

Township of West Milford
PLANNING BOARD
REGULAR MEETING AGENDA
June 23, 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, Councilman Philip Weisbecker, *Vacancy*
Chairman: Andrew Gargano
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.

APPLICATIONS

NEW APPLICATIONS

FILIPPO ENTERPRISES LLC
Minor Site Plan #PB-04-10-01
Bulk Variance

Block 2402; Lot 2

399 Lakeshore Drive; NC Zone

Seeking: Minor Site Plan approval and Bulk Variances for construction of a fenced and roof-covered smoking area for patrons.

PENDING APPLICATIONS

EXTENSION OF TIME

MEMORIALIZATIONS

NEW BUSINESS

Review of Land Use Application Checklist Revisions

Discuss Streetscape Requirements for Future Board Applications

Discuss Departmental Notice of Time Extension Requests: Board Engineer

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 April, May 2011.

MINUTES

Approval of Minutes from the March 24, 2011 and May 26, 2011 Regular Meetings.

COMMUNICATIONS

1. Invitation from Passaic County to attend a Green Fair on Tuesday, June 28, 2011 (Rain Date June 29) from 11am – 5pm at the Passaic County Court House on Hamilton Street, Paterson, NJ.
2. Notice of Penalty Assessment and Offer of Settlement, dated May 13, 2011, regarding Theodore Hajek, 792 Warwick Turnpike, Block 1405; Lot 1, for disposal of solid waste in the form of wood, general debris, stumps, metal, asphalt, and tire retaining wall. Settlement offer in the amount of \$4500. and compliance is required within 30 days, or a compliance plan must be submitted with timeline.
3. Memo from the Township Administrator dated June 1, 2011, regarding an environmental site assessment that was performed on the Wallisch site, and a recommendation for a surface soil sampling.
4. Correspondence from Conservation Resources, Inc., received June 1, 2011, a non-profit environmental consulting organization focusing on open space, farmland planning, acquisition, preservation, stewardship, and land management.
5. Update on the 319H DEP Grants from Dr. Fred Lubnow, dated May 25, 2011, advising that the four filtering structures have been installed and the stormwater monitoring has begun at the sites around Greenwood Lake.
6. Receipt of Hudson Essex Passaic Soil Conservation District 3.5 Year Recertification of the Soil Erosion and Sediment Control Plan for Battinelli Residence, 392 Lakeside Road, Block 3107; Lot 13, dated April 29, 2011.
7. Notice from Rockland Electric Co. advising that all work and placement of objects within the easements of electric facilities is prohibited and requesting that RECO be notified if any work is being performed or planned to be performed in their easement areas.
8. Notice from the Borough of Butler, dated May 19, 2011, advising of a public hearing for Ordinance 2011-13 on June 21, 2011, an "Ordinance amending chapter 143 of the Revised General Ordinances of the borough of Butler and Amending the Permitted signs in the Central Business District and Redevelopment Zone.
9. Mayor's Fax Advisory, dated June 6, 2011, advising of Sustainable Jersey Funding in the amount of \$175,000. for Municipal Projects (3-\$25,000., 8-\$10,000., 20-\$1,000.), with a deadline of 07-22-11. Also advising that 335 municipalities are registered for the Sustainable Jersey certification.

10. Mayor's Fax Advisory, dated April 27, 2011, regarding proposed rule for Waiver of DEP Regulations, allowing waivers from strict compliance with the NJDEP rules when a rule is in conflict with another rule, if it is unduly burdensome, a net environmental benefit would result, or a public emergency exist.
11. Notice received on June 10, 2011 of the Morris Canal Greenway Feasibility Study presentation at the Passaic County Planning Office, Totowa, June 16, 2011 at 5:30, and public outreach at various locations planned for the summer of 2011.
12. Copy of letter dated May 25, 2011 from the NJDEP Site Remediation Program regarding notification of owners in the area of the A to Z Automotive Potable Wells Contamination Site, advising that well sampling has been scheduled as part of the continuing ground water investigation.

HIGHLANDS WATER PROTECTION & PLANNING ACT/ DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Copy of a letter from Passaic County Planning Engineer to the NJDEP regarding an application for a Highlands Applicability Determination and Northeast Water Quality Management Plan with regard to the Clinton Road Bridge over Mossman's Brook, Block 16908; Lot 6, Clinton Road ROW, requesting that application process be expedited due to the urgency of the realignment project.
2. Notice received May 28, 2011 from Helping People Help Themselves regarding a proposed facility, Destiny's Gate, and an application for a Highlands Applicability Determination to construct a swimming pool, parking lot, and camping area for "underprivileged kids and families in Passaic County" on the former Sheridan Tract at 445 Morsetown Road, Block 5301; Lots 39 and 40.
3. No Further Action Letter, dated May 17, 2011, received for Cynthia Rea, 117 Long Pond Road, Block 4106; Lot 4, regarding removal of one 550 gallon No. 2 Fuel Oil Underground Storage Tank and associated contaminated soils.
4. No Further Action Letter, dated May 18, 2011, received for Betty Boyer, 23 Little Pond Lane, Block 9101; Lot 39 regarding removal of one 550 gallon No. 2 Fuel Oil Underground Storage Tank system.
5. No Further Action Letter, dated May 24, 2011, received for Harold and Lorelei Thomas, 89 Lincoln Avenue, Block 6607; Lot 5 regarding removal of one 550 gallon No. 2 Fuel Oil Underground Storage Tank and associated contaminated soils.
6. No Further Action - Covenant Not to Sue Letter, dated May 27, 2011, received from the NJDEP for Kathleen Miller, 34 Edgecumb Road, Block 7002; Lot 6, regarding removal of one 550 gallon #2 Heating Oil Underground Storage Tank System.
7. Notice of Deficiency to Mariam Azadalli, dated June 9, 2011, received from the NJDEP regarding Pazak Service Station, 3021 Rt. 23, for failure to provide documentation, data, and fees required in this matter, and listing the corrective actions required with a specific timeframe.
8. Notice to the Lake Arcadia Association, LLC regarding the Lake Arcadia Dams No. 1 & 2 and Saddle Dikes, NJDEP Dam File Nos. 22-45 & 22-46, advising that the submitted compliance schedules are unacceptable, that repair/replacement should take place before the end of 2012, and requiring the owner to provide an analysis to the DEP by June 30, 2011.
9. Request for Water Supply Information, dated June 6, 2011 received from GES Services regarding the former Exxon Service Station at 2 Marshall Hill Road as part of a Classification Exception Area and groundwater quality investigation for the NJDEP.
10. Application for a GP-25 received on June 7, 2011 from Gerald Gardner & Associates, for John Valent, 6 Ferndale Road, Block 12304; Lot 11 for the repair of a malfunctioning septic system.
11. Highlands Act – Exempt #10, Water Quality Management Plan – Not Addressed, dated June 13, 2011, regarding the Replacement of the Clinton Road Bridge Over Mossman's Brook, Block 16908; Lot 1 and Block 15001; Lot 6.

ADJOURNMENT

Addendum to Agenda

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**JUNE 23, 2011
REGULAR MEETING**

COURTESY REVIEW

WEST MILFORD ANIMAL SHELTER SOCIETY

Courtesy Review of Proposed Addition to the West Milford Animal Shelter Facility

Block 6002; Lot 28.01

Lycosky Drive; LMI Zone

Seeking: Courtesy review of proposed 1272 sq. ft. expansion to existing animal shelter facility.