

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

MINUTES

May 24, 2018

Regular Meeting

Chairman Andrew Gargano opened the May 24, 2018 Regular Meeting of the West Milford Planning Board at 7:00 p.m. with a reading of the Legal Notice followed by the Pledge of Allegiance.

ROLL CALL

Present: Linda Connolly (7:02), Chairman Andrew Gargano, Warren Gross, Douglas Ott, Geoffrey Syme, Glenn Wenzel.

Absent: Mayor Bettina Bieri, Christopher Garcia, Councilman Luciano Signorino, Alt. #1 Steven Castronova, Alt. #2 Michael Siesta, Board Attorney Thomas Germinario, Board Engineer Paul Ferriero, Board Planner Jessica Caldwell.

Chairman Andrew Gargano advised that the Board professionals were excused from attending this meeting, and 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 Glenn Wenzel with a **second** by Warren Gross.

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 pending receipt of a wetlands report.***

Chairman Andrew Gargano advised that this matter has been carried from the original carry date of April 5, 2018 to allow additional time for the receipt of a wetlands report and a revised site and soil plan. It is anticipated that this application will be heard at the June 28, 2018 Planning Board meeting.

MEMORIALIZATIONS – None.

NEW OR ONGOING BUSINESS

West Milford Board of Adjustment 2016 Annual Report – Pending review by the Ordinance Committee.

Bed & Breakfast and AirBNB Facilities – Pending review by the Ordinance Committee.

Chairman Gargano advised that the BOA Annual Report and the Airbnb issues will be reviewed by the Ordinance Committee at their next meeting.

ORDINANCES FOR INTRODUCTION – None.

ORDINANCES REFERRED FROM COUNCIL – None.

BOARD PLANNER'S REPORT – None.

BOARD ATTORNEY'S REPORT – None.

BOARD ENGINEER'S REPORT – None.

MISCELLANEOUS

Invoices

The Planning Board professionals' invoices from March and April 2018 were unanimously **approved** on a **motion** by Geoffrey Syme with a **second** by Douglas Ott.

MINUTES

The Minutes from the April 5, 2018 regular meeting were **unanimously approved** by the members who were present at that meeting on a **motion** by Geoffrey Syme and a **second** by Warren Gross.

The following correspondence items were reviewed and filed:

CORRESPONDENCE RECEIVED:

Highlands Water Protection and Planning Act Correspondence

1. Correspondence from the Highlands Council, dated May 4, 2018, regarding Randa Investments, Block 7601; Lot 2, Union Valley Road, with respect to an application to the Board of Adjustment for a Use Variance for the construction of 10 townhouses in the Village Commercial Zone. The Highlands Council advised that if the Use Variance is granted, a full Consistency Determination may be required. If the applicant applies for an Exemption and the project does not qualify, the applicant will need to apply for a Highlands Preservation Area Approval with Waiver from the NJDEP and Highlands Council, as well as a Brownfield Redevelopment Area designation.
2. Correspondence from the Highlands Council, dated May 4, 2018, regarding Randa Investments LLC, Block 7601; Lot 2, 1463 Union Valley Road, advising that the Council is closing the previously submitted application for a Highlands Redevelopment Area designation which had originally proposed a mixed use building for the site.

NJ Department of Environmental Protection Correspondence

1. Application for a NJDEP Freshwater Wetlands Letter of Interpretation and Transition Area Waiver, dated April 19, 2018, received for Block 16052 and Lot 3, 250 Oak Ridge Road for Lakeland Bank regarding the expansion of an existing parking lot and associated site improvements.
2. Correspondence received from John Moyle of the NJDEP, dated April 13, 2018, regarding Hank's Pond Dam, NJ File No. 22-242, advising that the correct contact information must be included on the Emergency Action Plan (EAP), with corrections to be submitted by May 15, 2018.
3. Hazardous Substance Discharge Notice received from the NJDEP, dated April 25, 2018, regarding 29 Larchmont Drive, Block 409; Lot 16, for the removal of a 550 gal UST, with clean up pending.
4. Application to the NJDEP from PSE&G, dated April 2018, regarding a Freshwater Wetlands Permit, Flood Hazard Area Permit and Water Quality Certification regarding the BPU and NERC Vegetation Maintenance Compliance Project.
5. Hazardous Substance Discharge Notice received from the NJDEP, dated April 10, 2018, regarding 1911 Union Valley Road, for antifreeze and motor oil materials spilled as a result of a motor vehicle accident.
6. No Further Action notice received from the NJDEP, dated April 27, 2018, regarding 14 Upper High Crest Road, Block 13103; Lot 8, for the removal of one 550 gal #2 H.O. UST.
7. Notification from the NJDEP Division of Dam Safety & Flood Control, dated May 14, 2018, regarding the Upper Mount Glen Lake Dam, File # 22-101, advising the Mt. Glen Lakes Association that the dam safety report submitted for 2018 is incorrect, and further advising that the structure will be assigned a POOR condition assessment, with a dam safety permit application submitted by July 1, 2018.
8. Draft NJ Pollutant Discharge Elimination System (NJPDDES) Ground Water Renewal Permit Action correspondence received from the NJDEP, dated May 10, 2018, for Suez Water-West Milford regarding Bald Eagle Manor, Richmond and Morsetown Roads, Block 5501; Lot 22, Permit # NJ0081914, PI ID #47192, with respect to the Underground Injection Control (UIC) Sanitary system.
9. Application to the NJDEP for a Flood Hazard Area General Permit, dated May 1, 2018, received from MCB Engineering Associates LLC, regarding Antonucci Property, Cherry

Ridge Road, Block 101; Lot 29, regarding the construction of a single family dwelling, septic system, well and driveway.

Miscellaneous Correspondence

1. Notification from Randa Investment regarding a Use and Bulk Variance application hearing scheduled for May 22, 2018 at 7:30 pm before the Board of Adjustment.
2. New Jersey Planner publication for March–April 2018.
3. HEPSCD certification of the soil erosion and sediment control plan, dated April 24, 2018, regarding the Bald Eagle Village Disposal Field Replacement on Beacon Hill Road, Block 7801; Lot 66

ADJOURNMENT

Prior to adjourning, the Board concurred that the June 7, 2018 meeting should be cancelled and the next regular meeting would be held on June 28, 2018, at which time the Scattergood-Tooney matter should be ready for their hearing. Board Member Warren Gross inquired if any of the Board members had been to the Carmel Road site, and he expressed concern about erosion issues with all the rain that had fallen in recent months. He was advised that silt fencing had been installed, and that soil erosion measures had been taken while this matter was pending for the receipt of the wetlands report. Chairman Gargano advised the Board that any of the Board members can visit the site, but not a total of 5 members at the same time (which would constitute a quorum).

With no other matters to be brought before the Planning Board, Chairman Andrew Gargano **adjourned** the regular meeting of May 24, 2018 at 7:10 p.m. on a **motion** made by Douglas Ott with a **second** by Warren Gross.

Approved: June 28, 2018

Respectfully submitted by,

Tonya E. Cubby, Secretary