

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**WORKSHOP
September 6, 2007**

Minutes

Following a Regular Meeting, the Workshop meeting of the Township of West Milford Planning Board was called to order at 8:20 p.m. by Chairman Michael Tfank, with a reading of the Legal Notice.

ROLL CALL

Present: Steven Castronova, Douglas Ott, Michael Siesta, Clinton Smith, Philip Weisbecker, Thomas Harraka, Chairperson: Michael Tfank, Planning Director: William Drew, P.P.

Absent: James O'Bryant, Leslie Tallaksen, Kurt Wagner, David Volpe.

PUBLIC PORTION

Pegeen Williams, Esq., attorney for the applicant of the proposed Quik Chek that is adjacent to the proposed Walgreens, was present to express her client's interest in the Sunny Blue application as it applies to their pending application. Philip Weisbecker advised that the Township Council had been contacted by the applicant, Sunny Blue LLC, requesting assistance with the Passaic County Planning Board regarding their requirement that the Walgreens be relocated closer to Union Valley Road. Planning Director William Drew noted that he was aware of the letter and had been contacted by the applicant. The Chairman, Michael Tfank, advised the Board that it was inappropriate to discuss the matter at this time. The application is tentatively scheduled for the September 27, 2007 Planning Board meeting.

With no one else 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

None.

APPLICATIONS

**NEW YORK SMSA LIMITED PARTNERSHIP
d/b/a VERIZON WIRELESS (CANISTEAR ROAD)
Preliminary and Final Site Plan #0720-0285AB
Block 16901; Lot 2
3520 Route 23; R-4 Zone**

Application seeking Preliminary and Final Site Plan approval to permit the applicant to collocate on an existing telecommunications facility.

The Verizon Wireless (Canistear Road) application #0720-0285AB was reviewed by the Planning Board following distribution of the plans. A member inquired about the strength of the existing monopole and whether it could withstand the additional weight of another collocation. The Board members discussed a survey of the existing towers to determine their strength in light of the number of collocations being requested on existing monopoles. William Drew advised that it would be appropriate to require an inspection of the pole for stability as a condition of approval.

SUNNY BLUE, LLC
Preliminary and Final Site Plan #0720-0286AB
Block 5701; Lot 1
1502-12 Union Valley Road; CC Zone

The applicant notified the Planning Director that no one would not be attending and has requested that this matter be carried to the September 27, 2007 meeting.

MISCELLANEOUS

Fence Ordinance

The Chairman noted that he had received the Secretary's notes from a prior meeting on the Fence Ordinance and the Board's recommendation about the appearance of the fences being consistent with the surrounding environment. The Planning Director commented that a color should not be specified due to the difficulty in determining what an acceptable color would be. It was noted that the height and design could be regulated. The Board could also recommend a requirement that a fence blend in with the character of the neighborhood. This would help to avoid "spite fencing" being installed. The Chairman commented that this ordinance recommendation is being reviewed by the Board due to past problems with feuding neighbors and installation of inappropriate fencing.

Mr. Drew advised that the Zoning Officer had been instructed to require that fences be installed on existing grade. Chairman Michael Tfrank inquired if a fence requirement to conform to the surrounding environment could be included on the application prior to approval. Mr. Drew replied in the affirmative. Michael Siesta commented that having the ordinance state that a fence should fit in with the character of the neighborhood would allow a fence to be specific to each location. The Board members continued discussion of the fence ordinance, including questioning appropriate terminology. On a suggestion by Mr. Weisbecker, the members concurred that the Board Attorney should be contacted for an opinion on using the term "*consistent*" or "*in keeping*." The matter should be on the agenda for the September 27, 2007 meeting.

Fairview Road ROW Vacation Request

Mr. Weisbecker recused himself from the discussion on the Fairview Road ROW Vacation request. Mr. Drew reviewed the request and noted that it appears the property is an unimproved right of way. The Chairman advised that more information on the location of the site be provided to the Board. Doug Ott noted that fellow Board member Clint Smith had suggested at prior meetings that vacation of ROW requests should include the reason for the vacation. The Board concurred that more information is needed, including the reason for the vacation, in order to make a recommendation on this matter.

Other Miscellaneous

On another matter, a Board member advised of a property on Route 23 that received approval with conditions for a recent site plan application. Mr. Drew stated that correspondence had been sent to the applicant regarding the conditions of the site and required conformance to the conditions of approval. The neighboring property owners have been in contact with the Planning Department regarding the subject site.

Regarding a proposed well testing ordinance, Mr. Weisbecker advised that the Township Council had requested that the Planning Board be consulted about the drafting of an amendment to the Land Development Ordinance relating to well testing. Mr. Drew stated that he would take direction from the Board on this matter, noting that well drilling prior to construction and filing of deeds has become the standard practice in

recent years, and it has also been a condition of approval. Mr. Weisbecker stated that the Township Council desired the Township to be more proactive with well testing. The Chairman noted that he will confer with the Board Attorney and the issue will be discussed further by the Board. The Board continued with discussion on wells. The Chairman commented that the State standards on yields are generally low, and Mr. Drew noted that there are no standards for well drilling depth by the well driller. The Board had some inquiries about the Health Department's involvement with well regulations. Mr. Drew commented that the Environmental Commission has been tracking well data from the 1970's through the 1990's. He suggested that the Board schedule the matter for the Workshop in October when they would have more information and could discuss the matter in more detail.

MINUTES

Motion by Steven Castronova with a second by Philip Weisbecker to approve the minutes of the July 12, 2007 Workshop meeting. On a Voice Vote, all were in favor of approving the Workshop minutes of July 12, 2007.

ADJOURNMENT

Motion by Steven Castronova and a second by Philip Weisbecker to adjourn the Workshop meeting of the West Milford Planning Board at 8:58 p.m. On a Voice Vote, all were in favor.

Respectfully submitted,

Tonya E. Cubby
Secretary