

**MINUTES
Of the Township of West Milford
ZONING BOARD OF ADJUSTMENT
October 26, 2010
Regular Meeting**

Robert Brady, Board Chairman, opened the Regular Meeting of the Zoning Board of Adjustment at 7:39 p.m. The Board Secretary read the Legal Notice.

Pledge

The Chairman asked all in attendance to join in the Pledge of Allegiance.

Roll Call

Present: Ada Erik, Francis Hannan, Frank Curcio, Arthur McQuaid, Gian Severini, James Olivo, Robert Brady

Also Present: Denyse Todd, Board Secretary

Absent: Vivienne Erk, William H. Drew, Board Planner, Robert C. Kirkpatrick, Board Engineer and Stephen Glatt, Board Attorney

Chairman Brady asked Mr. Olivo to sit at the dais because of the vacancy resulting from the resignation of Barry Wieser. Mr. Brady gave a brief description of the duties of the Zoning Board. The public portion and the appeal process were also explained. Since there were no new applications, the Chairman asked that the Board Professionals be excused from the meeting.

3023 ROUTE 23 CORP. (Amended)

USE VARIANCE #9740-0288

Preliminary & Final Site Plan #9720-0058AB

Bulk Variance #9730-0289

Block 16001; Lot 9

3021 Route 23 North; HC Zone

Mr. Brady, Chairman explained that the decision of the Board was to not memorialize the resolution until the detailed study of the lighting was received and reviewed by the Engineer. This has not been done as of yet or if it has, it was not provided to the Engineer or the Planner. It is Mr. Brady's opinion that the resolution not be memorialized until they comply with the stipulations. He then asked Board members for any discussion. Mr. Hannan agreed and said since it was a contention of the public the Board serves the public and the applicant agreed to do it. Mr. Brady wished members of the public who were present at the previous meeting were here so this could be discussed with them here that way we could find out if there is an issue and then it could be addressed. Mr. Hannan added that when the members of the public who were present found out the scope of the Board, that they respected it. Also, that the Board owed them the respect that their voice was heard. We owe it to the public to not memorialize it and it lets the residents know that the Board will not proceed until action is taken since that is part of the agreement.

The Secretary re-read the application for the resolution purpose. A yes vote means not memorializing

Motion by Ada Erik to not memorialize the resolution at this time.

Gian Severini second

Mr. Brady explained that a yes vote would be for not memorializing the resolution.

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, Frank Curcio, Gian Severini, James Olivo, Robert Brady

No: none

GAETANO T. RIDOLFO
USE VARIANCE ZB-06-10-06
Bulk Variance ZB-06-10-06
Block 3702; Lot 1
20 Laurel Ave., R-2 Zone

There is nobody present for this application; the Chairman spoke with the Board Attorney and since Mr. Ridolfo did not inform the public in a correct matter and the notification was flawed there really is no application at this time and explained that he needs to advertise correctly and there was no need for him to be before us for this meeting. There is no need to vote on it but if there is any discussion it could be addressed, there was none.

DISCUSSION

Regarding the interview process for the Engineering position for the Board for calendar year 2011.

It was requested that Mr. Kirkpatrick send a full proposal in for everyone to review. Mr. Kirkpatrick's letter only had his hourly rate. Mr. McQuaid commented that he would like to know when the fee would be charged, some of the professionals start charging for their drive and could drive an hour away. Mr. Brady suggested that clarification be made at the interview. Mr. McQuaid pointed out that the planner charges for the meeting time but not his travel time, it could make a big difference. Mr. Brady wanted to discuss the interview process since the November meeting would have one application and in December a possibility of three. Mr. Brady added that the interviews could be set up either before or after the meeting. Mr. Hannan suggested that since we know of one application we should hear the application and then schedule the interviews. Mr. Brady agreed. All should professionals should be present for 8:30 and then if any are late we can hear someone else. The Board chose not to stagger the times. If any members of the public choose they can be present at the meeting. Mr. Brady also wanted direction from the attorney whether the public should be invited to be involved in the interview process, he does not believe that is the case but would like to know for sure. It is not particularly fair to the applicants.

Motion by Francis Hannan to have interview time starting at 8:30, no earlier and hear the application first at 7:30.

Second by Ada Erik

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, Frank Curcio, Arthur McQuaid, Gian Severini,
James Olivo, Robert Brady

No: none

There were no invoices for approval

Meeting dates for 2011 were in the packets

Motion by Ada Erik to approve the schedule of dates.

Second by Gian Severini

All in favor to approve the dates for January, 2011 through December, 2011.

Motion by Ada Erik to approve the minutes of September 28, 2010

Second by Gian Severini

Roll Call Vote:

Yes: Ada Erik, Francis Hannan, Frank Curcio, Gian Severini, James Olivo, Robert Brady

No: none

As a review, we are asking for Mr. Kirkpatrick to provide us with extra fees and for all to review resumes and any questions to be brought forward during the interview should be brought to the meeting.

Mr. Brady reviewed the remaining contract amounts that were supplied by the secretary. Mr. Drew had \$2,629.00 remaining out of \$5,000.00; Mr. Glatt has \$13,200.00 of \$18,000.00 remaining. He has been paid \$4,800.00.

Motion by Ada Erik to adjourn the meeting of October 26, 2010

Second by Gian Severini

All in favor to adjourn the meeting

Meeting adjourned at 7:59 p.m.

Adopted: November 23, 2010

Respectfully submitted by,

Denyse L. Todd, Secretary
Zoning Board of Adjustment