

# TOWNSHIP OF WEST MILFORD

## PLANNING BOARD

**Minutes**  
**April 26, 2007**  
**REGULAR MEETING**

Vice Chairwoman, Leslie Tallaksen, called the meeting to order at 7:29 p.m. with the reading of the legal notice and Pledge of Allegiance.

### ROLL CALL

Present: Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Leslie Tallaksen, Kurt Wagner, Philip Weisbecker. Board Attorney: Glenn Kienz, Esq. Consulting Engineer: Robert Kirkpatrick, P.E.

Absent: Alternates: Thomas Harraka, David Volpe. Chairman: Michael Tfank. Planning Director: William Drew, P.P.

### PUBLIC PORTION

No one wished to speak.

### SITE PLAN WAIVER APPLICATIONS

**TIM LAPOINTE**  
**T/A SKYLINE DESIGN CENTER**  
**Site Plan Waiver 0720-0287W**  
Block 3509; Lot 14  
2012 Greenwood Lake Turnpike; LC Zone

The applicant, Tim LaPointe, P. O. Box 269, Hewitt, NJ was present and explained that he proposed to open a kitchen design center in space that is currently unoccupied. He indicated there would be three employees and that a handicap parking space had already been installed.

After discussion, the Board approved the request for a site plan waiver, conditioned on the installation of a handicap parking space.

There were no members of the public present expressing an interest in this application.

**MOTION** made by James O'Bryant, seconded by Douglas Ott, to approve the application subject to the installation of a handicap parking space.

On roll call vote: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker, Leslie Tallaksen  
No - None

**CYNTHIA WALSH/ROGER LAPOINT**  
**Site Plan Waiver 0720-0288W**  
Block 7601; Lot 5  
1449 Union Valley Road; VC Zone

The applicant, Roger LaPoint, P. O. Box 399, Hewitt, NJ and Susan Closskey, were present and explained that Ms. Closskey proposed to operate a sewing and design shop.

After discussion, the Board approved the request for a site plan waiver, conditioned on the installation of a handicap parking space.

There were no members of the public present expressing an interest in this application.

**MOTION** made by James O'Bryant, seconded by Douglas Ott, to approve the application subject to the installation of a handicap parking space

On roll call vote: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker, Leslie Tallaksen  
No - None

**JESSE SANCHEZ**  
**Site Plan Waiver # 0720-0289W**  
Block 6401; Lot 11  
1602A Union Valley Road; CC Zone

Steven Castronova recused himself.

Jesse Sanchez, the applicant, 1847 Macopin Road, West Milford, NJ was present and explained that he proposed to open a retail store for the sale of women's shoes and clothing. The space was previously occupied by a florist. Mr. Sanchez indicated that there would be one to two employees.

There were no members of the public present expressing an interest in this application.

**MOTION** made by James O'Bryant, seconded by Douglas Ott, to approve the application.

On roll call vote: Yes - James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker, Leslie Tallaksen  
No - None

## **APPLICATIONS**

**MICHAEL ZUPP**  
**Minor Subdivision #0610-1977**  
**Variance # 0630-0734**  
Block 12110; Lots 6 & 17  
463 Germantown Rd. & 9 Martha St.; R-2 Zone  
Request for time extension

The applicant, Michael Zupp, 463 Germantown Road, West Milford, NJ was present and explained that he experienced delays in receiving a Highlands exemption, the weather and completing the engineering work that needed to be done. Mr. Zupp indicated that he thought a six-month extension would be sufficient.

There were no members of the public present expressing an interest in this application.

**MOTION** made by Michael Siesta, seconded by Steven Castronova, to approve a six-month time extension.

On roll call vote: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker, Leslie Tallaksen  
No - None

**ERNEST OBERER**  
**Minor Subdivision #0510-1975**  
Block 14201; Lots 14 and 15  
350 Germantown Road; R-3 Zone  
Lot line adjustment to provide for the construction of a single-family dwelling.

COMPLETE: 02-22-07  
DEADLINE: 04-08-07  
TIME EXTENSION: 06-07-07

Matter carried at request of applicant. No further notice required.

**RICHARD SLIFER**  
**Preliminary & Final Site Plan #0620-0260AB**  
Block 15701; Lot 34

COMPLETE: 01-08-07  
DEADLINE: 04-22-07  
TIME EXTENSION: 05-23-07

5 Allison Avenue, HC Zone  
Preliminary and final site plan approval to permit improvements to the property to accommodate a commercial business.  
Consideration of Resolution 2007 - 17

Matter carried at request of applicant. No further notice required.

#### **ADDENDUM TO AGENDA**

**CELLULAR TELEPHONE COMPANY**  
**d/b/a AT&T WIRELESS (OAK RIDGE)**  
**Preliminary & Final Site Plan # 0420-0190AB**  
Block 16307; Lot 21  
394 Oak Ridge Road; CC Zone  
Request for time extension.

Renu Shevade, Esq., Pitney, Hardin, Kipp & Szuch LLP, Morristown, NJ represented the applicant. Ms. Shevade advised that the applicant received approval in 2005 and the resolution was memorialized on May 25, 2005. She indicated that there were two reasons for the delay. The first was due to obtaining Highlands approval. She noted that it took approximately 18 months or until August of 2006 to obtain this approval. The second reason was due to the merger of AT&T and getting budgets redone. Ms. Shevade requested the Board grant a one-year time extension.

The Board Attorney noted that the Board had the authority to grant an extension when an applicant was unable to obtain approvals from other agencies. He recommended that the applicant be granted a one-year extension plus an extension for the additional time required to obtain the Highlands approval. He requested counsel for the applicant send a letter to the Planning Director indicating the period of delay in obtaining said approval.

There were no members of the public present expressing an interest in this application.

**MOTION** made by Michael Siesta, seconded by Kurt Wagner, to approve the time extension.

On roll call vote: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker, Leslie Tallaksen  
No - None

#### **MEMORIALIZATIONS**

**JOHN KOESTLER**  
**RESOLUTION No. 2007 - 18**  
**Minor Subdivision #0610-1978**  
Block 3004; Lots 17 and 18  
15 Dogwood Lane; LR Zone  
**APPROVED:** Request for time extension.

**MOTION** made by Steven Castronova, seconded by Michael Siesta, to memorialize the resolution.

On roll call vote: Yes - Steven Castronova, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker  
No - None

**CASTLE ROCK ESTATES, LLC**  
**RESOLUTION No. 2007 - 19**  
**Preliminary Subdivision #0310-1958**  
Block 9901; Lot 7  
870 Union Valley Road; R-1 Zone  
Request for time extension.  
**APPROVED:** Three-month time extension.

**MOTION** made by Steven Castronova, seconded by Michael Siesta, to memorialize the resolution

On roll call vote: Yes - Steven Castronova, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker  
No - None

**ORDINANCES FOR INTRODUCTION** – None.

**ORDINANCES REFERRED FROM COUNCIL** – None.

### **MISCELLANEOUS**

Letter from Planning Board Chairman read into record by Leslie Tallaksen. In his letter Mr. Tfrank requested the Board vote in favor of forwarding the Master Plan Subcommittee's report on the Highlands Draft Master Plan to the Highlands Council. He indicated that it was imperative the report be given the consideration it deserves by the Highlands Council. It was hoped it would bring to the attention of the Highlands Council the concerns of the Board.

**MOTION** made by James O'Bryant, seconded by Michael Siesta, to forward the report to the Highlands Council.

On roll call vote: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Kurt Wagner, Philip Weisbecker, Leslie Tallaksen  
No - None

**PLANNING DIRECTOR'S REPORT** – None.

**PLANNING BOARD ATTORNEY'S REPORT** – None.

### **MINUTES**

Approval of minutes of the March 22, 2007 regular meeting. James O'Bryant requested the minutes be amended to reflect that certification must be provided from a professional surveyor indicating the actual height of the tower and that if greater than 125 feet the owner of the facility would have to go back to the Board of Adjustment to seek the appropriate approvals or make the necessary adjustments to the tower. The Board carried the adoption of the minutes to the May 24<sup>th</sup> meeting.

**MOTION** made by Michael Siesta, seconded by Douglas Ott, to approve the minutes of the March 27, 2007 special meeting.

On roll call vote: Yes - Douglas Ott, Michael Siesta, Clinton Smith, Leslie Tallaksen  
No - None

### **COMMUNICATIONS**

Letter dated April 11, 2007 from RETTEW advising that Ramapo College is applying for a Freshwater Wetlands General Permit for property known as Wallisch Homestead, Block 6401; Lot 6.01, Block 6607; Lot 1; Block 6608; Lot 1 and Block 6609; Lot 1. Received and filed.

### **HIGHLANDS WATER PROTECTION AND PLANNING ACT**

The following correspondence was received and filed:

Notices that the following applicants have applied for a Highlands Applicability Determination:

Determinations from the DEP regarding the following applications:

Steven and Christine Castronova, 12 Valley View Lane, Block 7213; Lot 1. Not major Highlands development. Water Quality Management Plan – Consistent.

Apshawa Fire House, 666 Macopin Road, Block 12501; Lot 26. Exempt #4. Water Quality Management Plan – Consistent.

**ADJOURNMENT**

Meeting adjourned by unanimous consent at 8:09 p.m.

Respectfully submitted,

Grace R. Davis  
Secretary