

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**Minutes
MAY 26, 2004
Regular Meeting**

Chairman, Michael Tfank, called the meeting to order at 7:40 p.m. with the reading of the legal notice.

ROLL CALL

Present: Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner. Alternate: Clinton Smith. Chairman: Michael Tfank. Board Attorney: Glenn Kienz, Esq. represented by Bryant Gonzalez, Esq. Planning Director: William Drew, P.P. Consulting Engineer: Robert Kirkpatrick, P.E.

Absent: Andrew Tynan. Alternate: Matthew DeFede.

Chairman appointed Clinton Smith to site for Mr. Tynan.

PUBLIC PORTION

During the public portion Ada Erik spoke.

SITE PLAN WAIVER APPLICATIONS

APPLICATIONS

BRAEMAR AT HIGH CREST, L.L.C. COMPLETE: 04-29-04
(FIELDSTONE ESTATES) DEADLINE: 08-27-04
Amended Preliminary Subdivision 0410-1739A
Final Subdivision #0410-1739D (Section III)
Variance #0430-0649
Block 13003; Lot 1
Block 13002; Lot 1 (final subdivision only)
Hearthstone Drive, R-2 Zone
Final subdivision for the creation of 8 single-family building lots.

Matter carried to the June meeting at the request of the applicant, who granted a 30-day time extension to the Board.

YOUR HOME TEAM, L.L.C. COMPLETE: 04-29-04
Final Subdivision #0410-1949B DEADLINE: 06-13-04
Block 9801; Lots 28.01; 28.02 and 28.03
Union Valley Road; R-1 Zone
Final subdivision for the creation of 9 lots, 8 of which are new residential building lots.

John Barbarula, Esq. and Scott Leonescu, representing the applicant, were present to present the application. They called Allen Dunn, a licensed well driller, to testify.

The applicant proposed a 9-lot subdivision with the construction of a road. The nine lots to be created are in conformance with the zoning requirements and as such are acceptable. The applicant agreed to meet with the Board's Subdivision Committee and/or the Township Environmental Commission to discuss selective thinning of trees on the subject property. The applicant has further agreed that as a condition of approval it would not sell any lot or be issued a certificate of occupancy by the Township unless it can prove that an adequate potable water supply can be provided to each lot to be created by this subdivision.

As part of its review under N.J.S.A. 40:55D-50, the Planning Board must review the detailed drawings, specifications, and estimates of the application for final approval to assess whether same conforms to the standards established by ordinance for final approval, the conditions of preliminary approval, and the standards prescribed by the map filing laws. In this regard, the Board was satisfied after having reviewed the testimony provided by the applicant, the plans

MOTION made by James O'Bryant, seconded by Kurt Wagner, to grant a 190-day extension of time for the filing of deeds.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner, Clinton Smith, Michael Tfank.
 No - None

MEMORIALIZATIONS – None.

ORDINANCES FOR INTRODUCTION – None.

ORDINANCES REFERRED FROM COUNCIL

Re-adoption of Township Zoning Map utilizing the digital Parcel Layer. Recommendation from Planning Board to Township Council.

After discussion a Motion was made by James O'Bryant, seconded by Leslie Tallaksen, to recommend that the Council adopt the above referenced ordinance, as introduced.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner, Clinton Smith, Michael Tfank.
 No - None

MISCELLANEOUS

Application Procedures: Discussion on Applications for Development; Application Review Process; Planning Board hearing process; Subsequent Development/Construction process. Put on per Board discussion held in April. Matter carried to the workshop.

PLANNING DIRECTOR'S REPORT

William Drew reported on meeting with County and Township Engineers regarding the Macopin Road\Union Valley Road intersection. County Engineer is pursuing the matter.

The deteriorating condition of the Tichenor House was also discussed with the County representatives. It was suggested that the roof needs to be covered to prevent further damage and that measures should be employed to secure and protect the historic structure. The Board recommended that the matter be aggressively pursued.

PLANNING BOARD ATTORNEY'S REPORT

MINUTES – None.

COMMUNICATIONS

Letter from Bald Eagle Square, Inc. regarding the use of shared parking with Bald Eagle Hall, both properties being under the same ownership.

The above matter was discussed and the Board had no objection to the shared parking arrangement.

The following correspondence was received and filed:

Letter dated April 13, 2004 from McKittrick Engineering Associates, Inc. advising that Douglas Doyle and Scott Walker are applying for a Letter of Interpretation for property known as Block 101; Lots 21 and 22.

Letter dated April 13, 2004 from McKittrick Engineering Associates, Inc. advising that Dennis Kyle is applying for a Letter of Interpretation for property known as Block 17201; Lot 17.

Public Notice from PSE&G that it is applying for a general permit #1 to perform utility maintenance activities.

Notice of League Seminar from the N.J. League of Municipalities regarding Transfer of Development Rights on June 22, 2004 at the PNC Arts Center.

Copy of letter from Bradley Campbell to High Crest Lake responding to its letter to adjacent property owners regarding the Minor Subdivision and variance applications pending before the Planning Board and advising that the NJ Conservation Foundation is the owner of the adjacent property, not the DEP.

Copy of letter from New Jersey Conservation Foundation to High Crest Lake advising that NJCF may be interested in purchasing the High Crest Lake's property with certain conditions.

Copy of memo to Township Administrator from Planning Director forwarding requested information regarding the Tichenor House Historic Designation.

County Planning Board reports to the Planning Board regarding the following applications:

Rockburn North Preliminary Subdivision Sections I & II Block 206; Lot 9, requiring the submission of six additional items such as drainage system maintenance agreements and copies of State permits.

Alice Zampella Final Subdivision Block 14601; Lots 5 & 6, requiring the submission of two additional items.

Forest Glen (Ron Kidd/Castle Rock Estates, LLC) Preliminary Subdivision Block 9901; Lot 7, requesting submission of seven additional items.

Laurel Hollow Final Subdivision Section II Block 5006; Lot 10, granting final subdivision approval.

Carl Bierwas Minor Subdivision Block 8201; Lot 2, requiring an on-site driveway turn-around be constructed for the existing house.

Bald Eagle Commons Preliminary and Final Site Plan Block 5308; Lot 3, requiring two additional items be submitted.

CLOSED SESSION

MOTION made by James O'Bryant, seconded by Kurt Wagner, to move to closed session for the purpose of discussing pending litigation. On voice vote all were in favor.

ADJOURNMENT

Meeting adjourned by unanimous consent at 10:46 p.m.

Respectfully submitted,

Grace R. Davis
Secretary