

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**MINUTES
FEBRUARY 28, 2001
REGULAR MEETING**

The Chairman, Michael Tfank, called the meeting to order at 7:32 p.m. Legal notice read.

ROLL CALL

Present: Paul Donoghue, Maria Harkey, Robert Moshman, Andrew Tynan, Kurt Wagner. 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: James O'Bryant, Edward Orthouse, George Spence.

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

APPLICATIONS

ANTHONY CURCIO, JR.
Minor Subdivision #0010-1926
Bulk Variance # 0030-0456

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

Block 9501; Lot 2
Macopin Road; R-3 Zone
Create 3 building lots

The applicant, Anthony Curcio, Jr., was represented by A. Shepard Peck, Jr., Esq. Don Montesano, the prospective purchaser of one of the lots, and B. McGeoch, PP, were also present. Mr. Peck explained that the applicant originally proposed to subdivide an approximately 14-acre parcel into 3 building lots with a common driveway accessing off of Macopin Road. In response to concerns expressed by the Board at a previous meeting the applicant had revised the plans and was now proposing a 2-lot subdivision. Variances for lot width and lot frontage are required on both lots. This revised plan eliminated the need for 3 lots sharing a common driveway and conforms more to the current zoning.

Mr. McGeoch explained why the variances were necessary and advised that the County had requested that the driveways be combined in order to limit the number of driveways off of Macopin Road. He stated that the lots are consistent with the area and the property can be developed within the constraints of the land. A Letter of Interpretation had been received from the DEP. Less than 20% of the property will be developed.

The public portion was opened and closed at the previous meeting.

MOTION made by Paul Donoghue, seconded by Mark Vetter, to approve the two lot subdivision with the condition that the applicant comply with the Township Engineer's comments in his memo dated February 28, 2001 and the recommendations of the Planner's report; that the applicant provide a common driveway easement, which will be subject to review and approval of the Board Attorney and the Township Engineer; that the driveway will remain a private drive and require no maintenance by the Township and that there be a deed restriction against any further subdivision of these lots.

Mr. Kienz explained that the Board granted this relief due to the fact that there are special considerations in the affirmative and negative criteria, which will be set forth in the resolution, based on the Board's questions; that these are unique parcels and that the zoning and planning of it is appropriate for two additional lots given the lot scheme and the zone plan of the area. And, that no further subdivision shall be permitted.

On roll call vote: Yes – Paul Donoghue, Robert Moshman, Andrew Tynan, Rich Stecher, Mark Vetter, Michael Tfank.

No - None

FIELDSTONE ESTATES

Amended Final Subdivision #0010-1739C

Block 13001; Lots 1

High Crest Lake and Macopin Road; R-2 Zone

COMPLETE: 01-18-01

DEADLINE: 03-04-01

Michael Janel, the developer, was present. William Drew, Planning Director, explained that this is an amendment to the original final subdivision approval for Section II for 12 lots. The applicant is requesting the amendment to include one additional lot. There is no impact to the right-of-way alignment or any other considerations of the preliminary subdivision approval. Due to an oversight by the engineer this lot was omitted at the time the plans for Section II were prepared.

No one from the public wished to speak on this application.

MOTION made by Paul Donoghue, seconded by Andrew Tynan, to approve the amended subdivision subject to the conditions of the Planning Staff report dated February 22, 2001 and the Township Engineer's memo of February 23, 2001.

On roll call vote: Yes – Paul Donoghue, Maria Harkey, Robert Moshman, Andrew Tynan, Kurt Wagner, Mark Vetter, Michael Tfank.

No - Rich Stecher,

MEMORIALIZING RESOLUTIONS

MELISSA BROWN BLAEUER

Minor Subdivision #9910-1920

Variance #0030-0466

Block 202; Lots 14 and 15

Goldfinch Lane; LR Zone

Lot line adjustment

RESOLUTION No. 2001 – 1

GRANTED: Minor subdivision approval.

MOTION made by Paul Donoghue, seconded by Mark Vetter, to memorialize the resolution.

On roll call vote: Yes – Paul Donoghue, Robert Moshman, 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

RESOLUTION No. 2001 – 2

GRANTED: Preliminary and final site plan approval.

MOTION made by Paul Donoghue, seconded by Andrew Tynan, to memorialize the resolution.

On roll call vote: Yes – Paul Donoghue, Robert Moshman, Andrew Tynan, Rich Stecher, Mark Vetter, Michael Tfank.

No - None

RESOLUTION No. 2001 – 4

Abbington Associates, Inc.

Hiring of consultant to perform a Vehicular Safety and Roadway Geometric Review – Eagle Ridge Preliminary Site Plan

Carried to future meeting.

RESOLUTION NO. 2001 – 5

Hardesty and Hanover

Hiring of consultant to perform a Structural Review – Eagle Ridge Preliminary Site Plan
Carried to future meeting.

MINUTES

MOTION made by Paul Donoghue, seconded by Robert Moshman, to approve the minutes of the January 24, 2001 regular meeting.

On roll call vote: Yes – Paul Donoghue, Robert Moshman, Andrew Tynan, Rich Stecher, Mark Vetter, Michael Tfank.

No - None

TOWNSHIP OPEN SPACE

Planning Board discussion regarding participation in the State and County open space programs and the regional significance of Township open space. Carried to next meeting.

COMMUNICATIONS

Letter from Jack Levkovitz dated February 1, 2001 requesting a time extension on the preliminary subdivision approval for Village on Ridge, Block 5301; Lot 1. Matter scheduled for the March 28, 2001 meeting.

Annual Report of the Board of Adjustment for January – December 2000. Received and filed.

Copy of letter to Laetitia Munro dated February 2, 2001 from William Drew regarding her request for information on the Certified Housing Plan. Received and filed.

Copy of letter to Ada Erik dated February 6, 2001 from William Drew regarding her request for information on the Eagle Ridge Preliminary Site Plan. Received and filed.

Letter from McKittrick Engineering Associates, Inc. dated January 31, 2001 advising that a Eric Hastings has applied for a Letter of Interpretation from the DEP for property located on Greenwood Lake Turnpike, Block 3906; Lot 4. Received and filed.

Letter from James D. Rogers, Passaic County Planning Board, dated February 5, 2001 advising that the Minor Subdivision application for Montesano and Curcio, Block 9501; Lot 2, 1455 Macopin Road, has been approved. Received and filed.

Letter from Professional Environmental Associates, Inc. dated February 5, 2001 advising that Regal Enterprises has applied for a Letter of Interpretation from the DEP for property located on Taft Road, Block 1608; Lot 14. Received and filed.

Letter from James D. Rogers, Passaic County Planning Board, dated February 5, 2001 advising that a quit claim deed must be submitted in connection with the Site Plan application for the Oak Ridge Post Office, Block 16102; Lot 24, Oak Ridge Road. Received and filed.

Letter from Michael Vander Ploeg dated February 13, 2001 requesting a time extension on the Preliminary Site Plan approval for Shoebox Storage, Block 6008, Lot 3, 140 Oak Ridge Road. Matter carried to the work meeting of March 8, 2001.

Letter from Ballester & Associates, Inc. dated February 14, 2001 advising that Mr. Goletz has applied for a Treatment Works Approval from the DEP for property known as Block 9901; Lot 14.01, Union Valley Road. Received and filed.

Copy of letter to Passaic County Open Space advisory Board dated February 16, 2001 from William Drew regarding the Draft Passaic County Open Space and Recreation Master Plan. Matter referred to the March 8, 2001 meeting.

Copy of letter to Passaic County Planning Board dated February 14, 2001 requesting that the Township be listed as a third party beneficiary on the bond to be submitted by Joseph Capone in connection with Preliminary and Final Site Plan approval granted for property located at 70 Oak Ridge Road, Block 15803; lot 15. Received and filed.

Copy of letter to Robert Cole, Office of State Planning, dated January 23, 2001 from William Drew regarding alternatives to affordable housing obligations. Received and filed.

Copy of letter to Steve Cea, Secretary, Board of Education, dated January 25, 2001 from William Drew regarding Residential Development Applications within School Districts. Received and filed.

Letter from PSE&G received January 17, 2001 advising that they are applying for a Modified Freshwater Wetlands Statewide General Permit #1 to continue repair, replace and maintain of natural gas distribution mains within public rights-of-way. Received and filed.

Mr. Wagner, Mr. Kienz and Mr. Vitale recused themselves.

SMART GROWTH GRANT

The Township Council joined the Board for the purpose of interviewing consultants for the Smart Growth Grant.

Mayor Maria Harkey opened the Council meeting and the roll was called. Present from the Township Council were: Councilman Moshman, Councilman Szuszkowski, Councilman Weisbecker and Mayor Maria Harkey.

Mr. Tfrank welcomed everyone and explained the format for the interview of consultants for the Smart Growth Grant. After a presentation by the applicants, the consultants would be asked to answer a series of pre-established questions previously prepared from questions elicited from the public, the Township Council and the Planning Board. These questions would be followed by additional questions from the Council and Board.

Gianni Longo, the Principal of ACP Visioning & Planning, introduced his team, which consisted of Vince Papsidero, ACP; Laura DeYoung, Davey Resource Group; Don Duthaler, Project Associate, O'Brien & Gere; Penelope Duda, ACP; and Alan Weinstein, Esq. The consultants outlined their background and the areas of the project they would be addressing. Mr. Papsidero will be the overall project manager handling the public participation process. Davey Resource Group will address the environmental issues, watershed management regulations and open space preservation. O'Brien and Gere, a professional engineering firm, will provide support on traffic circulation, wastewater management and environmental issues. Mr. Papsidero explained that the firm merges the physical planning aspects with public involvement so that the resulting plan reflects the consensus of the community. A slide presentation accompanied their outline of the proposed project.

The consultants then answered the following pre-established questions:

1. How do you propose to involve a representative group of townspeople, with diverse views on what the future West Milford should look like? What means (mediums) will you use to reach and involve a representative group? How many members should we select? What makes the ideal committee member? What is your concept of the interaction between committee and Town Council?
2. What techniques have you successfully used to bring people with divergent ideas and goals to a consensus? Please cite specific examples/projects?
3. How much time do you and your staff expect to

spend in West Milford? 4. What steps will you take to familiarize yourselves with West Milford's diverse natural features, neighborhoods, and businesses? 5. The State of New Jersey is placing a tremendous amount of emphasis on watershed management and the related quality in the watersheds and sub-basins. DEP's emphasis on this is going to intensify and possibly lead us to plan on this basis and possibly require us to revise our Master Plan accordingly. How do you perceive this activity by the State of New Jersey and how would you address this issue? What experience do you have in working in Watershed Management areas? 6. Please explain your past experience with GIS and the data layers that would assist you in this endeavor. 7. Please provide a task related time line for our project. Assuming you are selected, when would you be able to start? 8. Who would be the lead member from your firm? What others would be involved? What are their credentials and experience? Would any work be sub-contracted, or handled by non-members of the firm? If yes, what services and by whom? 9. What best qualifies you for this project? 10. The State Plan is currently up for re-adoption. How will the goals/objectives of that new plan influence your efforts in this local planning process? 11. Can we expect you to reallocate your time if some of the tasks outlined in your proposal duplicate efforts already completed by the Township Staff? 12. For a Township with characteristics such as ours, how will the traffic and transportation issues be addressed by you? 13. What methodology will you be using in your capacity based analysis?

They then responded to the following additional questions posed by Council members:

What will the Township have to provide as far as personnel, office space and mailings? Could you please explain the following paragraph from your fee proposal "The services of Development Economics are proposed as an additional task to assist with measuring the net fiscal impact of the growth management plan? The fee for providing their service is estimated at an additional \$15,000 to \$20,000 depending on the extent of the testing." Is this not covered under the Smart Growth Grant? Could something like that be worked into the contract? Is the proposed schedule by month? It shows public participation for only six months, will this not continue for the entire twelve-month period? You mention youth, which is wonderful. We have a lot of seniors in West Milford, why would the seniors not be as active a group as the youth? Give an example of a previous project that was your worst or biggest mistake?

The Chairman thanked the consultants for their participation.

After a brief recess the next group was welcomed and the interview format explained.

Fred Heyer, a partner in Heyer & Gruel, advised that this project that they want to do as it is something that could set the stage for modeling by other communities. He and his partner, Susan Gruel, gave an overview of their firm and their experience. They outlined their proposal and how they planned to include the public in the process.

In addition to answering the same list of questions listed above the consultants responded to the following questions from the Council: In your work schedule listed in Section 4 of your proposal, you state that it is not to exceed fees. What is fees? \$125,000? In your timeline there is nothing that says steering committee or involves the public. Where and when are they involved? How long are you involved with the steering committee? What does the Township have to provide in terms of personnel, office space, mailings, etc. Could this project go over the \$125,000? On page 6, task 1.8: Impact Assessment, would you please explain what you mean by top preferences? On page 9, what do you perceive as a potential funding source for this project or something that might be related to this project? What is the best way to choose the committee, how do you work that process? We are a watershed community, what kind of development controls have you instituted in Hardyston Township because it is a watershed area? In Howell Township what techniques did you institute to satisfy the COAH obligations while minimizing construction? What tools would you use in order to encourage public participation that is lacking here?

In conclusion the Chairman thanked the consultants and the public.

ADJOURNMENT

Meeting adjourned by unanimous consent at 10:43 p.m.

Respectfully submitted,

Grace R. Davis
Secretary