

**Township of West Milford
PLANNING BOARD
REGULAR MEETING AGENDA**

April 28, 2011

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, Robert Nolan, Douglas Ott, Geoffrey Syme, *Vacancy*, Councilman Philip Weisbecker
Chairman: Andrew Gargano
Alternates: Michael Siesta, Steven Castronova
Board Attorney: Thomas Germinario, Esq.
Board Engineer: Paul Ferriero, P.E. / John Hansen, P.E.
Board Planner: Charles McGroarty, P.P.

PUBLIC PORTION

Up to half-hour reserved.

PRESENTATION - None.

APPLICATIONS

NEW APPLICATIONS – None.

PENDING APPLICATIONS – None.

EXTENSION OF TIME

MR. WONTON LLC

Preliminary & Final Site Plan #0720-0305AB

Block 6303; Lot 18

1546 Union Valley Road; VC Zone

Seeking: One Year Extension of Time for Final Site Plan Approval that was originally granted on December 4, 2008.

MEMORIALIZATIONS

NEW BUSINESS

Review of Land Use Application Checklist Revisions

Update on Streetscape

ORDINANCES FOR INTRODUCTION

ORDINANCES REFERRED FROM COUNCIL

BOARD PLANNER'S REPORT

BOARD ATTORNEY'S REPORT

BOARD ENGINEER'S REPORT

MISCELLANEOUS

Approval Of Invoices – Board Professionals

Approval of the invoices submitted by the Planning Board professionals for services performed during the months of January, February and March 2011.

MINUTES

Approval of Minutes from the December 2, 2010 Regular Meeting, the January 6, 2011 Re-organization Meeting, the January 6, 2011 Workshop Meeting, the January 27, 2011 Regular Meeting, the February 3, 2011 Regular Meeting, February 24, 2011 Regular Meeting, and the March 24, 2011 Regular Meeting.

COMMUNICATIONS

1. Notice received April 1, 2011 regarding the Passaic County Brownfields Commission meeting on April 20, 2011 at 3 pm, with speaker Wayne Staub, Office of Economic Growth and Green Energy, NJDEP.
2. Memo from Kevin Boyle, Township Administrator, dated April 6, 2011, identifying the properties that the Township has acquired since 2009 (Gallman Tract, Random woods, CYO Fields) with the addition of Apple Valley Estates in the near future.
3. Petition from residents of Macopin Road and Wooley Road regarding the required aquifer testing for the Braemar at West Milford subdivision and requesting that the testing be postponed until they have met with the Township and applicant's hydrogeologists.
4. Report from Matt Mulhall, M2 Associates, dated April 20, 2011, advising of the impending aquifer testing for the Braemar at West Milford subdivision, outlining details of the testing procedures that are scheduled to begin April 25, 2011.

HIGHLANDS WATER PROTECTION & PLANNING ACT / NJ DEP CORRESPONDENCE

1. Notice of an application for a Freshwater Wetlands General Permit application received on April 15, 2011 from Tennessee Gas Pipeline.
2. Notice from Tennessee Gas Pipeline, dated April 14, 2011, advising that TGP applied to FERC for a Certificate of Public Convenience and Necessity with regard to the proposed construction, installation, modification, operation and maintenance of the Northeast Upgrade Project facilities to increase pipeline capacity to provide up to an additional 636,000 dekatherms per day of firm natural gas transportation service to northeast U.S. markets.
3. Letter from the Tennessee Gas Pipeline, dated April 13, 2011, updating the Township on the Northeast Upgrade project, and advising that additional information may be obtained at www.elpaso.com/northeastupgrade.

4. Draft Settlement Agreement copy received from the NJ DEP, dated April 11, 2011, regarding Ernie and Barbara Suto, 24 Dudley Street, Block 11001; Lot 58 to settle violations of the Freshwater Wetlands Protection and Flood Hazard Area Control Act at the subject site.
5. Flood Hazard Area Applicability Determination received from the NJ DEP, dated March 30, 2011, regarding Robert Kruitof, Block 2704; Lot 7, determining that no written flood hazard area approval is required for the septic alteration along Upper Greenwood Lake.
6. No Further Action letter received from the NJ DEP, dated March 30, 2011 regarding Giuseppe Macaluso, 20 Barnegat Rd, Block 1206; Lot 3 for the removal of a 550 gallon #2 Heating Oil Underground Storage Tank.
7. Letter from the NJ DEP Bureau of Dam Safety & Flood Control, dated April 7, 2011, regarding Zeliff Pond Dam, advising owner Allison Hasford, 2 Pond Farm, Weaver Road, that the Zeliff Pond Dam height is 6.97 feet, therefore requiring plans to be submitted implementing the modification necessary to lower the existing dam to the regulatory height of 5 feet, or complete necessary studies to demonstrate why the existing dam can be classified as a Class III, Low Hazard Dam.
8. Highlands Applicability Determination Application copy received on April 20, 2011, regarding Paul Kas, 1910 Union Valley road, Block 6701; Lots 8 & 9, regarding the Lukoil site and the proposed conversion of one of the three existing bays into a convenience store, with expansion of parking and canopy over the gas pumps.
9. Potable Well Water Analysis received on March 29, 2011 from Sovereign Consulting regarding results of water samples by Accutest for Waseem Choudhary, 2731 Rt. 23, Newfoundland, Block 14604; Lot 1 with reference to the Shell Service Station, advising that no regulated compounds were detected at concentrations above the standards, with attached report.
10. Potable Well Water Analysis received on March 29, 2011 from Sovereign Consulting regarding results of water samples by Accutest for S. Sisti & John Mcdavitt, 2750 Rt. 23, Newfoundland, Block 14601; Lot 12 with reference to the Shell Service Station, advising that no regulated compounds were detected at concentrations above the standards, with attached report.
11. Potable Well Water Analysis received on March 29, 2011 from Sovereign Consulting regarding results of water samples by Accutest for Marco Silvestri, 2713 Rt. 23, Newfoundland, Block 14605; Lot 4.01 with reference to the Shell Service Station, advising that no regulated compounds were detected at concentrations above the standards, with attached report.
12. Letter from Hatch Mott MacDonald, dated April 15, 2011, advising that the Passaic County Public Works Division of Engineering was amending their Highlands Applicability and Water Quality Management Plan Consistency Determination Application for the Replacement of Clinton Road over Mossman's Brook Bridge No. 1600-175 and were seeking Exemption #10 instead of the original Exemption #9.
13. Notice of Administrative Completeness, dated March 18, 2011, received from the NJ DEP regarding a Highlands Applicability and WQMP Consistency Determination for the Pequannock Water Treatment Plant Improvement, Route 23, Blocks 14010 and 14102; Lot 1.

ADJOURNMENT