

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**MINUTES**

**February 1, 2018**

**Regular Meeting**

Chairman Andrew Gargano opened the February 1, 2018 Regular Meeting of the West Milford Planning Board at 7:03 p.m. with a reading of the Legal Notice followed by the Pledge of Allegiance.

**ROLL CALL**

**Present:** Mayor Bettina Bieri, Alt. #1 Steven Castronova, Linda Connolly, Christopher Garcia, Chairman Andrew Gargano, Warren Gross, Douglas Ott, Alt. #2 Michael Siesta, Councilman Luciano Signorino, Geoffrey Syme, Glenn Wenzel.

**Absent:** Board Attorney Thomas Germinario, Board Engineer Paul Ferriero.

Chairman Andrew Gargano advised that the Board professionals were excused from attending this meeting. He further advised that a quorum was present to hold this regular meeting.

**PUBLIC PORTION**

With no one present requesting to address the Board, Chairman Andrew Gargano **closed** the public portion on a **motion** made by Mayor Bettina Bieri with a **second** by Councilman Lou Signorino.

**APPLICATIONS**

**NEW APPLICATIONS** – None.

**PENDING APPLICATIONS**

**ASHLEY SCATTERGOOD-TOOEY**

**Major Soil Fill Permit & Bulk Variance #PB-07-17-02**

Block 1301; Lot 1

104 Carmel Road; R-2 Zone

***\*This matter has been carried to the April 5, 2018 meeting pending receipt of a wetlands report.***

Chairman Andrew Gargano advised that this matter was carried to the April 5, 2018 meeting from the original carried date of March 22, 2018.

**MEMORIALIZATIONS** – None.

**BOARD PLANNER'S REPORT** – None.

**BOARD ATTORNEY'S REPORT** – None.

**BOARD ENGINEER'S REPORT** – None.

**MISCELLANEOUS**

**Invoices**

There were no invoices received from the Board professionals for this meeting.

**Other Business**

The Board Secretary advised the Board members of two applications that were recently received in the Planning Department, one for a minor subdivision of the former Awosting Clubhouse site, and one for a major site plan for an addition to a professional building on Oak Ridge Road. These applications are under technical and completeness reviews by the Board Engineer and Attorney. Paul Ferriero, professional engineer and planner, would be reviewing both the planning and engineering portions of these applications for the Board since the Board Planner position is currently vacant.

**MINUTES**

The Board Secretary advised that the minutes from the December 7, 2017 and January 25, 2018 meetings would be available for approval at the next Board meeting.

***The following correspondence items were reviewed and filed:***

**Highlands Water Protection and Planning Act Correspondence**

1. None.

**NJ Department of Environmental Protection Correspondence**

1. Community Right To Know Survey, dated January 19, 2018, received from Vincent Cautero, Licensed Operator for Suez Water – West Milford Sewer regarding the Richmond Road facility.
2. No Further Action correspondence received from the NJDEP, dated January 16, 2018, regarding the removal of one 1000 gallon #2 H.O. UST for 31 Twin Oaks Trail, Block 3001; Lot 4.

**NEW OR ONGOING BUSINESS**

**Interviews for Planning Board Planner position.**

The Members of Planning Board interviewed the following for the position of Planning Board Planner:

Jessica C. Caldwell, P.P. A.I.C.P. of J. Caldwell and Associates LLC, introduced herself to the Board members and provided a brief overview of her qualifications for the Board. A professional planner for 20 years, she advised that her office was located in Newton, NJ. She currently represents 11 municipalities as Planner, with half of them Highlands' communities, representing Boards and Governing Bodies. Chairman Andrew Gargano noted that if West Milford were to consider her, we would be the twelfth municipality that she would be serving as Planner. Ms. Caldwell stated that she has two additional Planners in her firm, as well as a part time GIS staff member. Chairman Gargano inquired if she would be available on the scheduled meeting dates for the West Milford Planning Board, and Ms. Caldwell advised that the 4<sup>th</sup> Thursday of the month was better for her. She noted that she may encounter a conflict on some of the 1<sup>st</sup> Thursdays of the month, but she had qualified Planners on staff for coverage, if it becomes necessary. Mayor Bettina Bieri noted that since most of the municipalities that Ms. Caldwell worked for were Highlands' communities, she wondered if she had much experience with the NJDEP. Ms. Caldwell responded that she has a good working relationship with the Highlands, but has not worked directly with NJDEP staff on projects. Councilman Lou Signorino inquired how many municipalities she covered were in the Highlands' preservation area, and Ms. Caldwell replied that about 60% were preservation and the others were in the Highlands' planning area. Board Member Warren Gross inquired about the Highlands' economic assessment report published the prior year, and Ms. Caldwell responded that she had been working on several economic development plans since some of the towns that she worked for were adversely affected by the Highlands legislation. She noted that some of the methodology in the report may have been skewed and the data for measuring water deficit may not have been interpreted correctly, adding that the science was correct, but the information that was entered affected the end result. She noted that this was true for the effect on ratables, etc.

Chairman Gargano inquired if Ms. Caldwell had worked on Master Plans and Ms. Caldwell responded that she did regular plan conformance work on the Highlands Master Plan, as well as stormwater management plans and economic development plans. Board Member Geoffrey Syme inquired if Ms. Caldwell did any Highlands redevelopment, and she replied that she has not done any specific redevelopment, but is certified for granting Highlands exemptions, and has been involved with redevelopment under the redevelopment housing law. Mayor Bieri commented that the new library was a Highlands redevelopment project, and Ms. Caldwell noted that she has worked on a Brownfields redevelopment plan in a community in the Highlands Preservation Area for a solar project in a landfill. Chairman Gargano inquired about other projects besides economic development that she has been involved with in Highlands' communities, and Ms. Caldwell responded that she has prepared housing plans, and in municipalities that are closer to major highways, there are a number of development and redevelopment projects that she has been involved with. She noted that the further away from the more populated areas, it becomes more difficult for development under the Highlands. Mayor Bieri inquired about her "Special COAH Planner" status and Ms. Caldwell advised that in certain communities she is appointed as a COAH Planner to complete their affordable housing documents, but she is not appointed as the municipal or Board planner. Board Member Steven Castronova inquired if she was a full time Planner in Vernon, and Ms. Caldwell replied that she was the Planning consultant for 9 years. He inquired if she was involved in their Town Center planning for the commercial areas, and she replied she was not involved in the initial planning stages,

but is currently involved with the area that is being treated as redevelopment. There were a number of issues with installation of sewer but no water utilities for all of the sites, so it has been a hurdle to get all the utilities in place.

Mr. Gross inquired about her volunteer activities with NJ Planning Officials, and Ms. Caldwell advised that she volunteers to teach the Board Member mandatory training classes, as well as a class at the League of Municipalities. He further inquired if she was involved in COAH cases in the other towns that she works for, and Ms. Caldwell responded that she was involved with affordable housing matters with most of the towns that she worked for, adding that she assisted with the settlement of approximately seven out of eleven cases, with some still pending. Mr. Gross inquired about new judicial appointments for the affordable housing matters, and Ms. Caldwell advised that Richard Redding had been hired to compile additional housing numbers, and these would be in addition to the "Kinsey" numbers and municipal supported numbers. She explained that Fair Share Housing is attempting to reach a compromise on the housing requirements for municipalities, and many are beginning to reach settlements, including most that she has been involved with, although some are waiting for a determination on the numbers. Mayor Bieri inquired if she was familiar with our other Board professionals, Paul Ferriero and Tom Germinario, and Ms. Caldwell responded that she has worked with Paul Ferriero in Newton and Long Hill, but she has not worked with Mr. Germinario. Board Member Chris Garcia inquired about her LEED certification, and she responded that she received the standard certification to assist in understanding green building techniques and how it applied to development, and also for a potential Neighborhood Plan certification that she was considering. Mr. Garcia further inquired about the rates for planning services, and whether she charged for travel or incidentals, and Ms. Caldwell replied that she charges just the hourly rate for her attendance at night meetings. At the conclusion, Ms. Caldwell thanked the Board for the opportunity to interview, and the Board thanked her for attending the meeting.

Caroline Reiter, P.P., A.I.C.P. of Christopher P. Statile, P.A., was introduced to the Board and provided a review of her qualifications. Ms. Reiter advised that she was on staff with the firm of Christopher Statile and had received her master degree in Planning from Rutgers. She has been involved with planning work mostly for municipalities, Boards and public based entities, and occasionally private work, although it is not the norm for her. She noted that she has been busy with COAH (affordable housing) matters, and has been involved with Master Plan Re-exam reports, both in the past and is current year. Ms. Reiter advised that she performs reviews on development applications for Boards, in addition to preparation of ordinances related to floor area ratio, age restricted housing, and zoning, and her firm strives accommodate their clients based on their particular needs. Mayor Bieri inquired if she was available for meetings on the first and fourth Thursdays of the month, and Ms. Reiter responded that there would be very few occasions where she may have a possible conflict with the meeting dates. She noted that she works for a small firm that is committed to being responsive to the needs of the municipalities, Boards or clients. Ms. Reiter advised that she will attend all the meetings that are required, will prepare all reports, and although she has a support staff to assist with other needs, she made it clear that she will be the person that the Board will work directly with. Mayor Bieri inquired what towns she represented as a planning consultant, and Ms. Reiter responded that she works in Closter, Haworth, River Vale in Bergen County, and is the Affordable Housing planning consultant for Wayne in Passaic County. She anticipates doing some additional general planning work for them, as well. She noted that for many years she represented Hillsdale as their Planner, but now her firm just provides engineering services to that municipality.

Mayor Bieri inquired if she represented any Highlands municipalities, and Ms. Reiter responded that she is currently sitting in for an application for the Oakland Zoning Board of Adjustment, which is a Highlands community. Her firm has also worked with a group who was interested in property for development in Mahwah, another Highlands community. Mayor Bieri inquired if these were Highlands Planning or Preservation Area communities, and Ms. Reiter commented that they were a combination of both areas. She noted that Chuck McGroarty, our former Planner, represented mostly Preservation Area Highlands communities, and although her firm does not work on that same level, they feel they can provide the services that would be needed. Mayor Bieri inquired if she was aware that West Milford was entirely in the Preservation Area, and Ms. Reiter acknowledged that development options are limited, but she did see the construction work on the Shop Rite shopping complex, and the new library that was constructed recently. She had reviewed our Master Plan reports and is aware that our opportunities for commercial development are limited. Mayor Bieri inquired if she worked with the Highlands Council, and Ms.

Reiter replied that she has not personally worked with them, nor has she filed any plans with the Highlands. With regard to COAH responsibilities, she noted that all the affordable housing roles are now performed by a special counsel, and she is involved with three different towns (Closter, Haworth, Wayne) with regard to their affordable housing actions under the declaratory judgement. She noted that although it may be complicated or time consuming, some towns are achieving settlements under the new process. She further commented that all three towns that she is working with on affordable housing have significant environmental constraints and it seems that there is an unrealistic expectation on what the municipalities can provide for affordable housing. She observed that Wayne has unique situations and constrained areas with vacant office complexes and developed areas that may be underutilized that they are trying to address based on affordable housing requirements. Board Member Glenn Wenzel asked if she was familiar with Linda Lutz, who used to work for West Milford, and Ms. Reiter noted that she knew her well, and that she was now the Planning Director in Wayne. Ms. Reiter commented that when she began her career, she used to work as an Assistant Planner with Chuck McGroarty in Mt. Olive. Mayor Bieri inquired if she had worked with our current Board professionals, and Ms. Reiter responded that she was not familiar with them, but she would have no issues working with them. Board Member Geoffrey Syme commented on how many vacant store fronts existed in Wayne and he inquired how she would address that. Ms. Reiter said that although it is not one of her current responsibilities, as she moves more into general planning she would look into permitted uses and zoning ordinances that may be outdated. She examined this for the affordable housing matter and she noted that there seems to be an influx of businesses moving into Wayne even though many are leaving, so the vacant space does not seem to be permanent. She observed that the larger campus style companies are relocating to other areas in the State or country, and it appears that the suburban office type developments are not as prevalent anymore. There are different types of office needs that they are seeing, and some companies may be reluctant to keep businesses in an area that may be more expensive to operate in.

Mayor Bieri inquired if she charged for traveling time for Board meetings, and Ms. Reiter said that she would confirm this with her office, but she did not believe that they did. Board Member Christopher Garcia inquired if she would have any potential conflicts with private clients, and Ms. Reiter responded that she did not anticipate that there would be any conflicts. One of her company's clients was NJ Transit, but her work was primarily with Boards and municipalities, and she recalls only one private client in 2017. Following the interview, Chairman Gargano and the Board Members thanked her for her time and for attending the interview.

David R. Troast, P.P., A.I.C.P. of David R. Troast, LLC, introduced himself to the Board and provided some background information on his qualifications. He stated that he lives in Hawthorne, Passaic County, and has spent the majority of his career in local government, starting with 6 years in Randolph as Assistant Planner in 1990, then Sparta for 18 years as Planning and Community Development Director and Township Manager. Mr. Troast advised that he works in Passaic doing redevelopment, and worked in Hackensack as the City Manager and Redevelopment Director. He reported that his planning background spanned from a rural Highlands community to inner city. He advised that he is a licensed Professional Planner in New Jersey, as well as a licensed Landscape Architect. Mr. Troast stated that he was recognized by the NJ courts as a Mediator, with a special interest in employee, land use and COAH issues, and has testified in superior court in Bergen, Passaic and Morris counties with regard to agriculture and housing issues. He advised that he has an MA degree in Urban Planning, and is certified in redevelopment and municipal management. Mayor Bieri inquired which towns Mr. Troast currently represents, and he responded that he represents the City of Passaic for redevelopment matters. In his career as a consultant, he represented Andover Twp., Vernon, Stanhope, Hampton, Frankford, Prospect Park, but currently just Passaic. Board Member Christopher Garcia inquired if he had any conflict with the Board meeting schedule on the first and fourth Thursdays, and he replied that it should not be a conflict. Board Member Geoffrey Syme inquired if he had any experience with the Highlands Council, and Mr. Troast responded that they know him by first name, although some staff may have changed since he was in Sparta and when he was involved in the Highlands legislation hearings about the regions that would be affected. Chairman Gargano inquired if he filed Sparta's Highlands Plan Conformance, and Mr. Troast noted that when he was leaving Sparta, they were in the process of filing. He worked during that time with Stanhope to get their housing plan approved with the Highlands Council. Mayor Bieri inquired about the time period that he separated from Sparta, Stanhope and Andover, and Mr. Troast advised that Sparta was in 2013, Stanhope was in 2010, adding that this was when he began his municipal career in Sparta and left consulting at that point. Mayor Bieri inquired what prompted the career change to go from

professional planner to manager, and Mr. Troast advised that he was a full time employee in Sparta overseeing several departments, and when the position for manager became available, he took the opportunity since there was an Assistant Planner on staff available to take the Planner position. Chairman Gargano noted that his resume states that in Hackensack he was the City Manager, Economic Development Director and Police Director, and Mr. Troast noted that he was Police Director for 6 months and that was the main reason that he retired, took some time off and received his Mediation certification. He is currently representing several private planning clients and is before the Wayne Zoning Board for a planning issue. Mayor Bieri inquired what the proportion of his municipal work was versus private clients, and Mr. Troast responded that he has one private client at this time in addition to the City of Passaic. He said that all his private client work is completed, but they are anxiously waiting for the Board to hear the application. Mayor Bieri then inquired if he had any support staff, and he responded that his wife assisted him, in addition to another planning consultant who does his G.I.S. work, when needed. Mr. Syme inquired what arrangement would be made if Mr. Troast were unable to attend a meeting, and he replied that he would contact another acquaintance who is a professional planner. He noted that he would plan his vacations around the Board meetings.

Mr. Troast advised the Board that he has 30 years of experience and they would be working with him, not someone on staff from a larger firm. He reviewed his early career which included Mt. Laurel hearings and redevelopment issues that sometimes proved to be controversial. He will provide the Board with his professional opinions, and it would be up to the Board to make decisions on matters. Mr. Garcia inquired about his COAH (affordable housing) experience and Mr. Troast advised that he followed it in Sparta when he was on staff. They completed multiple housing plans, which were not approved by COAH, but they proceeded to implement them, building that made sense for the communities. In Stanhope, Wantage and Hampton, all rural towns, the affordable housing plans he was involved with were approved, and he believed in planning with a realistic opportunity for a housing plan. Board Member Steve Castronova commented that West Milford was 100% in the Preservation Area and we have no central sewers, only small sewer plants, so any development was a challenge. Mr. Garcia inquired if Mr. Troast had worked with the Board's current attorney and engineer, and he observed that Mr. Germinario may have been before Sparta for a planning matter, and possibly Andover; he knew Ferriero Engineering by the name. Upon conclusion of the interview, the Board thanked Mr. Troast for his time.

Following the interviews for Board Planner, the Board Members carefully reviewed the qualifications and comments from the candidates for the position. The Board Members were polled and determined the best candidate based on the needs of the Board. Following a consensus of the Board, with a vote of 8 – 1, the Board directed the Secretary to advise the Township Administrator and Township Council that Jessica Caldwell of J. Caldwell & Associates was chosen as the Planning Board Planner for 2018, subject to verification of the references that she provided. The Board Secretary was also to obtain the bid tabulation form from the Township Clerk's Office for the Board to review prior to award of the contract.

### **ADJOURNMENT**

With no other matters to be brought before the Planning Board, Chairman Andrew Gargano **adjourned** the regular meeting of February 1, 2018 at 8:41 p.m. on a **motion** made by Glenn Wenzel with a **second** by Councilman Lou Signorino.

Approved: March 1, 2018

Respectfully submitted by,

Tonya E. Cubby, Secretary