

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

REGULAR AGENDA

April 23, 2009

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.

PLEDGE OF ALLEGIANCE

ROLL CALL

Regular Members: Mayor Bettina Bieri, Steven Castronova, Richard McFadden,
Douglas Ott, Chris Rosica, Clinton Smith, Geoffrey Syme,
Councilman Philip Weisbecker
Alternates: Michael Siesta, Kerry Goceljak
Chairman: Andrew Gargano
Board Attorney: Thomas Germinario, Esq.
Board Engineer: Paul Ferriero, P.E.
Board Planner: Charles McGroarty, P.P.

PUBLIC PORTION

Up to half-hour reserved.

SITE PLAN APPLICATION REVIEW WAIVERS – None.

APPLICATIONS

TIME EXTENSIONS– None.

PENDING APPLICATIONS

Carried to June 4, 2009

**1952 UNION VALLEY ROAD, LLC
Preliminary & Final Site Plan #0820-0167AB**

Block 3601; Lots 1 & 3
1952 Union Valley Road; CC Zone

Seeking: Preliminary and final site plan approval and variance relief for the removal of an existing structure and the construction of a new deli/convenience store with two apartments.

*Complete: September 8, 2008
Decision By: July 2, 2009*

NEW APPLICATIONS – None.

NEW BUSINESS

MEMORIALIZATIONS

ORDINANCES FOR INTRODUCTION

ORDINANCES REFERRED FROM COUNCIL

Ordinance No. 2009-005 (Revised) – Discussion and comments.

PLANNING BOARD PLANNER'S REPORT

PLANNING BOARD ATTORNEY'S REPORT

PLANNING BOARD ENGINEER'S REPORT

MISCELLANEOUS

Approval Of Invoices – Board Professionals

Subcommittee Reports

Master Plan Subcommittee
Ordinance Subcommittee
Building Design Subcommittee
Site Plan Committee

MINUTES

Approval of minutes of the March 5, 2009 Regular Meeting, the March 26, 2009 Regular Meeting of the Planning Board.

COMMUNICATIONS

1. Letter from NJ DEP dated March 30, 2009 regarding the West Milford Shopping Center Sewage Treatment Plant Service Area, Block 6303; Lots 15 & 16, acknowledging revisions to their Northeast Quality Management Plan.
2. Letter from the NJ DEP dated March 27, 2009 regarding a Letter of Interpretation determination inquiry for Charles Aikey, Block 9501: Lot 19.02 (Portion), requesting that application be made to the DEP for an official determination of the site.
3. Application for a Letter of Interpretation from Yoram and Beth Rosen, Block 4901; Lot 15 regarding a repair of the existing sanitary disposal system, received on March 30, 2009.
4. No Further Action Plan and Covenant Not To Sue letter received April 9, 2009 from the NJ DEP to William McLaughlin, 537 Burnt Meadow Road, Block 4701; Lot 54 with regard to a 550 gallon # heating oil underground storage tank.
5. Correspondence to Anthony Patire, Marshall Hill, LLC from the NJ DEP dated April 8, 2009 regarding the West Milford Lake Dam, notifying the owner of the DEP's intent to remove the dam, thus making the owner liable for the costs if an acceptable implementation plan is not submitted by June 15, 2009 that outlines the actions to be taken by the owner to bring the dam into compliance.
6. Update from the NJ League of Municipalities on the DEP Permit Efficiency Review Task Force Implementation Plan noting a final report submitted by the task force that is available on the DEP website.
7. Resolution 2009-155 adopted April 8, 2009 approving recommendations of the Planning Board with regard to the streetscape improvement plan.

8. No Further Action and Covenant Not To Sue letter received from the NJ DEP regarding Finke property at 73 High Crest Drive, Block 12401; Lot 42 with regard to replacement of a 550 gallon # 2 fuel oil underground storage tank.

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Notice of Cancellation of the Application for a Highlands Applicability Determination dated March 27, 2009 from the NJ DEP regarding the Minor Subdivision for Awosting Association, Block 4106; Lot 1 citing insufficient documentation for processing the application and failure to withdraw without penalty within the time period provided.

2. Agency Determination – Exempt #4, Water Quality Management Plan – Consistent - received for Inserra West Milford/Shop Rite expansion; Block 6303; Lots 15 & 16, dated March 27, 2009.

3. Re-Application packet for Highlands Applicability Determination dated April 9, 2009 received from Giordano, Halleran & Ciesla for Tennessee Gas Pipeline Company – 300 Line Project through Vernon, West Milford and Ringwood in response to the Highland's determination of Administrative Incompleteness dated March 10, 2009.

ADJOURNMENT

Addendum to Agenda

TOWNSHIP OF WEST MILFORD PLANNING BOARD

REGULAR MEETING

April 23, 2009

RESOLUTION NO. 2009 – 10

RESOLUTION FINDING MASTER PLAN CONSISTENCY

In The Matter Of Master Plan Consistency Determination - Ordinance No. 2009-05 To Amend Chapter 414 “Fees, Land Development” Of The Revised General Ordinances Of The Township Of West Milford, County Of Passaic, State Of New Jersey