

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**REGULAR MEETING
MINUTES
OCTOBER 24, 2001**

Meeting opened at 7:36 p.m. with the reading of the legal notice.

ROLL CALL

Present: Paul Donoghue, Robert Moshman (Arrived Late), James O'Bryant, Edward Orthouse, George Spence, Andrew Tynan, Kurt Wagner. Alternate: Rich Stecher. Chairman: Michael Tfank. Board Attorney: Glenn Kienz, Esq. Planning Director: William Drew, P.P. Consulting Engineer: Robert Kirkpatrick, P.E. was represented by James Woods, P.E.
Absent: Robert Szuszkowski. Alternate: Mark Vetter.

Chairman appointed Rich Stecher to sit for Mr. Szuszkowski.

PUBLIC PORTION

No one wished to speak.

APPLICATIONS

WILLIAM PLACE	COMPLETE: 06-19-01
Minor Subdivision #9810-1911	DEADLINE: 10-17-01
Variance #9830-0354	
Block 4701; Lot 33.03	
Morsetown Road; R-3 Zone	
Subdivide one lot to create 3 residential building lots.	

Carried to the November 28, 2001 meeting.

MISTY'S PATCH, INC.	COMPLETE: 09-06-01
Preliminary & Final Site Plan #0020-0092	DEADLINE: 01-04-02
Bulk Variance #0030-0470	
Block 14703; Lot 7	
2648 Route 23 North; NC Zone	

Carmine Campanile, Esq. and Keith Holling, Architect and Professional Planner, represented the applicant. Mr. Holling addressed the variances for setback stating there is an existing patio that is 10.3-feet off of the right-of-way and the proposal is to cover it with a building. It does not increase the impervious coverage. Because of other site constraints, such as parking, it is not possible to widen the building in any other direction. The 10.3-foot setback will be planted. Discussion was then presented on the signage. There is a total of 90 square feet of existing signage. One logo sign of 20 square feet is to be removed. The new signage will be 130 square feet for a blade sign; a pylon sign of 46 square feet and a band sign around three sides of the building at 120 square feet for a total of 296.5 square feet. The operator of the Dairy Queen, Teresa Donnelly, discussed the need for a reader board, which advertises special menu items. The sign will not encroach into the right-of-way.

No one wished to speak on this application.

The applicant agreed, upon the Board's suggestion, to bifurcate the site plan and bulk variance from the sign variance request. ADA requirements will be met and any approval is subject to the Health Department, DEP, Planning and Engineering staff reports. The Board then voted on the signage. There was discussion regarding changing the signage and the applicant agreed to carry the matter to the November meeting. The Planning Board then granted the site plan and front yard setback variance approval. The sign variances were carried to the November 28, 2001 meeting.

The Board first notes that the proposed use is permitted in the zone. The Board finds that the applicant requires dimensional variance relief with respect to a front yard setback. West Milford Township Ordinances require a front yard setback of 35 feet, whereas the applicant proposes a front yard setback of 10.33 feet, which is an existing non-conforming setback with respect to the concrete patio to be removed, and the proposed addition to the Dairy Queen is to be constructed within the footprint of the patio area. Thus the Board finds that the purposes of this act would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

MOTION made by James O'Bryant, seconded by Kurt Wagner, to approve the site plan.

On roll call vote: Yes - Robert Moshman, James O'Bryant, Edward Orthouse, George Spence, Robert Szuszkowski, Andrew Tynan, Kurt Wagner, Michael Tfank.
 No - Paul Donoghue.

Charles Aikey

Minor Subdivision #0010-1923

Bulk Variance # 0030-0437

Block 8501; Lots 7 .01 and 7.02

Macopin Road; R-2 Zone

Request to amend approved plans

MOTION made by Kurt Wagner, seconded by George Spence, to approve the amended plans. All eligible voted yes.

MEMORIALIZATIONS

VALLEY RIDGE DEVELOPMENT CO.

RESOLUTION No. 2001 - 16

Preliminary Site Plan #9620-0041

Block 8002; Lot 4

Union Valley Road; R-1/PN Zone

APPROVED: Request for time extension

Carried to the December meeting.

DOUGLAS DOYLE

Resolution No. 2001 - 22

Minor Subdivision #0010-1924

Bulk Variance #0030-0442

Block 8401; Lot 3.02

Macopin Road; R-2

APPROVED: Subdivide one lot to create 2 residential building lots.

Resolution adopted.

ROCKLAND ELECTRIC COMPANY

Resolution No. 2001 - 23

Conditional Use, Preliminary & Final

Site Plan #0120-0098AB

Variance #0130-0494

Block 6404; Lot 11

241 Marshall Hill Road; CC Zone

APPROVED: Conditional use and preliminary and final site plan approval to erect pole for radio antenna.

Resolution adopted.

ORDINANCES REFERRED

Ordinance Amending Chapter 17, Section 17-10 providing for a Checklist for Bulk Variances for additions or accessory structures. After discussion, the Board recommended to the Municipal Council that the Ordinance, as introduced, be adopted.

MISCELLANEOUS

WEST MILFORD POST OFFICE

Block 6301; Lot 6

Update on site lighting and status of site improvements with the Board.

William Faustini, Joseph Inserra and Henry Burmesiter were present to discuss the lighting situation. They agreed to lower the light stanchions and to redirect the lighting.

STAFF REPORTS/MEMOS TO TOWNSHIP MANAGER/COUNCIL

PLANNING DIRECTOR'S REPORT

Proposed Planning Board By-law Amendments. Matter discussed.

PLANNING BOARD ATTORNEY'S REPORT – No report.

COMMUNICATIONS

The following communications were received and filed:

Letter dated September 4, 2001 from McKittrick Engineering Associates, Inc. advising that George Blood is applying for Treatment Works Approval for property known as Block 1610; Lot 2, Ormond Road.

Letter dated September 4, 2001 from McKittrick Engineering Associates, Inc. advising that George Blood is applying for Treatment Works Approval for property known as Block 8101; Lot 31, Macopin Road.

Letter dated September 4, 2001 from McKittrick Engineering Associates, Inc. advising that Ed and Anne Vogel are applying for Treatment Works Approval for property known as Block 6504; Lots 5 and 6, Lincoln and Rutgers Avenues.

Letter dated September 21, 2001 from Paulus, Sokolowski and Sartor advising that Passaic County is applying for an Individual Freshwater Wetlands Permit and a major Stream Encroachment Permit for the reconstruction of a one-mile section of Greenwood Lake Turnpike between Marshall Hill Road and Awosting Road.

Letter dated September 24, 2001 from the Passaic County Planning Board advising that CFA Custom Homes (Charles Aikey) received approval for a minor subdivision for property located at 1633 Macopin Road; Block 8501; Lots 7 and 19.

Letter dated September 28, 2001 from White Environmental Services, Inc. advising that David S. Richardson is applying for a Statewide General Permit #10 for property located on Jacobs Road, Block 14301; Lot 14.06.

Letter dated October 3, 2001 from the Bureau of Coastal and Land Use Compliance and Enforcement advising that a second notice of violation has been issued to Victor Marchiafava for failure to comply with the Freshwater Wetlands Protection Act for property known as Block 12501; Lot 22.

Letter dated September 13, 2001 from the Bureau of Coastal and Land Use Compliance and Enforcement concerning violation of the Freshwater Wetlands Protection Act by 1045 Macopin Road, LLC for property known as Block 14402; Lot 3.

Letter dated September 28, 2001 from the Bureau of Coastal and Land Use Compliance and Enforcement advising that a second notice of violation has been issued to Bill Mabey for failure to comply with the Freshwater Wetlands Protection Act for property known as Block 12501; Lot 21.

Letter dated September 7, 2001 from Professional Environmental Associates, Inc. advising that Scott Leonescu is apply for a letter of interpretation for property located on Alpine Court, Block 1004; Lot 3.

Letter dated September 11, 2001 advising that Ronald DeMilt is applying for a Freshwater Wetlands Protection Act for property located at the south end of Storms Island, Greenwood Lake, Block 4404; Lot 9.

Copy of letter dated October 5, 2001 from the Passaic County Planning Board to the Township Council reporting on the status of the Greenwood Lake Turnpike Improvement Project.

Copy of letter dated October 11, 2001 from William Drew to Rick Clark, Advoserve, regarding alternative living arrangements for property known as Block 2202; Lot 5.

ADJOURNMENT

Meeting adjourned by unanimous vote at 10:04 p.m.

Respectfully submitted,

Grace R. Davis
Secretary