

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**Minutes
MAY 22, 2002
REGULAR MEETING**

Chairman, Michael Tfrank, opened the meeting opened at 7:41 p.m. with the reading of the legal notice.

ROLL CALL

Present: Paul Donoghue, Robert Moshman (arrived late), Edward Orthouse, George Spence, Robert Szuszkowski, Kurt Wagner. Alternate: Ada Erik. Chairman: Michael Tfrank. Board Attorney: Richard Briigliadoro, Esq. represented the Board Attorney. Planning Director: William Drew, P.P. Consulting Engineer: James Woods represented Robert Kirkpatrick, P.E.

Absent: James O'Bryant, Andrew Tynan. Alternate: Rich Stecher.

Chairman appointed Ada Erik to sit for Mr. O'Bryant.

PUBLIC SESSION

Leslie Tallaksen inquired on the status of the cell tower ordinance.

As no one else wished to speak a **Motion** was made by Paul Donoghue, seconded by Ada Erik, to close the public portion. On voice vote all were in favor.

APPLICATIONS

SCOTT LEONESCU	COMPLETE: 02-07-02
Minor Subdivision #0110-1940	DEADLINE: 07-07-02
Bulk Variance #0130-0547	
Block 9801; Lot 28	
Union Valley Road; R-1 Zone	
Request for variances to subdivide one lot to create 3 residential building lots.	

John Barbarula, Esq. representing the applicant submitted a certificate of compliance and receipt for the demolition of a structure on the subject property. He indicated that the applicant had met all the requirements requested in the Planning Department memo. The applicant did not notice himself. The adjoining property owners had been notified. Land to rear of property is restricted. The issue of the survey will be resolved with quick claim deeds. Mr. Barbarula stated that the applicant agreed to the deed restriction requested by the Environmental Commission and would make all corrections to the plan requested by the Planning Department and Engineer.

Mr. Woods requested that several changes be made to the maps.

The meeting was opened to the public and as no one wished to speak a **MOTION** was made by Ada Erik, seconded by Paul Donoghue, to close the public hearing. On voice vote all were in favor.

During discussion the Board noted that the property is in an R-1 zone and that the property could be further subdivided in the future with the applicant gaining an additional lot. Two lots could have been created without any variances. Concern was expressed regarding the property that was added to the original application.

Mr. Barbarula noted that the applicant would need to construct a road to develop the property any further. The cost of that construction at the present time is prohibitive. The applicant could not make a commitment as to further subdivision should circumstances change.

MOTION made by Ada Erik to approve the subdivision with variances subject to the conditions recommended by the Planning Department, Environmental Commission and Board Engineer. Seconded by Kurt Wagner.

On roll call vote: Yes - George Spence, Robert Szuszkowski, Kurt Wagner, Ada Erik
No - Michael Tfrank

PATRICIA SCALA

COMPLETE: 03-08-02

Minor Subdivision #0110-1931

DEADLINE: 07-06-02

Variance #0130-0495

Block 5003; Lot 8

Rockburn Pass; R-4 Zone

Application for subdivision with variance relief requested to subdivide an existing lot to create three (3) residential building lots.

Matter carried to the June 26, 2002 meeting at the applicant's request.

ERNEST OAKES

COMPLETE: 04-08-02

Preliminary and Final Site Plan #0120-0114

DEADLINE: 08-06-02

Bulk Variance #0130-0542

Block 6002; Lot 44.03

Burnt Meadow Road; LMI Zone

Application with variance relief requested to construct two buildings and contractor's storage yard.

John Barbarula, Esq. representing the applicant explained the variances being requested. Douglas McKittrick, P.E. described the property in question and the reasons for the variances. The applicant proposed to construct two buildings for indoor storage of vehicles used in connection with his paving business. The larger 8,000-square foot building would store his vehicles, an office, a bathroom and truck bays. A small mezzanine would provide storage. The second building, which is 2,000 square feet, would be used for storage of paving equipment and trucks. This building might be rented at a future date. Some vehicles would be stored outdoors. All lighting will be on the buildings. The applicant does not object to installing additional lighting. The driveways will not be paved or curbed. The quarry process proposed is similar to that used on adjoining properties. Parking is for employees; the business does not generate customers coming to the site. Proposed traffic signage outlined. Applicant will install any additional signage requested by the Board. Applicant would like option to install an 8-foot stockade fence to prevent debris blowing out of dumpster. An oil/separator device would be installed. A sand filter would be installed in the detention pond to filter runoff into the stream.

The applicant stated that trucks, pavers, rollers and trailers would be parked inside the building. Pickup trucks, dump trucks and backhoes would be stored outdoors. The pavers are cleaned every day, usually at the job site. Some maintenance would be done inside the building. Small cans and an enclosed tank are used to store fuel. He would be willing to install a pad under the tank. Second building will be constructed of same materials as main building. In the event of the second building being opened to the public the applicant would be willing to come before the Board for additional approval. Mr. McKittrick stated that there were no wetlands on the site. Applicant will apply for a presence/absence from the DEP if required. Issues raised by the Board Engineer will be addressed.

Mr. Drew advised that work has taken place on the site and the matter is being pursued in Municipal Court. The applicant testified that those activities are in accordance with the submitted plan.

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

In summary Mr. Barbarula stated that the applicant will install appropriate drains inside the building, primary equipment being stored inside will be pavers and rollers, the fence detail will be provided on the plan, appropriate structure for fuel tank will include concrete pad with a roof over it, a sand filter will be designed and installed to improve water quality, a maintenance program will be submitted as part of the application, should a second building be constructed the Board will maintain jurisdiction as to any change of use, and if it is used for storage of equipment the same drainage will be installed inside the building, additional lighting will be installed, at this time they do not plan to apply for a presence/absence of wetlands; the swale calculations will be supplied, all lighting will be directed down.

MOTION made by Paul Donoghue to approve the preliminary and final site plan with variances subject to compliance with the staff report dated May 17, 2002 including #4, determination from the DEP, the Engineer's comments of March 22, 2002 with the additional stipulation that future use or change of the property will require Planning Board approval, that a sand filter will be installed as part of the detention pond, that inside the building a drain with the appropriate storage system be installed to collect material, that outdoor storage be limited to pickup, dump trucks, back hoes and excavation equipment, that no paving equipment or paving materials are to be stored outside, that any fuel stored on site is to be stored in a double wall container with a spill containment facility, that lighting over the doors be provided, that the second building, if constructed, be of similar material and contain the same drainage facilities as the main building, that a maintenance schedule be submitted. Seconded by Kurt Wagner.

On roll call vote: Yes - Paul Donoghue, Edward Orthouse, George Spence, Robert Szuszkowski, Kurt Wagner, Ada Erik, Michael Tfrank
 No - None

ADMINISTRATIVE APPROVAL

ED CASEY (X-TRA SPACE CENTER)
Block 6902; Lot 17
11 White Road; CC Zone
Self-storage rental units

William Drew advised the Board that administrative approval had been granted to allow a small area of the site to be used for mini warehouses. The applicant is preparing a site plan for further construction on the site, which will be submitted for the Board's consideration

MEMORIALIZATIONS

THOMAS AND DIANE PARISI
RESOLUTION NO. 2002 - 19
MINOR SUBDIVISION #0110-1937
Block 17001; Lots 10 and 11.01
Henderson Road; R-4 Zone
GRANTED: Six-month time extension.

MOTION made by George Spence, seconded by Ada Erik, to memorialize the resolution.
On roll call vote: Yes – Robert Moshman, George Spence, Robert Szuszkowski, Kurt Wagner, Ada Erik, Michael Tfrank.
 No - None

ORDINANCES REFERRED BY COUNCIL - None

PLANNING DIRECTOR'S REPORT - None

PLANNING BOARD ATTORNEY'S REPORT - None

MISCELLANEOUS

William Drew discussed the status and progress of Master Plan studies. It was suggested that an 18-month time line would be appropriate to conduct the various reviews and prepare a draft plan. He asked the Board to consider what elements should be included in the plan. A Land Use Map, which should be part of the Master Plan, will be prepared. He noted that High School students were participating in the Natural Features subcommittee process and that other joint efforts had been established between the school and the Planning Department. The Environmental Commission will be retaining the services of a water quality scientist to perform water quality analysis, which will fit in with the Board's work. Demographic and Natural Features Subcommittees meetings scheduled. Written reports to be submitted by subcommittees.

Correspondence from Ross Sorci regarding the Staff Meeting of April 24, 2002 setting forth a course of action was discussed. Mr. Sorci will be present at the June 6, 2002 work meeting to discuss this matter with the Board. Meeting to be held with Board Attorney to discuss legal issues.

Regarding the West Milford Post Office, Mr. Drew reported that a meeting took place with the Board Attorney, a lighting specialist from the Board Engineer's office and representatives of the Post Office. Revised plans have been submitted and are being reviewed.

STAFF REPORTS/MEMOS TO TOWNSHIP MANAGER/COUNCIL

Memo to Manager responding to questions concerning the scope of the traffic study to be performed as part of the Smart Growth Grant. Noted and filed.

Memo to Manager responding to questions concerning charges from T & M Associates that may not be warranted in light of the Planning Department's work. Noted and filed.

MINUTES

MOTION made by Ada Erik, seconded by George Spence, to approve the minutes of the April 24, 2002 regular meeting. On voice vote all eligible members voted yes.

COMMUNICATIONS

The following communications were noted and filed:

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

Final site plan for Valley Ridge at West Milford, Block 8002; Lot 4, Union Valley Road – Request for additional information.

Final site plan for Tanktite, Block 3906; Lot 3, 1551 Greenwood Lake Turnpike – Request for additional information.

Final site plan for Lakeland State Bank, Block 16502, Lot 3, 250 Oak Ridge Road, confirming the conditions of approval were never met for the site plan and the application expired.

Copy of letter dated April 19, 2002 from William Drew to Scott Leonescu regarding status of his application for Minor Subdivision approval, Block 9801; Lot 28.

Copy of Freshwater Wetlands Application Checklist dated January 8, 2002 and revised April 24, 2002 submitted by Robert Choma regarding Block 9501; Lot 39.

Copy of memo dated April 2002 from PSEG to Municipal Clerks regarding Public Service Electric and Gas Freshwater Wetlands Statewide General Permit #1, #2 & #21.

Copy of letter dated May 3, 2002 from Passaic County Board of Chosen Freeholders to Mayor Robert L. Moshman regarding open space in Passaic County.

Copy of Council Resolution adopted May 1, 2002 Authorizing Application to the Association of New Jersey Environmental Commissions (ANJEC) for a Township-Wide Water Study.

Letter dated May 9, 2002 from Orange & Rockland to Planning Board Chairman requesting the Township's cooperation in referring developers/builders or owners to them regarding work being done within easement areas.

ADJOURNMENT

Meeting adjourned by unanimous vote at 9:59 p.m.

Respectfully submitted,

Grace R. Davis
Secretary