

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**Minutes  
June 26, 2002  
Regular Meeting**

Chairman, Michael Tfank, opened the meeting at 7:35 with the reading of the legal notice.

**ROLL CALL**

Present: Paul Donoghue, Robert Moshman (arrived late), James O'Bryant, George Spence, Andrew Tynan, Kurt Wagner. Alternate: Ada Erik. Chairman: Michael Tfank. Board Attorney: Glenn Kienz, Esq. Planning Director: William Drew, P.P. Board Engineer: Robert Kirkpatrick, P.E.

Absent: Edward Orthouse, Robert Szuszkowski. Alternate: Rich Stecher.

Chairman appointed Ada Erik to sit for absent member.

**PUBLIC PORTION**

Joseph Fiorilla inquired as to when would be the appropriate time to address concerns he had with regard to an application for Kerry Greene. Chairman advised him to present his comments at the time of the public hearing for that application.

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.

**APPLICATIONS**

**PATRICIA SCALA**

**Minor Subdivision #0110-1931**

**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.

COMPLETE: 03-08-02

DEADLINE: 07-06-02

Al Gloor, P.P., P.E., represented the applicant. He advised that he had addressed the 11 items summed up in a letter from the Planning Director. The issues outlined in the Board Engineer's report would be addressed. He indicated the off street parking spaces would be 8-foot-wide by 40-foot-long. The graded driveway will be approximately 24-foot wide, which allows for a 12-foot wide travel way. This necessitated a minor shift in property lines, which would not require a variance. The roof drainage will be dispersed on the ground. A note will be added to the map indicating that the first 100 feet of driveway will be paved. The wording regarding the setting of monuments was discussed. If required a Soil Erosion Permit will be obtained.

In response to questions from the Board, Mr. Drew advised that there were no additional comments from the Environmental Commission and that a Letter of Interpretation had been obtained from the DEP. Board members expressed concern regarding the width and grading of the driveway. The variances being requested and the location of the driveway were further discussed.

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

During discussion members expressed concern regarding the variances being requested and the need for a shared driveway.

**MOTION** made by George Spence to approve the application with the conditions outlined by the Planning Staff. Seconded by Ada Erik.

On roll call vote: Yes - George Spence, Andrew Tynan, Kurt Wagner, Ada Erik, Michael Tfank.  
No – Paul Donoghue,

**KERRY GREENE**

COMPLETE: 05-13-02

**Preliminary Subdivision #0110-1910**

DEADLINE: 09-10-02

**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.

Shepard Peck, Esq., attorney for the applicant, introduced Mr. Greene and Kenneth Ochab, P.P.

Glenn Kienz, Esq., Board Attorney, noted that the Township section of the Ordinance pertaining to cluster development requires the applicant to submit a plan showing how the property can be developed under conventional zoning. A discussion followed on whether or not this was a requirement and the need to establish the lot yield that could be achieved from a conventional subdivision. It was determined that proceeding without this information would prolong the hearing. The Board recommended that the applicant submit a concept plan showing the number of lots that could be attained with a reasonable number of variances. It was suggested the applicant's professionals meet with the Planning Director and Board Engineer to look at the plan. Mr. Peck requested the application be carried with no further notice required.

The application was carried to the July meeting with no further notice required.

**VINCENT LANZA**

COMPLETE: 05-28-02

**FINAL SUBDIVISION #0110-1893B**

DEADLINE: 07-12-02

Block 6002; Lot 2

Morsetown Road; R-4 Zone

Application for final approval for the creation of 4 building lots.

The applicant appeared on his own behalf.

William Drew, Planning Director, informed the Board that this application was for a four-lot subdivision along Morsetown Road, which received preliminary approval in 1998. This final plan reflects the provisions of the preliminary plan with one change regarding the dedication of a future right-of-way for the extension of Cahill Cross Road. It was felt that it was not important at this time to dedicate the right-of-way. However, in order to provide for access as laid out in the Circulation Element of the Master Plan, it was determined that this could be accomplished by a reservation of land for future right-of-way purposes. This would put future property owners on notice that there is a possibility that some time in the future the road may be extended by the Township. Legally this would protect the Township should they wish to extend the road.

Mr. Lanza requested that this reservation run along the property line and that the lot 2.02 remain over 4 acres.

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

During discussion it was determined that the right-of-way should run along the inside property line for Lot 2.02 so as to not bisect the property.

**MOTION** made by James O'Bryant, seconded by Kurt Wagner, with the conditions recommended by the Planning Staff.

On roll call vote: Yes - Paul Donoghue, Robert Moshman, James O'Bryant, George Spence, Andrew Tynan, Kurt Wagner, Ada Erik, Michael Tfank.  
No – None

**RONN KIDD**

COMPLETE: 05-28-02

**Amended Preliminary Subdivision #9610-1876A**

DEADLINE: 07-12-02

**Final Subdivision #0110-1876B**

Block 2202; Lot 1

Long House Dr.; R-4 Zone

Application to amend preliminary subdivision and receive final subdivision approval to create 8 residential building lots.

Ronn Kidd, applicant, testified that he was seeking final approval for 8 building lots. All of the improvements have been completed with the exception of a topcoat of pavement. Certification that he complied with the Residential Site Improvement Standards had been submitted. No bond estimate was available for the incomplete roadwork.

Ms. Madeline Wasilas, P.E. of ENTEC Engineering stated that the plans were in compliance with the preliminary approval granted by the Board, that the plans comply with all final subdivision requirements and that the required bonding will be submitted.

In response to questions from the Board, Mr. Kidd stated that the road had been re-aligned to preserve a rock outcropping, which he wished to keep for aesthetic reasons. Ms. Wasilas stated that she had not received the Board Engineer's memo dated May 20, 2002 in which Mr. Kirkpatrick requested additional information on a number of issues. It was noted that all of the information he requested would be provided. Mr. Kidd asked the Board to approve the application with the condition that these items would be addressed prior to memorialization. Mr. Kirkpatrick suggested that the approval could be granted with the understanding that the final plat, which must be filed with the County, would not be signed until all the issues were addressed. Mr. Kidd acknowledged that there were no mineshafts located on his property.

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

**MOTION** made by James O'Bryant to approval the application subject to the withholding of the signing of the plat until all the outstanding items are addressed. Seconded by Kurt Wagner.

On roll call vote: Yes – James O'Bryant, George Spence, Andrew Tynan, Kurt Wagner, Ada Erik, Michael Tfank.  
No - Paul Donoghue

**ELS Holdings, L.L.C. (Tank Tite)**

COMPLETE: 05-31-02

Amended Prel. & Final Site Plan #0120-0056

DEADLINE: 07-15-02

Block 3906; Lot 3

1551 Greenwood Lake Turnpike; LMI Zone

Application to amend preliminary site plan and obtain final site plan approval.

Applicant's attorney, Dana D'Angelo, Esq., requested that the application be carried to the August meeting, as their engineer was not available until that time.

Glenn Kienz, Board Attorney, suggested that we set down peremptorily to the August 28, 2002 meeting at which time, if the applicant does not proceed, other agencies of the Township can take all actions necessary. Mr. D'Angelo granted the Board a time extension through September 25, 2002. No further notice required.

## MEMORIALIZATIONS

**SCOTT LEONESCU**

**RESOLUTION NO. 2002 - 20**

**Minor Subdivision #0110-1940**

**Bulk Variance #0130-0547**

Block 9801; Lot 28 & 29

Union Valley Road; R-1 Zone

**APPROVED:** Minor subdivision with variance relief to create 3 residential building lots.



Orchard View Estates – Preliminary Subdivision - Block 7701; Lots 7 and 8, Union Valley Road – approval withheld pending receipt of additional information.

Letter dated May 3, 2002 from Cerenzio & Panaro, P.C. advising that the MUA is applying for Treatment Works Approval for an upgrade to the Bald Eagle Village Wastewater Treatment Plant.

Notice dated May 15, 2002 advising that Vincent Lanza is applying for a Letter of Interpretation for property located on Morsetown Road, Block 6002; Lot 2.

Letter dated May 20, 2002 from EcolSciences, Inc. advising that Highlands Center, LLC is applying for an extension to the previously issued Statewide General Permit No. 10 for property known as Block 11701; Lot 11 and Block 11801; Lot 1.01.

Letter dated May 21, 2002 from URS re installation of Airport Surveillance Radar Model 11 system on property located off Germantown Road.

Letter dated May 31, 2002 from McKittrick Engineering Associates, Inc. advising that Bruce Patrono has applied for Treatment Works Approval for property located on Olcott Road, Block 3705; Lots 27.01 and 27.02.

Letter dated May 31, 2002 from McKittrick Engineering Associates, Inc. advising that Robert Coyman has applied for Treatment Works Approval for property located on Lincoln Avenue, Block 6504; Lot 5.

Letter dated June 10, 2002 from Gerald Gardner Associates, Inc. advising that C&A Investments, Inc. (Greenwood Townhouse) is applying for Treatment Works Approval for property located at 22 Lakeside Road; Block 3509; Lot 13.

Copy of letter dated June 4, 2002 from the DEP Bureau of Safe Drinking Water advising that the request for a permit to construct, modify and operate a Public Water Works for Eagle Ridge has been reviewed and determined to be Administratively Complete.

Copy of letter dated June 17, 2002 from Roman Szymansky to the Department of Environmental Protection expressing concern regarding the disturbance of wetlands in connection with the construction of Lake Isle Drive, Block 11701; Lot 11 and Block 11701; Lot 1.10.

List dated June 5, 2002 from the Township Manager itemizing the estimated savings through in-kind costs provided to T&M Associates by the Planning Department and GIS Coordinator for the Smart Growth Planning Program.

William Drew answered the Board's questions regarding the above correspondence.

## **ADJOURNMENT**

Meeting adjourned by unanimous vote at 9:41 p.m.

Respectfully submitted,

Grace R. Davis  
Secretary