

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**Minutes  
September 6, 2007  
REGULAR MEETING**

Michael Tfank, Chairman called the regular meeting of the Township of West Milford Planning Board to order at 7:34 PM, with a reading of the Legal Notice and the Pledge of Allegiance.

**ROLL CALL**

Present: Steven Castronova, Douglas Ott, Michael Siesta, Clinton Smith, Philip Weisbecker, Thomas Harraka, Chairman Michael Tfank, Board Attorney Julia Donohue, Esq., Planning Director William Drew, P.P.

Absent: James O'Bryant, Leslie Tallaksen, Kurt Wagner, David Volpe, Board Engineer Robert Kirkpatrick

Chairman Michael Tfank asked Thomas Harraka to sit in for James O'Bryant.

**PUBLIC PORTION**

With no one present wishing to be heard, a motion to close the public portion of the meeting was made by Michael Siesta, with a second by Philip Weisbecker.

**SITE PLAN WAIVERS**

**WINDSOR SCHOOL**

**Site Plan Waiver #0720-0302W**

Block 14002; Lot 1

484 Germantown Road; R-3 Zone

Board Member Michael Siesta recused himself from hearing the application.

Peter Wolfson, Esq. represented the applicant, Windsor School. He proceeded with a review of the Site Plan Waiver Application, noting that the applicant was before the Board previously for a Site Plan Waiver, seeking approval to place a trailer at the site of the school. The current application was for the replacement of the old trailer with a new trailer. When questioned about the number of trailers currently on the site by the Board Planner, Mr. Wolfson replied that the new trailer was delivered earlier than expected, and permits for the new trailer had not yet been secured, so it is not currently in use. Mr. Wolfson testified that approximately 78 to 91 students and 26 to 30 employees will use the facilities, and that no additional parking spaces will be needed. The Board Planner inquired about the septic capacity for the additional occupancy numbers. Chairman Tfank questioned Mr. Wolfson about the Fire and Health Department approvals that will be required. The applicant's attorney replied that all regulations would be met.

Richard Lynch, Executive Director of Windsor School, was sworn in by the Board Attorney. He testified that the County School Board office must inspect all new equipment and that their approval must be obtained prior to using the facility. Several Board members questioned the applicant about the size of the trailer, and the proposed uses. The applicant testified that the new trailer's size was approximate with the other trailer at the site, and the two rooms in the new trailer will be used for counseling and music instruction. The applicant's attorney stressed that all requirements will be met, and all approvals will be obtained prior to using the new trailer.

The meeting was opened for public comment. With no one present wishing to be heard on this matter, the public portion was closed by the Chair on a motion by Thomas Harraka with a second by Philip Weisbecker.

**Motion** made by Steven Castronova, seconded by Philip Weisbecker, to approve the application based on the applicant applying for and receiving the necessary Building, Health and Fire Department approvals.

On roll call vote: Yes - Steven Castronova, Douglas Ott, Clinton Smith, Philip Weisbecker, Thomas Harraka, Chairman Michael Tfank  
No - None

**A LIFE WELL LIVED**  
**Site Plan Waiver #0720-0303W**  
Block 14402; Lot 3  
**1045 Macopin Road; R-4 Zone**

The applicant, Tim Tiger, was present to testify on this application. He addressed the Board and proceeded to explain the basis for his seeking a site plan waiver. He stated that a salon/spa was proposed for the site and the parking lot area would be increased in size and re-stripped. The Board Planner reviewed the application for the Board, noting that prior use variance approval was granted 10 years ago for a business in an R-4 residential zone. He had conferred with the Zoning Officer and it appeared that the applicant is proposing expansion of a pre-existing nonconforming use, and that several violations exist for non-compliance with the use variance. He advised the Planning Board members that this Board had no jurisdiction in this matter, and that application should be made to the Zoning Board of Adjustment. Following discussion with Board members and the applicant about the proposed business and prior zoning permit approval, Mr. Drew advised the applicant that he would research the matter, clarify it with the Zoning Official, and would contact the applicant with regard to the status of his application. He would advise, at that time, whether application to the Zoning Board of Adjustment would be necessary.

**APPLICATIONS**

**MARY BARRETT**  
**Minor Subdivision #0510-1974**  
**Bulk Variance #0530-0711**  
Block 807; Lot 4  
2001 Clinton Road; LR Zone  
**Request for Time Extension.**

The applicant was not present to testify before the Board. Mr. Drew, Board Planner, advised that a letter had been received from the applicant requesting additional time to have the deeds filed with Passaic County. He reviewed the application for the Board and stated that the applicant had been diligent in complying with the conditions of approval for the minor subdivision, including having a Wetlands study completed. She has fulfilled the necessary steps and has requested additional time to file the deeds. The Board members were in agreement that the applicant had met with obstacles while trying to comply with the conditions of approval, and concurred that a 190 day time extension should be granted in order to allow sufficient time for the deeds to be filed with the County.

The meeting was opened for public comment. With no one present wishing to be heard on this matter, the public portion was closed by the Chair on a motion by Michael Siesta with a second by Steven Castronova.

**Motion** made by Douglas Ott, seconded by Philip Weisbecker, to approve a Time Extension for 190 days.

On roll call vote: Yes - Steven Castronova, Douglas Ott, Michael Siesta, Clinton Smith, Philip Weisbecker, Thomas Harraka, Chairman Michael Tfank.  
No - None

## MEMORIALIZATIONS

### ERNEST OBERER

#### RESOLUTION No. 2007-29

#### 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.

**Granted:** Minor Subdivision

**Motion** made by Steven Castronova, seconded by Clinton Smith, to approve Resolution No. 2007-29.

On roll call vote: Yes - Steven Castronova, Clinton Smith, Thomas Harraka.  
No - None.

### JON KLECKNER

#### RESOLUTION No. 2007-30

#### Minor Subdivision # 0710-1981

Block 6303; Lots 6 and 7

Marshall Hill Road; CC Zone

**Granted:** Minor Subdivision

Following several questions by Board Members regarding ownership of the subject property and inclusion of conditions of approval based on the Board Engineer's report, a motion to approve the resolution was made.

**Motion** made by Thomas Harraka, seconded by Philip Weisbecker, to approve Resolution No. 2007-30.

On roll call vote: Yes - Steven Castronova, Clinton Smith, Philip Weisbecker,  
Thomas Harraka.  
No - None.

## ORDINANCES FOR INTRODUCTION

**Fence Ordinance:** Mr. Drew advised that the fence ordinance would be discussed at the Workshop Meeting immediately following the Regular Meeting.

**ORDINANCES REFERRED FROM COUNCIL** - None.

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

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

**MISCELLANEOUS** - None

## MINUTES

**Motion** made by Steven Castronova, seconded by Philip Weisbecker, to approve the minutes of the July 12, 2007 Regular Meeting.

On roll call vote: Yes - Steven Castronova, Clinton Smith, Philip Weisbecker,  
Thomas Harraka.  
No - None.

**Motion** made by Steven Castronova, seconded by Michael Siesta, to approve the minutes of the July 26, 2007 Regular Meeting.

On roll call vote: Yes - Steven Castronova, Douglas Ott, Michael Siesta, Clinton Smith, Chairman Michael Tfank.  
No - None.

## **COMMUNICATIONS**

Notice from McKittrick Engineering regarding Robert Mazzochi's re-submission of a Treatment Works Approval Application to the NJ DEP seeking relief from setback distance to a watercourse for installation of a septic for a new single-family dwelling.

Letter from the County of Passaic Planning Board dated August 1, 2007 regarding Eric and Carol Louer, Block 3503, Lot 46, noting approval of the site plan submitted, and the need for the applicant to apply for a storm drain connection permit.

The Board Planner read the letter from the Passaic County Planning Board concerning Eric and Carol Louer's site plan approval. He reported that previous requirements by Passaic County regarding certain improvements to their site, which is situated on a County road, had been discussed at a meeting between the applicant and the Passaic County Planning Board. The issues have been resolved, and their site plan has been approved by the County based on their making application for a storm drain connection permit.

New Jersey Planner newsletter for July/August 2007, Vol. 68, No. 3.

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

Notice of application for Highlands Applicability Determination by Neil Chiarello, Burlington Drive, Block 12305; Lot 17.02.

## **ADJOURNMENT**

**Motion** by Douglas Ott and a second by Thomas Harraka to adjourn the Regular Meeting of the West Milford Planning Board at 8:15 p.m. On a Voice Vote, all were in favor.

Respectfully submitted,

Tonya E. Cubby  
Secretary