

**Township of West Milford
PLANNING BOARD
REGULAR MEETING AGENDA
May 24, 2012
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, Councilmember Luciano Signorino, *Vacancy*.
Chairman: Geoffrey Syme
Alternates: Michael Siesta, Steven Castronova
Board Attorney: Thomas Germinario, Esq.
Board Engineer: Paul Ferriero, P.E.
Board Planner: Charles McGroarty, P.P.

PUBLIC PORTION

Up to half-hour reserved.

PRESENTATIONS – None.

APPLICATIONS

EXTENSIONS OF TIME – None.

PENDING APPLICATIONS

TRIPLE T CONSTRUCTION, LLC
Preliminary & Final Site Plan #PB-03-11-01
W Bulk Variance
Block 6002; Lot 29
280 Marshall Hill Road; LMI Zone
Status: Matter carried.

NEW APPLICATIONS

OAK RIDGE ROAD ASSOCIATES, LLC
Preliminary /Final Site Plan #PB-11-11-04
Block 15901; Lot 1
197 - 209 Oak Ridge Road; LMI
Seeking: Preliminary and Final Site Plan approval and consideration of waivers to construct a 21,916 s.f. parking lot in the LMI Zone, with variances from buffer and/or landscaping requirements under Ordinance §500-49. Continuation of hearing from April 5, 2012.

MEMORIALIZATIONS – None.

NEW BUSINESS

Draft Amendments to Well Testing Ordinance #2007-028 – Discussion.

Environmental Resource Inventory – Review comments from Environmental Commission.

ORDINANCES FOR INTRODUCTION

ORDINANCES REFERRED FROM COUNCIL

BOARD PLANNER’S REPORT

Highlands Master Plan Update.

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 March and April 2012.

MINUTES

Approval of Minutes from the September 22, 2011, February 23 and April 5, 2012 Regular Meetings.

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Notice dated April 20, 2012 of an application being submitted for a Highlands Applicability Determination and a Water Quality Management Plan from Surjit Singh, 555 Warwick Tpk., Block 703; Lot 3.
2. Letter to Tennessee Gas Pipeline from the NJDEP, dated April 3, 2012, regarding modifications to the TGP 300 Line Project-Loop 325, advising that the new modifications do not change the February 11, 2011 determination of Exempt and Not Addressed, and advising that all stipulations identified in their letter still applies. In addition, the Highlands Resolution 2012-7, dated February 16, 2012, determined that the revised project constitutes routine maintenance operations, rehabilitation, preservation, reconstruction, repair or upgrade of public utility lines or systems and is consistent with the goals and purposes of the Highlands Act.
3. Highlands Act Exempt–Exemption #11; Water Quality Management Plan–Not Addressed received from the NJDEP regarding the Northeast Upgrade Project (Loop 325) – an extension of the previous project known as the “300 Line Project” which involves construction of approximately 7.6 miles of new 30-inch outside diameter underground natural gas pipeline adjacent to the existing 24 inch natural gas pipeline. The pipeline extends from West Milford, through Ringwood and terminates in Mahwah.

NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Notice from Ballester, Eid & Lapatka dated April 30, 2012 advising of submission of a Treatment Works Approval Permit Application to the NJDEP for 206 Lakeside Road, Block 3202; Lot 1 & 3201; Lot 12 for the installation of septic field on an adjacent vacant lot.
2. Notice of Deficiency dated April 16, 2012 regarding a Remedial Action Report for 30 Windsor Road, Block 7003; Lot 8.01, advising that confirmation ground water sampling had not been performed as required. Updated ground water information is required for submission as an addendum to the RAR within 60 days of the notice.

3. No Further Action and Covenant Not To Sue letter dated April 2, 2012 received for 16 Walker Avenue, Block 13809; Lot 14, regarding the remediation of BTEX compounds found in potable well.
4. Letter from the NJDEP Bureau of Dam Safety, dated April 9, 2012 to the Township of West Milford advising that a portion of the Upper Mount Glen Lake Dam (Block 11302; Lot 36), NJ File #22-101 is located on Township property, and that the Township is required to bring the dam into compliance per the standards established by the Safe Dam Act, N.J.S.A. 58:4 along with the co-owners, Mount Glen Lakes Association, John Kasper and Walter Russell.
5. Letter from the NJDEP Bureau of Dam Safety, dated March 27, 2012, to the City of Newark regarding Hanks Pond Dam, NJ File #22-242, advising that based upon the inspection report by Civil Dynamics, the dam was found to be in an unsatisfactory condition with repairs and maintenance necessary, and outlining several concerns that must be addressed following a review of the Hazard Classification documents. The owner was advised to implement the recommendations presented in the report, with the next inspection conducted by December 2012.
6. Letter from the NJDEP, dated April 2, 2012, regarding GPS Enterprises (Old School Pub), 551 Warwick Tpk, Block 703; Lot 3, providing a summary of the February 22, 2012 Private Potable Well Water Analysis in the vicinity of SB Petroleum, advising that the well water is acceptable for drinking water and other domestic uses.
7. Notice from PSE&G, received April 10, 2012, advising that an application is being submitted to the NJDEP for a Freshwater Wetlands Individual Permit in order to conduct regulated activities in order to being the ROW into compliance with the BPU and NERC vegetation maintenance regulations.
8. Copy of a letter to several residents in the vicinity of 2019 Greenwood Lake Tpk from HCI-Hyrotechnology Consultants, dated April 2, 2012, requesting access to the properties for the purpose of conducting state mandated testing. The request, on behalf of Adelo Corporation, is for the purpose of conducting Vapor Intrusion Testing due to elevated levels of tetrachloroethene, trichloroethylene and vinyl chloride detected in ground water near this site as required by the NJDEP. Testing will be performed at no cost to the homeowner with results made available to them. A prior request was made on March 7, 2012 with no response from the property owners. Notices were sent to the following property owners: 1 Lambert Rd, Bl 3603; Lt 4; 3 Lambert Rd, Bl 3603; Lt 3; 5 Lambert Rd, Bl 3603; Lt 2; 5 Stainsby Rd, Bl 3603; Lt 6; 7 Lambert Rd, Bl 3603; Lt 1; 2007-2011 Greenwood Lake Tpk, Bl 3603; Lt 8.
9. Request for a Budget Amendment on SFY04 NPS Grant (RP04-081) [319(h)] dated April 4, 2012, to the NJDEP from the Township Administrator, requesting an additional project to be approved for the unexpended balance of the grant. The project would implement a riparian planting vegetative filter strip along Morsetown Brook and Belchers Creek.
10. Request to the NJDEP for a Budget Amendment on SFY07 NPS Grant (RP07-052) [319(h)], dated April 4, 2012, with an update on May 1, 2012, from the Township Administrator, requesting that the remaining 2007 grant funds be used to implement 4 additional watershed based projects, including projects on Marshall Hill Road: design, permits, and construction management services for a rain garden and culvert replacement; Stainsby Road: design, permits, and construction management services for a culvert removal (daylighting) and swale stabilization; Adelaide Terrace: design, permits, and construction management services for a stormwater Manufactured Treatment Device; and Reidy Place: design, permits, and construction management services for a Filterra/vegetated inlet at the intersection of Reidy Place and Millington Avenue.
11. Notice from Rutgers of the 2012 Spring Wetlands Training Courses including the Wetlands Delineation Certificate Series, Basic Wetlands Training, Hydrology of Wetlands, Freshwater Wetlands Permits, and Endangered and Threatened Species of NJ.
12. Notice from John Moyle, Bureau of Dam Safety, dated April 27, 2012, regarding the Henion Pond Dam, NJ file #22-18, Camp Vacamas, 256 Macopin Road, advising that a recent inspection, associated with a request to raise the lake level by 6" for the summer camp, revealed that a 6" stoplog had been placed in the middle of the center spillway with additional stoplogs blocking the left spillway section. The "stoplogs have raised the level of the lake without the approval from the Bureau in direct violation of the

Bureau's directive to maintain the lake at a safe operating level until the dam is in compliance with NJ Dam Safety Standards. All stoplogs must be immediately removed from all spillway sections.” Approval for the installation of one 6” high stoplog in each spillway for a period of June 1 – August 31 was given provided certain conditions were met.

13. Notice to Lake Arcadia Association from the NJDEP, dated May 14, 2012, regarding the Lake Arcadia Dams No. 1 & 2 and Saddle Dikes, advising that the dams are currently in poor condition because critical studies (hydraulic, hydraulic studies, and Dam Breach Analysis) are necessary. Lake Arcadia Association is required to have necessary studies performed by a licensed engineer, as well as plans prepared for implementation of the recommended repairs in the November 19, 2011 report.

14. Notice dated May 8, 2012 from PK Environmental regarding an application to the NJDEP for a Flood Hazard Area Verification for Inserra West Milford LLC, Block 6303; Lot 12, 47 Marshall Hill Road, regarding proposed construction of a single family dwelling.

CORRESPONDENCE

1. Notice from the Passaic County Planning Department regarding ESCO Products, Block 15901; Lot 7, 171 Oak Ridge Road, advising that the site plan approval is withheld pending receipt of a quit-claim deed for a portion of the property in the county right of way.

2. Certification of soil erosion and sediment control plan from the Hudson Essex Passaic Soil Conservation District, dated April 20, 2012, received for the Tennessee Gas Northeast Upgrade Loop 325.

ADJOURNMENT