

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**MINUTES  
February 7, 2008  
REGULAR MEETING**

The Regular meeting of the Township of West Milford Planning Board was called to order at 7:30 p.m. by Chairman Andrew Gargano, with a reading of the Legal Notice, followed by the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Douglas Ott, Chris Rosica, Clinton Smith, Geoffrey Syme, Michael Siesta, Dennis Kirwan, Chairman Andrew Gargano, Planning Director William Drew, Board Attorney Thomas Germinario, Consulting Engineer John Hansen.

Absent: Councilman Philip Weisbecker.

Also Present: Michael Hakim, Landscape Architect.

**MEMORIALIZATIONS**

**RESOLUTION No. 2008 – 1**

**Approval of Contract for Thomas J. Germinario, Planning Board Attorney**

Mayor Bieri advised that the resolution for Planning Board Attorney should be amended to reflect the amount for litigation not to be included in the “not to exceed” amount. In addition, it was affirmed by Mr. Germinario that the contract was awarded without competitive bid, and this language in the resolution should be included.

**RESOLUTION No. 2008 – 2**

**Approval of Contract for Paul W. Ferriero, Planning Board Engineer**

This resolution to be amended to include the local public contracts language.

**RESOLUTION No. 2008 – 3**

**Approval of Contract for Michael Hakim, Hakim Associates, Landscape Architect**

**Motion** by Chris Rosica with a **second** by Geoffrey Syme to approve Resolution No. 2008-1, Resolution No. 2008-2, Resolution No. 2008-3, **as amended**.

The Chairman advised that Michael Siesta would sit on the Board for Councilman Philip Weisbecker.

Roll Call: Yes - Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Douglas Ott, Chris Rosica, Michael Siesta, Clinton Smith, Geoffrey Syme, Chairman Andrew Gargano.  
No - None.

**PUBLIC PORTION**

With no one present wishing to address the Board on matters other than the application for public hearing, the Public Portion was closed by unanimous consent.

**SITE PLAN APPLICATION REVIEW WAIVERS** - None.

**APPLICATIONS**

**CONTINUED PUBLIC HEARING:**

**SUNNY BLUE, LLC**

COMPLETE: 10/23/2007

**Preliminary and Final Site Plan #0720- 0286AB**

DEADLINE: 02/20/2008

**Bulk Variance #0730-0787**

Block 5701, Lot 1

1502-12 Union Valley Rd; CC Zone

**Seeking Preliminary and Final Site Plan approval with Bulk Variances** to permit the applicant to construct a Walgreens pharmacy.

Prior to the testimony commencing, the following Board members recused themselves from this hearing: Mayor Bettina Bieri, Steven Castronova, Michael Siesta, Clinton Smith.

The applicant was represented by Joseph Russo, Esq., of Hackensack, NJ. Also in attendance was Larry Murphy, P.E., the applicant's engineer and project manager.

The applicant employed the services of a transcriber, John Castiglione. A copy of the complete transcript for the public hearing of February 7, 2008 is on file in the office of the Planning Department and may be viewed during regular business hours.

Following testimony and the Board's direction that an alternate "Plan B" for the site be submitted, Mr. Russo advised that the applicant would grant an extension to March 31, 2008 in order for revised plans to be prepared, reviewed, and testimony be given at a public hearing on Thursday, March 27, 2008.

Mr. Germinario advised that the matter would be adjourned to Thursday March 27, 2008 and no additional notice would be necessary.

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**PLANNING DIRECTOR'S REPORT**

Mr. Drew advised that CD's were provided to the Board members at this meeting containing various reports that should be reviewed prior to the next Workshop meeting in March. These reports will be discussed with the Board at that meeting.

**MISCELLANEOUS**

It was noted that Michael Hakim, Landscape Architect, submitted a report on Sunny Blue, LLC that was provided to the Secretary. Copies will be forwarded to the Board.

The Chairman advised that the Mayor and Township Council have requested that this Planning Board approve all Board related invoices prior to being submitted for payment. Mr. Drew advised that the invoices would be sent in the Board packets and reviewed and approved at the Regular meeting, which is the fourth meeting of the month.

**MINUTES**

The Secretary advised that verification of several items on file and on the audio recordings was necessary prior to presenting the minutes for approval. The Chairman advised these would be available at the next meeting.

**COMMUNICATIONS** – *Copies Provided*

Notice received January 16, 2008 regarding application for General Permit #25 by Eric Lane, 634 Macopin Road, Block 12501; Lot 32 for remediation of malfunctioning septic system.

Notice received January 14, 2008 from Rettew, Engineers, Nazareth, PA, regarding General Permit #8 and Transition Area Waiver applications for John Collins, 30 Sophie Avenue, Block 6605; Lot 22.

**HIGHLANDS WATER PROTECTION AND PLANNING ACT**

Second Notice of Technical Incompleteness from the NJ DEP dated January 10, 2008 regarding a Highlands Applicability and Water Quality Management Plan Determination for Dave Demerais, WV's Coffee Espresso, 3034 Route 23, Block 16001; Lots 5 & 6.

**ADJOURNMENT**

With no further business to come before the Board, **motion** by Clinton Smith, with a **second** by Mayor Bettina Bieri to adjourn the February 7, 2008 regular meeting of the Planning Board at 11:21 p.m. On a Voice Vote, all were in favor of adjourning.

Approved: April 3, 3008

Respectfully submitted,

Tonya E. Cubby,  
Secretary