

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

MINUTES

June 27, 2013

Regular Meeting

The June 27, 2013 Regular Meeting of the West Milford Planning Board was opened at **7:38 p.m.** by Chairman Geoffrey Syme with a reading of the Legal Notice, followed by the Pledge of Allegiance and Roll Call.

ROLL CALL

Present: Mayor Bettina Bieri, Steven Castronova, Andrew Gargano, Douglas Ott, Michael Siesta, Glenn Wenzel, Chairman Geoffrey Syme.

Absent: Linda Connolly, Christopher Garcia, Robert Nolan, Councilman Luciano Signorino, Board Attorney Thomas Germinario, Board Engineer Paul Ferriero, Board Planner Charles McGroarty.

Chairman Geoffrey Syme requested Alternates Steven Castronova and Michael Siesta to sit in for the absent Board members. He noted that there was a quorum present for this regular meeting.

PUBLIC PORTION

Chairman Syme opened the Public Portion of the meeting. There being no one present wishing to address the Board, Chairman Syme **closed** the public portion on a **motion** by Mayor Bettina Bieri and a **second** by Michael Siesta.

PRESENTATIONS - None.

NEW APPLICATIONS – None.

PENDING APPLICATIONS

TRIPLE T CONSTRUCTION, LLC

Preliminary & Final Site Plan With Bulk Variance #PB-03-11-01

Block 6002; Lot 29

280 Marshall Hill Road; LMI Zone

Re: Status of Preliminary and Final Site Plan application.

Chairman Syme advised the Board that the attorney for the applicant, Triple T Construction, submitted a letter, dated June 25, 2013, advising that the applicant was withdrawing his application for a preliminary and final site plan for 280 Marshall Hill Road, Block 6002; Lot 29. The letter was read into the record.

**Re: Triple T Construction—280 Marshall Hill
Withdrawal of Application**

Dear Board Members,

Thank you for having extended time on behalf of my client last month as well as over the past year. At this time, however, my client is withdrawing the application.

Nevertheless, Mr. Ridings appreciates the Board's time and efforts and is hopeful that the full potential of the property can be realized with a future application.

As always, the guidance and assistance of your Board Attorney and Secretary has been extremely valuable.

Very truly yours,



Robert L. Moshman

Chairman Syme advised that a Dismissal Without Prejudice resolution was prepared by the Board Secretary in keeping with past procedures of the Planning Board when prior applications were withdrawn after hearings had commenced. The Board Secretary advised that this resolution was sent to Tom Germinario, the Board Attorney, for review, but she did not receive a response prior to this meeting. It was also noted that the applicant owes \$384.50 in past due escrow, and the resolution includes a statement that payment in full of all taxes, fees, escrows, assessments and other amounts due and owing to the Township is required. Board Member Andrew Gargano made a **motion** to table this resolution and **carry** it to the next regular

meeting until the Board Attorney has had time to review and approve the resolution before the Board adopts it. Doug Ott **seconded** the motion; the Board members **approved** the motion by unanimous consent.

SUN YOUNG JOO (Carried to July 11, 2013)
Major Soil Removal/Fill Permit #PB-05-12-05

Block 10402; Lot 12

55 Green Terrace Way; R-4 Zone

Re: Major Soil Removal/Fill Permit approval memorialized by Resolution No. 2013-7 and Resolution 2013-10 for proposed installation of a detention or retention basin on subject property, required as a result of prior unauthorized re-grading of an existing 4-acre residential site.

Chairman Syme advised that the above matter, Sun Young Joo Major Soil Removal/Fill Permit, was carried from June 6, 2013 to a Special Meeting on July 11, 2013 at 7:30 p.m. He also advised the Board members that it will be the only matter on the agenda for that meeting. New plans were received in the Planning Office, and following his review of the plans, Chairman Syme noted that they appear to be fairly consistent with the discussions held on this matter on June 6, 2013. The Secretary advised that she would attempt to get additional copies of the plans for the Board members prior to the July 11, 2013 meeting.

MEMORIALIZATIONS – None.

NEW BUSINESS – None.

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

Approval Of Invoices – Board Professionals

The invoices submitted by the Planning Board professionals for services performed during the months of April and May 2013 were **unanimously approved** on a **motion** by Andrew Gargano with a **second** by Douglas Ott.

MINUTES

The minutes from the March 7, 2013 Regular meeting were **held** to the next regular meeting on a **motion** by Andrew Gargano and a **second** by Douglas Ott to allow additional time for some of the members to review them before adoption.

The following items were reviewed by the Planning Board and filed:

CORRESPONDENCE RECEIVED

Highlands Water Protection And Planning Act Correspondence

1. Highlands Act – Exemption #4, Water Quality Management Plan – Consistent, dated June 4, 2013, received for Twins Realty Group LLC, 937 & 943 Burnt Meadow Road, Block 3906; Lots 9 & 10 and Block 6002; Lot 39.01 regarding proposed demolition of two existing buildings and four trailers and the construction of two new buildings on an existing concrete manufacturing facility site, with new parking area and new septic to be installed.
2. Highlands Act – Not Exempt, Water Quality Management Plan – Inconsistent, received for Dautaj Restaurant – Momento’s, 374 Morsetown Road, Block 4701; Lot 38.02, regarding the 50-seat prior expansion to an existing 120 seat restaurant, which included a paver patio measuring 0.083 acres, construction of a concrete dam, and removal of vegetation and placement of fill covering 0.218 acres for expansion of lawn area on a non-residential lot comprising approximately 8 acres. This project was determined to be a major Highlands development and did not meet the exemptions under the Highlands Rules. The applicant is advised to submit documentation for a Highlands Preservation Area Approval.

NJ Department of Environmental Protection Correspondence

1. Notice from Robert Mazzocchi, 4 Clubhouse Trail, Block 5021; Lot 1, received June 4, 2013, regarding an application to the NJDEP for an extension of a Letter of Interpretation.
2. Freshwater Wetlands Letter of Interpretation: Line Verification, dated May 31, 2013, received from the NJDEP regarding Surjit Singh, 555 Warwick Tpke, Block 703; Lot 3, advising that the wetlands and waters boundary lines as shown on map “Existing Conditions/LOI Exhibit Lot 3,

Block 703..." dated December 5, 2012, revised May 14, 2013, prepared by Jeffrey Careaga, P.E., is accurate as shown.

Miscellaneous Correspondence

1. Notice from the Hudson Essex Passaic Soil Conservation District (HEPSCD), dated May 20, 2013, advising that the soil erosion and sediment control plan is certified for 3.5 years for the Verizon Wireless Telecom Compound Ringwood 4, to be located at 750 Westbrook Road, Block 4701; Lot 61.
2. Notice from the HEPSCD, dated May 23, 2013, advising that the soil erosion and sediment control plan is extended under the Permit Extension Act of 2012 for Fieldstone at High Crest, 5 Chimney Ridge Trail, Block 13002; Lot 13, until November 15, 2016.
3. Notice from the HEPSCD, dated May 30, 2013, advising that the soil erosion and sediment control plan is extended under the Permit Extension Act of 2012 for Firrito Dwelling at Roaring Brook, 830 Westbrook Rd., Block 11102; Lot 6.02, until August 21, 2016.

ADJOURNMENT

With no further business to come before the Planning Board, a **motion** was made to **adjourn** the Regular Meeting of June 27, 2013 at **7:50 p.m.** by Chairman Geoffrey Syme and a **second** by Glenn Wenzel.

Approved: August 22, 2013

Respectfully submitted by,

Tonya E. Cubby, Secretary