

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

MINUTES

July 23, 2015

Regular Meeting

Chairman Christopher Garcia opened the July 23, 2015 Regular Meeting of the West Milford Planning Board at **7:35 p.m.** with a reading of the Legal Notice, followed by the Pledge of Allegiance and Roll Call.

ROLL CALL

Present: Mayor Bettina Bieri, Linda Connolly, Councilwoman Ada Erik, Andrew Gargano, Warren Gross, Douglas Ott, Geoffrey Syme, Glenn Wenzel, Alternate Michael Siesta, Chairman Christopher Garcia.

Absent: Alternate Steven Castronova, Board Attorney Thomas Germinario (excused), Board Planner Chuck McGroarty (excused), Board Engineer Paul Ferriero (excused).

Chairman Garcia advised that a quorum was present to hold this meeting.

PUBLIC PORTION

Chairman Garcia opened the Public Portion of the meeting. With no one present wishing to address the Board, the Public Portion was **closed** on a **motion** by Andrew Gargano and a **second** by Councilwoman Ada Erik.

PRESENTATIONS – None.

APPLICATIONS - None.

APPLICATIONS

RESOLUTION COMPLIANCE HEARING

BRAEMAR AT WEST MILFORD, LLC

(Greene Valley Estates)

Final Subdivision #0610-1910B

Block 10001; Lots 14, 19, 20, 23

Wooley Road; R-3 and R-4 Zones

Seeking: Compliance Hearing regarding the Township's Water Supply and Water Quality Ordinance and the Conditional Final Major Subdivision Approval for Block 10001; Lots 14, 19, 20, 23 under Resolution No. 2012 – 16, dated December 6, 2012.

Chairman Christopher Garcia advised that the attorneys for Braemar at West Milford, DeCotiis, et al, had requested a carry for the Compliance Hearing that was originally scheduled and advertised for this meeting. Therefore, he noted, this matter will be carried to a special meeting to be held on Monday, August 24, 2015 at 7:30 p.m. and no further notice will be required. Chairman Garcia read a portion of the letter to the Board members. Board member Andrew Gargano inquired why a special meeting must be held, and Chairman Garcia advised that the Planning Board's hydrogeological consultant was unavailable until that time. The Board members were polled and it appeared that the majority of the members will be available to attend the meeting on August 24, 2015, but they were asked to advise the Board Secretary if they were unable to attend.

PENDING APPLICATIONS

538 LAKESIDE ROAD LLC

Preliminary /Final Site Plan #PB-09-14-03

Block 3610; Lot 30

Greenwood Lake Turnpike; LC Zone

Seeking: Preliminary and Final Site Plan approval for Block 3610; Lot 30, Greenwood Lake Turnpike for the construction of a marine supply and boat storage facility on an existing gravel parking lot, with installation of privacy fencing and parking for boat storage.

Chairman Garcia advised that the Applicant's attorney had requested a continuance of the hearing that had been before the Board on June 25, 2015, but they were unable to attend this meeting. In addition, revisions had recently been made to the site plans, but the rack detail must be included on the plans, and the plans must be reviewed by the Board's professionals prior to the Applicant returning to the Board. Since there was no new date set for the continued hearing, the Applicant will be required to re-notice. Mayor Bettina Bieri advised the residents in attendance that they would receive notice when the new hearing date has been set.

EXTENSIONS OF TIME – None.

MEMORIALIZATIONS

***RESOLUTION NO. 2015 –**

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD PLANNING BOARD ADOPTING THE LAND USE PLAN ELEMENT OF THE TOWNSHIP OF WEST MILFORD MASTER PLAN

**(This matter has been carried in order to permit a review by the Zoning Board of Adjustment as requested by the Planning Board and Township Council)*

The Board Secretary advised that we had not received a report or memo from the Board of Adjustment, to date, but that the Planning Board would receive comments after the Board of Adjustment and their professionals have completed their examination of all pertinent issues related to the Draft Land Use Plan Element.

NEW OR ONGOING 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

A **motion** was made by Andrew Gargano with a **second** by Douglas Ott to **approve** the invoices submitted by the Planning Board professionals for services performed during the month of June 2015. The Planning Board **unanimously approved** the invoices for payment.

MINUTES

The Minutes from the April 23, 2015 Planning Board Regular Meeting were **unanimously approved** on a **motion** by Glenn Wenzel and a **second** by Councilwoman Ada Erik. Mayor Bettina Bieri abstained, as she was not present at the April 23, 2015 meeting.

The Minutes from the May 28, 2015 Planning Board Regular Meeting were **unanimously approved** on a **motion** by Mayor Bieri and a **second** by Andrew Gargano.

The following correspondence was reviewed by the Planning Board and filed:

Highlands Water Protection And Planning Act Correspondence

1.

NJ Department of Environmental Protection Correspondence

1. Potable Water Supply - Construction Permit # WCP150003, PWSID # 0714001, dated June 22, 2015, from the NJDEP-Division of Water Supply & Geoscience, for the Newark Water Department, Little Falls, NJ regarding the construction of a new mechanical dewatering facility to manage the Pequannock Treatment Plant’s residuals and thereby reduce the use of the sludge lagoon, as well as the distribution of water for potable purposes from said works, located at Route 23, West Milford, Block 14102; Lot 1.

2. No Further Action notice received from the NJDEP, dated June 24, 2015, regarding removal of a 1000 gal U.G.S.T. at 1527 Union Valley Road, Block 7621; Lot 1, for Lakeland Bank.

3. Response Action Outcome–Unrestricted Use, dated April 17, 2015, received June 26, 2015 from SRG-Site Remediation Group, regarding one 6000 gallon diesel fuel UST, one 6000 gal kerosene UST, dispensers and associated piping at 2897 Route 23 South, Block 15804; Lot 18, Waseem Enterprises, Preferred ID #000986, UST Closure #N14-950, advising that the remediation is completed in compliance with the Administrative Requirements for Remediation of Contaminated Sites.

4. NJDEP-Northern Bureau of Water Compliance and Enforcement-Compliance Evaluation and Assistance Inspection Notification and Notice of Violation received, dated June 9, 2015, regarding the for West Milford Shopping Plaza, 1926 Union Valley Road, Block 6701; Lot 10, for Failure to Submit an Annual RTR by 03-02-15, Failure to Submit a Monthly DMR by 03-26-15 for February 2015 and by 04-26-15 for March 2015. Also, a review of the Discharge Monitoring Reports and Waste Characterization Reports reviewed for the period of March 2014 – 2015 noted that the

maximum concentration was not reported for Nitrogen, Nitrate Total on the DMR for August 2014 and December 2014.

5. Copy of correspondence from the NJDEP site Remediation Program, dated June 22, 2015, to various residents near the site of the A to Z Automotive Repair Center, 1692 Union Valley Road, Preferred ID #022644, to advise of Vapor Intrusion Evaluations that will be conducted to determine whether the occupants of the surrounding buildings are at risk for exposure to VOC's. Fact sheets regarding the occurrence of vapor intrusion, how testing is conducted and how it can be addressed were provided to each residence being evaluated. Residences include 9 St. George St., Block 7104, Lot 12; 13 St. George St., Block 7104, Lot 11; 18 St. George St., Block 7105, Lot 6; 20 Lou Ann Blvd., Block 7104, Lot 5; 21 St. George St., Block 7104, Lot 9; 22 St. George St., Block 7105, Lot 7; 24 Lou Ann Blvd., Block 7104, Lot 6; 25 St. George St., Block 7104, Lot 8; 16 Lou Ann Blvd., Block 7104, Lot 4; 14 St. George St., Block 7105, Lot 5.

Miscellaneous Correspondence Received/Sent

1.

ADJOURNMENT

Prior to adjourning, the Board reviewed the upcoming meetings and concurred that the August 6, 2015 Planning Board meeting should be cancelled. The Board considered whether the 538 Lakeside Road LLC matter could be held on the same night as the Braemar at West Milford Compliance Hearing, on August 24, 2015. Since it was a Special Meeting, the Board Secretary was directed to contact the Board Attorney, Thomas Germinario, to determine if any other matters could be addressed at that meeting. The Board members noted that there is another regular meeting scheduled for August 27, 2015, and the Board would meet on that date, if necessary.

With no further business to come before the Planning Board, Chairman Garcia **adjourned** the Regular meeting of July 23, 2015 at 7:52 p.m. on a **motion** made by Councilwoman Ada Erik and a **second** by Glenn Wenzel.

Approved: September 3, 2015

Respectfully submitted by,

Tonya E. Cubby, Secretary