bryant, seconded by Ada Erik to close this portion of the public portion. On voice vote all were in favor.

Kenneth Ochab outlined the material covered in the EIS. He indicated that the development would be served by individual wells and septic. No analysis had been done as to the availability of water. Based on the geology of the area he stated that there is a reasonable assumption that there was an acceptable level of water in the area.

The Board noted that during a site inspection of the Board's subcommittee a number of unique environmental features were found on the property and that the road location would cause significant disturbance to the site's natural features and requested information on why the location was picked and how it could be mitigated.

The meeting was reopened to the public for questions of Mr. Ochab's testimony. Ms. Connolly questioned Mr. Ochab's sources on the geology of the area and the water levels. Ms. Logan asked if the applicant would consider hiring an expert to testify on what the impact would be on the area well yields. A discussion followed on the process of hiring such an expert.

The Board recommended that the applicant perform a well test. Mr. Drew suggested experts be contacted to determine what is a reasonable approach to the matter. The DEP is also to be contacted regarding the current drought restrictions.

As no one else wished to speak a **MOTION** was made by James O'Bryant, seconded by Paul Donoghue, to close this portion of the public hearing. On voice vote all were in favor.

Matter carried to the November 13, 2002 meeting with no further notice required.

MICHAEL & ROBERT VANDER PLOEG
Amended Preliminary Site Plan #9720-0042A
Final Site Plan #0220-0042F
Bulk Variance #0230-0560

COMPLETE: 09-27-02
DEADLINE: 01-25-03

Block 16006; Lot 1
16007 4
16008 3

140 Oak Ridge Road; CC/R-4 Zones

Request to amend preliminary site plan and receive final site plan approval for a self-storage facility.

Robert and Michael Vander Ploeg explained they proposed to reduce the number of buildings from ten to eight and to move the footprint of two buildings, which would not require a variance, as it is a permitted deviation. They also requested final site plan approval.

William Drew explained that this application was granted preliminary approval in 1998, that four of the buildings have been constructed and received final approval. One of the conditions of the preliminary plan was that Spruce Street be vacated. This had not been done.

Mr. Vander Ploeg stated that he did not vacate Spruce Street as he wished to keep the lots separate in the event he or his son was to build a house on the property. They did not intend to use the street. He explained the type and number of scrubs planted. Building B is to be a two-sided building with a driveway around it. Building D will be a one-sided building with doors facing inside the property. No lighting will spill onto adjacent properties. The buildings were located to conform to the natural slope of the property. Two retaining walls will be installed.

The Board advised that during a site inspection it was noted that this was a difficult area to plant due to the slope. The size of the trees did not conform to the plan. A discussion followed on how best to screen the area from the local residents.

The meeting was opened to the public and Roberto Palmas and Carolyn Gauntt expressed concern about encroaching on a residential area, the possible future use of Spruce Street, the spill over of light onto adjacent properties and the need for additional landscaping to screen the buildings from the adjacent residences.

MOTION made by Kurt Wagner, seconded by Paul Donoghue, to carry the meeting to the November 13th meeting. On voice vote all were in favor.

WILLIAM PLACE

Minor Subdivision #9810-1911

Variance #9830-0354

Block 4701; Lot 33.03

Morsetown Road; R-3 Zone

Request for time extension

Robert Masessa, Esq., requested the Board grant a six-month time extension for the filing of deeds on the above application. Deeds have been prepared and reviewed several times by the Board Engineer, who indicated revisions are required.

MOTION made by Paul Donoghue, seconded by James O'Bryant, to grant a six-month time extension.

On roll call vote: Yes – Paul Donoghue, Robert Moshman, James O'Bryant, Robert Szuskowski, Andrew Tynan, Kurt Wagner, Ada Erik, Leslie Tallaksen, Michael Tfank.

 No None

Robert Moshman left the meeting.

MEMORIALIZATIONS

THOMAS AND DIANE PARISI

Resolution No. 2002- 33

Minor Subdivision #0110-1937

Block 17001; Lots 10 and 11.01

Henderson Road; R-4 Zone

Request for time extension

MOTION made by Paul Donoghue, seconded by Kurt Wagner, to memorialize Resolution No. 2002 – 33 granting a six-month time extension.

On roll call vote: Yes – Paul Donoghue, James O’Bryant, Robert Szuszkowski, Andrew Tynan, Kurt Wagner, Ada Erik, Leslie Tallaksen, Michael Tfank.
No None

ELS Holdings, L.L.C. (Tanktite)

Resolution No. 2002 - 31

Amended Preliminary & Final Site Plan #0120-0056

Block 3906; Lot 3

1551 Greenwood Lake Turnpike; LMI Zone

APPROVED: Amended preliminary and final site plan approval.

MOTION made by Paul Donoghue, seconded by Ada Erik, to memorialize Resolution 2002 – 31 granting amended preliminary and final site plan approval.

On roll call vote: Yes – Paul Donoghue, James O’Bryant, Robert Szuszkowski, Kurt Wagner, Ada Erik, Leslie Tallaksen, Michael Tfank.
No None

X-TRA SPACE CENTER

Resolution No. 2002 - 32

Preliminary & Final Site Plan #0220-0127

Bulk Variance #0230-0589

Block 6902; Lot 17

54 White Road; CC Zone

APPROVED: Preliminary and final site plan for self-storage facility.

MOTION made by James O’Bryant, seconded by Robert Szuszkowski, to memorialize Resolution 2002 – 32 granting preliminary and final site plan approval.

On roll call vote: Yes – Paul Donoghue, James O’Bryant, Robert Szuszkowski, Kurt Wagner, Ada Erik, Leslie Tallaksen, Michael Tfank.
No None

VALLEY RIDGE DEVELOPMENT, INC.

RESOLUTION NO. 2002 - 33

Final Site Plan #0220-0041B

Block 8002; Lot 4

Union Valley Road; R-1/PN Zone

DENIED: Request for waivers of completeness

MOTION made by Paul Donoghue, seconded by Ada Erik, to memorialize Resolution No. 2002 – 34 denying the request for waivers of completeness.

On roll call vote: Yes – Paul Donoghue, James O’Bryant, Robert Szuszkowski, Kurt Wagner, Ada Erik, Leslie Tallaksen, Michael Tfank.
No None

ORDINANCES REFERRED BY COUNCIL

PLANNING DIRECTOR’S REPORT

Proposed Minor Site Plan Ordinance, Site Plan Waiver Ordinance and revised application review checklists – forward to Township Council for introduction of ordinance. Matter carried.

PLANNING BOARD ATTORNEY’S REPORT – No report.

MISCELLANEOUS

Chairman advised that a full report on the bikeway would be presented at the next meeting.

Councilman Szuszkowski reported that the Council was temporarily withholding action on the proposed rezoning of the Union Valley Road property pending the outcome of the sale of the property for conservation.

WEST MILFORD BOARD OF EDUCATION - Proposed Referendum Projects:

New Transportation Garage, 51 Highlander Drive

Maple Road Elementary School - Door replacements and new classroom addition

Paradise Road Elementary School – New Media Center Addition, Small Group Instruction and Main Office renovations

These projects were noted and filed.

STAFF REPORTS/MEMOS TO TOWNSHIP MANAGER/COUNCIL - None

COMMUNICATIONS

The following correspondence was noted and filed:

Letters from the Passaic County Planning Board regarding the following applications:

Orchard View Estates – Preliminary Plat – Block 7701; Lots 7 and 8, Union Valley Road – additional information requested.

Lindsay Plumbing and Heating – Minor Subdivision – Block 7701; Lot 2, 1087 Union Valley Road – additional information requested.

Scott Leonescu – Preliminary Subdivision – Block 9801; Lots 28 and 29, 843 Union Valley Road – Approval withheld pending receipt of additional information.

Lakeland Bancorp. – Final Site Plan – Block 16502; Lot 3, 250 Oak Ridge Road – Application approved.

Mark Lindsay Plumbing and Heating – Site Plan – Block 6404; Lot 1.02 - additional information requested.

Notice dated September 25, 2002 advising that Scott Leonescu is applying for a Letter of Interpretation for property located on Union Valley Road; Block 9801; Lots 28 and 29.

Notice from Association of New Jersey Environmental Commissions of meeting to be held Thursday, October 10, 2002 and November 13, 2002 on “Using the Municipal Master Plan and State Planning Process to Protect Local Resources.”

Notice dated October 9, 2002 advising that Betty Ann Cofone and Steve Bartels are applying for a Letter of Interpretation for property located on Carmel Road, Block 1101; Lot 4.01.

Copy of letter dated October 15, 2002 from William Drew to the Honorable Jacqueline Pietrodangelo, Mayor of Ogdensburg, re: Regional Contribution Agreement.

Copy of letter dated October 11, 2002 from William Drew to John C. Mulligan, Executive Director, Greenwood Lake Watershed Management District Inc. re: United States EPA Watershed Initiative for 2003.

ADJOURNMENT

Meeting adjourned by unanimous consent at 11:06 p.m.

Respectfully submitted,

Grace R. Davis
Secretary