

**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

NOVEMBER 20, 2013

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**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

NOVEMBER 20, 2013

PRESENT: M. Hunter, Chairperson
R. Anzalone
C. Scibelli
R. Cataggio

R. Golden

ABSENT: C. Correia

D. Lindsay
S. Turner
J. Kirby

Chairperson Hunter opened the meeting with the Pledge of Allegiance and a moment of silence for our Armed Forces and all others in harm's way. She then welcomed everyone to the meeting and introduced the Board and Consultants.

MINUTES

R. Cataggio made a motion to accept the minutes from the meeting of November 16th as submitted. R. Anzalone seconded the motion. The vote was as follows:

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

TGI FRIDAY'S/WOODBURY CENTRE – TAX MAP 225-2-1.12

Chairperson Hunter read the Notice of Public Hearing for ARB of proposed exterior reimage renovations to an existing restaurant located within the Woodbury Centre shopping center. She then explained that the applicant had requested that the hearing be postponed until December 4th. There were no members of the public present to speak, so R. Anzalone made a motion to continue the public hearing to December 4, 2013. R. Cataggio seconded the motion. The vote was as follows:

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

Chairperson Hunter said that she would skip over the second item on the agenda, which was AT & T New Cingular, to give any representatives time to attend.

HIGHLAND SAND & GRAVEL - TAX MAP 203-1-8.21

Chairperson Hunter explained that this was to be a discussion of the status of the application and updates for proposed expansion of use to include a construction and demolition recycling/processing center on property located at 911 Route 32 in Highland Mills within the R2A zoning district. She further explained that the applicant has requested to have this discussion at the meeting of December 4th. Therefore, this item will be carried over to December 4th.

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This item was not on the agenda. However, Chairperson Hunter explained that she had received correspondence from Maria Rubio, the Building Department secretary, regarding an application that was sent in by Bill Brodsky of Woodbury Junction for a re-phasing plan for plans that were submitted in June of 2013. She then asked for a motion to schedule a public hearing for this purpose on December 4, 2013. R. Cataggio made the motion. R. Anzalone seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- R. Anzalone – In Favor
- C. Correia – Absent
- C. Scibelli – In Favor
- R. Cataggio – In Favor

Chairperson Hunter then noted that in the past the Board would authorize the attorney to draft a resolution of approval. She said this draft would depend on D. Lindsay's comments of what the re-phasing plan would entail. R. Golden explained that it would be virtually impossible for him to draft a resolution on the re-phasing aspects because they are going to deal with whether or not the re-phasing actually makes sense from an engineering point of view. He said if there are any engineering issues at all they may not be resolved at the December 4th meeting. He said he could give the Board a boilerplate resolution, but did not know how much that would further the application, as there will be conditions that may be added at the meeting. A discussion began as to whether the Board members wanted to wait until after the meeting for a resolution to be drafted. C. Scibelli asked if having a boilerplate resolution would save time. R. Golden said that the Board could approve the plan without a resolution and simply state what the conditions would be. However, he said that is not the way the Board normally does things. He added that the Board is allowed to do this, and does not need a resolution ahead of time. He said that there are problems when there is no resolution and problems arise later owing to the fact that

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the discussion wasn't clear as to what the condition actually was. But, he said the Board could proceed in this fashion and direct him to fill in the conditions at the meeting and trust that he is going to get all the conditions right.

After some further discussion, C. Scibelli made a motion to authorize R. Golden to prepare a boilerplate resolution of approval. Chairperson Hunter seconded the motion. The vote was as follows:

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

AT & T NEW CINGULAR/MAHER LANE - TAX MAP 225-1-10.421

This was to be a discussion of a request to a previously approved Resolution for Amended Site Plan & Special Permit for replacement of 2 panel antennas on an existing monopole, related equipment shelter and various equipment modifications within an existing fenced compound on property located at 101 Maher Lane. There were still no representatives present for this applicant.

Chairperson Hunter explained that there has been correspondence going back and forth and asked R. Golden how to proceed. R. Golden explained that there have been informal discussions. However, AT & T has not filed an application to have the language in the resolution formally revised. The issue revolves around the wind speed of 75 miles per hour versus 70 miles per hour. He said that the tower owner, Crown Castle, indicated that they were not willing to agree to 75 miles per hour and will be consulting legal counsel. He added that, in his letter, John Furst said that they were also considering litigation. R. Golden responded that the Planning Board would not be coerced into any situation due to the mention of litigation, and that they could submit an application to request that the language be revised and they would be placed on the next available agenda. He has received no response from Mr. Furst as of this date.

The discussion continued. R. Golden said there was no further action for the Board to take at this time for this application.

With no further business to conduct, C. Scibelli made a motion to adjourn the meeting. R. Anzalone seconded the motion. The vote was as follows:

AT & T NEW CINGULAR /MAHER LANE - TAX MAP 225-1-10-121 (cont.)

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Gale A. Naugle
Planning Board Secretary