

**Township of West Milford  
PLANNING BOARD  
REGULAR MEETING AGENDA  
January 23, 2014  
7:30 p.m.  
Main Meeting Room of Town Hall**

**LEGAL**

*In accordance with Chapter 231, Public Laws of 1975 of the State of New Jersey, adequate advance notice of this Regular Meeting was published in the Herald News. A copy has been filed with the Township Clerk's office and posted on the bulletin board in the main corridor of the Town Hall. The main meeting room is ADA accessible; special needs can be accommodated by contacting the Planning Board at (973) 728-2798. Please take note of the Fire Exits located in this room in the event of an emergency.*

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Regular Members: Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Councilman Luciano Signorino, Glenn Wenzel, Chairman Geoffrey Syme.  
Alternates: Michael Siesta, Steven Castronova.  
Board Attorney: Thomas Germinario, Esq.  
Board Engineer: Paul Ferriero, P.E./John Hansen, P.E., Ferriero Engineering  
Board Planner: Charles McGroarty, P.P., Banisch Associates

**PUBLIC PORTION**

Up to half-hour reserved.

**PRESENTATIONS** – None.

**APPLICATIONS**

**CARRIED APPLICATIONS**

**JOHN AIELLO (*Carried to February 6, 2014*)**

**Major Soil Removal/Fill Permit #PB-02-13-01**

Block 4402; Lot 1

828 East Shore Road; R-4 Zone

**Seeking:** Major Soil Removal/Fill Permit for the purpose of re-creating wetlands that previously existed on the site to comply with a NJDEP settlement agreement.

**NEW APPLICATIONS** – None.

**MEMORIALIZATIONS** – None.

**NEW BUSINESS**

Discuss increase of Escrow Fee Ordinance for Land Use applications (Planning Board and Zoning Board of Adjustment).

**ORDINANCES FOR INTRODUCTION** – None.

**ORDINANCES REFERRED FROM COUNCIL** - None.

**BOARD PLANNER’S REPORT** –

**BOARD ATTORNEY’S REPORT** -

**BOARD ENGINEER’S REPORT** –

**MISCELLANEOUS**

**Approval Of Invoices – Board Professionals**

Approval of invoices submitted by the Planning Board professionals for services performed during the month of December 2013.

**MINUTES**

Approval of Minutes from the October 24, 2013, December 5, 2013, and January 9, 2014 Regular Planning Board meetings.

**Highlands Water Protection And Planning Act**

1. Notice from Conklin Associates, dated December 17, 2013, advising of a Highlands Applicability Determination application being submitted for 99 Long Pond Road, Block 4106; Lot 1 regarding the subdivision of the referenced property for residential development.

**NJ Department of Environmental Protection Correspondence**

1. Notice received December 26, 2013 from PK Environmental advising of an application to the NJDEP for a Freshwater Wetlands Transition Area Waiver Averaging Plan and a General Permit #2 for Donald and Kathleen Davies regarding the construction of a proposed single-family residence on a 6.84 acre property at Block 5003; Lot 9, 70 Rockburn Pass.

2. No Further Action Covenant Not To Sue letter received from the NJDEP, received December 16, 2013, regarding the removal of a 550 gallon #2 heating oil UGST for 211 Point Breeze Drive, Block 2601; Lot 38.

3. Notice from the NJDEP, dated December 16, 2014, regarding the City of Newark, advising that a review of the 2012 Inspection Reports from Civil Dynamics, Inc. found the Cedar Pond Dam (NJDEP File #22-240) and Hanks Pond Dam (NJDEP File # 22-242) in Unsatisfactory Condition, with improvements and repairs necessary. The notice further orders the City of Newark to provide an action plan to make the dams safe within 10 days of receipt of the letter, and to take immediate action to ensure that the dams remain safe until permanent repairs or modifications are made.

4. Notice from the NJDEP, dated December 16, 2014, regarding the City of Newark, advising that a review of the 2012 Inspection Reports from Civil Dynamics, Inc. found the Cotters Brook Diversion Dam (NJDEP File #22-39) in Poor Condition with maintenance, repairs and studies necessary, and Macopin Reservoir Dam (NJDEP File # 22-69) in Satisfactory Condition with maintenance and studies necessary, with the inspection dates and studies due in 2015 and 2017.

5. Notice from the NJDEP, dated January 9, 2014, to the Township of West Milford regarding Nosenzo Pond Dam (NJDEP #22-241), advising that the 2013 inspection report from Civil Dynamics, Inc. found the dam to be in Satisfactory condition, with maintenance and repairs

necessary, and also advising that maintenance must be completed, and associated documents submitted by December 1, 2014, with an updated EAP by March 31, 2014.

6. Request from the Township of West Milford to the NJDEP, dated January 9, 2014, for a No-Cost Time Extension on SFY07 Non Point Source Pollution Grant to Initiate Stormwater Implementation Projects To Reduce Phosphorous Load Entering Greenwood Lake.

7. Treatment Works Approval Application, dated January 6, 2014, received for Lobosco Single Family home, Vine Ave. and Ridge Road, Block 5603; Lots 2.01 and 2.02 for the installation of a subsurface septic disposal system.

8. Notice from Houser Engineering, dated January 9, 2014, advising of an application for a Treatment Works Approval and On-Site Sewage disposal System Alteration for Storms Island, Block 4404; Lots 4.02, 10, 14, 15, 16.

9. Response Action Outcome notice, dated January 6, 2014, received from Kleinfelder advising that the remediation of the area of concern has been completed at 4 Marshall Hill Road, Block 5701; Lot 3, formerly Exxon Facility #35139.

### **Correspondence**

1. Copy of correspondence from the West Milford Health Dept., dated December 13, 2013, to Helping People Help Themselves, advising of a Warning Notice for Non-Approved Camping at Destiny's Gate, 441-445 Morsetown Road, Block 5301; Lots 39, 40.

2. Notification from the Passaic County Planning Board, dated December 10, 2013, advising that they are continuing to withhold final approval for the Twins Realty Group Site Plan, Block 3906; Lots 9 & 10 and Block 6002; Lot 39.01, 937 Burnt Meadow Road, pending receipt of the Permit by Rule Applicability Determination from the NJDEP.

3. Correspondence from the NY/NJ Trail Conference advising of the 11<sup>th</sup> edition of the North Jersey Trails map set for \$9.95.

### **CLOSED SESSION**

#### **RESOLUTION NO. 2014-06 - CLOSED SESSION**

Braemar at West Milford, LLC v. Township of West Milford Planning Board and the Township of West Milford, Docket #PAS-L-5709-11.

### **ADJOURNMENT**