

**Township of West Milford  
PLANNING BOARD  
REGULAR MEETING AGENDA  
April 3, 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**

**NEW APPLICATIONS** – None.

**EXTENSIONS OF TIME**

**BRAEMAR AT WEST MILFORD, LLC  
(Greene Valley Estates)**

**Final Subdivision #0610-1910B**

Block 10001; Lots 14, 19, 20, 23

Wooley Road; R-3 and R-4 Zones

**Seeking:** Time Extension to comply with the conditions outlined in Resolution No. 2012-16, memorialized on December 6, 2012, which granted final major subdivision approval for Block 10001; Lots 14, 19, 20, 23 with conditions.

**MEMORIALIZATIONS**

**RESOLUTION NO. 2014-07**

**JOHN AIELLO**

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

Block 4402; Lot 1

828 East Shore Road; R-4 Zone

**Granted:** 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 OR ONGOING BUSINESS** –

**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 months of November 2013, January 2014, and February 2014.

**MINUTES**

Approval of Minutes from the January 23, 2014, and February 27, 2014 Regular Planning Board meetings.

**Highlands Water Protection And Planning Act Correspondence**

1. Letter from the NJDEP, dated February 12, 2014, to the Township of West Milford, regarding a Highlands Pre-Application Meeting to review a proposed access driveway to the West Milford Recycling Center at Block 6002; Lots 18.01 and 28.03, advising that a Highlands Applicability Determination (HAD) must be submitted to verify if an exemption is applicable, and if exempt, a Highlands Preservation Area Approval (HPAA) would not be required. The NJDEP also advised that Freshwater Wetlands and Flood Hazard Area approvals would be necessary for the access driveway, and recommended that the Township pursue alternative solutions to lessen the disturbance.

2. Notification received from Hatch Mott MacDonald, dated March 4, 2014, advising of a Highlands Applicability Determination and Water Quality Management Plan Consistency Determination application being filed on behalf of the City of Newark regarding the Pequannock Residuals Treatment Facility located on Route 23, Block 14102; Lot 1, seeking an exemption for the construction of a new water treatment plant with a gravity sludge thickener and mechanical dewatering facility, eliminating the need for the current sludge lagoon, which is at full capacity, for the disposal of backwash waste.

3. Correspondence from the NJDEP, dated March 7, 2014, regarding an application from Boswell Engineering for a Highlands Preservation Area Approval (HPAA) with Health and Safety Waiver regarding Village on Ridge II and Passaic Valley Water Commission, citing certain deficiencies in the application and requiring additional information within 30 days in order to complete the review and make a determination regarding the HPAA.

4. Notice received from the NJDEP, dated March 10, 2014, advising that the Camp Hope Swimming Pool and Spray Park, 1792 Union Valley Road, Block 6402; Lot 4, was determined to be exempt from the Highlands regulations under Exemption #4 since it does not generate any additional wastewater discharge; the WQMP was not addressed.

**NJ Department of Environmental Protection Correspondence**

1. Letter from the NJDEP, dated February 21, 2014, to the Pinecliff Lake Community Club regarding the Pinecliff Lake Dam (File No. 22-47), advising that per the 2012 Regular Inspection Report, submitted March 15, 2013, the dam was found to be in SATISFACTORY condition with minor repairs and maintenance to be implemented within six months of this correspondence. Also advising that Class I dams require regular inspections every two years and a formal inspection every 6 years, the later of which is due by the end of 2014, as well as an updated Emergency Action Plan (EAP) and inspection checklist from the 2003 Operations & Maintenance Manual.

2. Letter from the NJDEP, dated February 21, 2014, to the Lake Lookover Property Owners Assoc. regarding the Lake Lookover Dam (File No. 22-84), advising that, based on the 2013 Inspection Report submitted November 14, 2013, the dam was found to be in SATISFACTORY condition with maintenance items recommended, to be implemented within six months of this correspondence. Also advising that an inspection report would be due within 2 years.
3. Letter from the NJDEP, dated February 12, 2014, to Passaic County regarding the Apshawa Main Dam (File No. 22-1) and the Apshawa Auxiliary Dam ((File No. 22-314), advising that the 2014 Inspection Report finds the dams to be in SATISFACTORY condition with maintenance to be completed by May 21, 2014, and the next inspection performed by January 16, 2016. Also advising that the low-level outlet valves should be operated two to four times per year to prevent siltation of the inlet, control corrosion, and to insure operability of the valves, and requesting an electronic version of the EAP by March 31, 2014.
4. Letter from the NJDEP, dated March 11, 2014, to Lake Arcadia Association, regarding the Lake Arcadia Dams No. 1 & No. 2 and Saddle Dikes (File Nos. 22-45 & 22-46), advising that the 2013 Inspection Report and Dam Safety Compliance Schedule by Richard E. Deubert, P.E., as well as the NJDEP inspections, finds the dams to be in POOR condition, and agrees with the findings and recommendations in the reports. Also advising that a recommended hydrologic and hydraulic analyses must be submitted by March 31, 2014, with further requirements based on the results of the analysis.
5. Correspondence received from the NJDEP, dated March 11, 2014, to Camp Vacamas Assn, Inc., 256 Macopin Road, advising that the permit application and Inspection Report received from Civil Dynamics regarding the Henion Pond Dam (File No. 22-18) requires several items to be addressed, including confirmation that the raising of the 100 year water level and backwater will not exceed the boundaries of the Vacamas property, as well as citing the effects of the proposed dam on the downstream area in a failure condition, including breach scenarios. Also required is verification of compatibility of existing fill with proposed sand, Fill A & B, and Filter Fabric, and to provide design basis for riprap outlet protection at the primary spillway.
6. Letter from the NJDEP, dated March 12, 2014, to the City of Newark regarding the Cedar Pond Dam (File No. 22-240) and Hanks Pond Dam, (File No. 22-242) advising that, based on the emergency actions and status update provided by Civil Dynamics, they are ordered to proceed with the recommendations of lowering the reservoirs and completing the work to make the dams safe, with notification of the completed results to the NJDEP by April 30, 2014. Also advising that the Hazard Classification Study for both dams is required by December 31, 2014.
7. Notice from the NJDOT, dated March 11, 2104, announcing that the 2014 SRTS – Safe Routes to School Program funding is available for the construction of infrastructure projects, including sidewalks, bike lanes, multi-use paths, and other means for children to walk or bicycle to school; deadline for application submission is May 15, 2014.
8. Notice from the NJDOT, dated March 11, 2014, announcing funding for the TAP - Transportation Alternative Program for various projects including facilities for bicycles or pedestrians, tourist and welcome centers, landscaping or other scenic beautification, historic preservation, and environmental mitigation for highway runoff pollution; deadline for application submission is May 15, 2014.
9. Copy of a letter from the CFO/Treasurer of the Township of West Milford, dated March 13, 2014, to the NJDEP regarding the 319H (SFY2007) Grant – Stormwater Implementation and Lake Characterization and Restoration Plan for Greenwood Lake, transmitting quarterly reports from Princeton Hydro summarizing the work that was completed from November 2013 through February 2014.
10. Notice to the NJDEP from G Environmental -GECP Inc., dated March 3, 2014, regarding the abandonment of a 6,000 gallon No. 4 Heating Oil UST at the West Milford Presbyterian Church, 1452 Union Valley Road, Block 7903; Lot 11, with the associated Response Action Outcome, finding no contamination in the soil.
11. Notice from the NJDEP, dated February 11, 2014, to Chelsea Senior Residences, advising of a deficiency in the Freshwater Wetlands LOI and Transition Area Averaging Plan Application, and requesting verification of prior freshwater wetlands permits for the existing development, or requiring an amendment to the application to address all regulated activities, existing and proposed. In addition, the applicant is required to reassess the site to quantify and depict all freshwater wetlands and wetland transition area disturbances and apply for

appropriate approvals required for the development, and if not received within 30 days, the application would be cancelled and referred for NJDEP enforcement.

12. Letter from the NJDEP, dated March 6, 2014, to Kitchell Lake Association, regarding the Kitchell Lake Dam (File No. 22-157), advising that the 2014 Regular Dam Safety Inspection Report found the dam to be in SATISFACTORY condition, with long term improvements recommended, and an inspection and report required within two years from the current report.

13. No Further Action - Covenant Not To Sue notice received from the NJDEP, dated March 17, 2014, regarding Peggy VanGilst, 13 Gwyneth Road, Block 7003; Lot 15.01 for the removal of a 550 gallon #2 Heating Oil UGST.

14. Draft NJ Pollution Discharge Elimination System–Ground Water Renewal Permit Action notice received, dated March 17, 2014 regarding the Bald Eagle Village STP – Underground Injection (UIC – Sanitary for Block 7801; Lots 65, 66, 67 for the treatment of approximately 75,000 gals per day of sanitary wastewater generated and directed to an on-site sewage treatment plant.

15. Flood Hazard Area and Riparian Zone Verification received from the NJDEP, dated March 11, 2014, regarding Jack Lipari, Split Rock Road, Block 5306; Lot 4.02, advising that there is no flood hazard area on the subject site.

### **Miscellaneous Correspondence Received/Sent**

1. Correspondence from the Passaic County Planning Board, dated March 11, 2014, regarding Twins Realty Site Plan, 937 Burnt Meadow Road, Block 3906; Lots 9 & 10 and Block 6002; Lot 39.01, advising that the site plan has been approved and will not adversely affect any County facilities.

2. Notice from Passaic County Planning Board, received February 26, 2014, that a public hearing will be held on an amendment to the Corridor Enhancement Plan element of the Passaic County Master Plan, to be held on April 3, 2014 at 5:00 pm at the office of the Planning and Economic Development on Riverview Drive, Totowa, NJ.

3. Invitation from the NJDEP to attend the US Army Corps of Engineer's upcoming Passaic River Basin public information sessions on March 25, 2014 from 7 to 9 at Winston Churchill School, Fairfield; March 27, 2014 from 7 to 9 at Pompton Lakes High School, Pompton Lakes; and April 3, 2014 from 7 to 9 at the Lyndhurst Fire Department, Lyndhurst. RSVP required by contacting [Cindy.Randazzo@dep.state.nj.us](mailto:Cindy.Randazzo@dep.state.nj.us).

4. Written comments will be accepted by the Highlands Council, until March 28, 2014, regarding the Township of Jefferson's Petition for Plan Conformance and Final Draft Consistency Review and Recommendations Report.

5. Notice from ANJEC regarding a program entitled "Municipal Open Space, Planning, Acquisition, Management" to be held from 7:00 to 9:30 pm on April 10, 2014 at the Mt. Holly Township Courtroom, and from 7:00 to 7:30 pm on April 29, 2014 at the Essex County Environmental Center, Roseland. Registration and fees are required.

6. Notice from the Friends of Wallisch Homestead with an update on events planned for 2014 with regard to maintenance and fundraising efforts including Spring Cleanup on 04-19-14 and Flower Planting on 05-18-14.

### **ADJOURNMENT**