

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD  
REGULAR AGENDA  
October 22, 2009**

**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.*

**PLEDGE OF ALLEGIANCE**

**OATH OF OFFICE** – Alternate #2 Thomas Harraka

**ROLL CALL**

Regular Members: Mayor Bettina Bieri, Steven Castronova, Linda Connolly, Richard McFadden, Douglas Ott, Clinton Smith, Geoffrey Syme, Councilman Philip Weisbecker  
Alternates: Michael Siesta, Thomas Harraka  
Chairman: Andrew Gargano  
Board Attorney: Thomas Germinario, Esq.  
Board Engineer: Paul Ferriero, P.E.  
Board Planner: Charles McGroarty, P.P.

**PUBLIC PORTION**

Up to half-hour reserved.

**DRAFT HIGHLANDS MASTER PLAN ELEMENT** – None.

**SITE PLAN APPLICATION REVIEW WAIVERS** – None.

**APPLICATIONS**

**TIME EXTENSIONS**– None.

**PENDING APPLICATIONS**

**RICHARD SLIFER**

**Preliminary and Final Site Plan #0620-0260AB**

Block 15701; Lot 34

5 Allison Avenue; HC Zone

**Seeking:** To discuss potential amendments to conditions of Final Site Plan Approval as set forth in Resolution #2007-17.

**VINCENT LANZA**

**Minor Subdivision #0510-1976**

**Preliminary and Final Site Plan #0520-0219AB**

**Bulk Variance #0530-0718**

Block 9501; Lot 12

1383 Macopin Road; R-3 Zone

**Seeking:** To discuss potential amendments to conditions of approval for Minor Subdivision, and Preliminary and Final Site Plan as set forth in Resolution #2008-17.

**NEW APPLICATIONS** – None.

**NEW BUSINESS**

**MEMORIALIZATIONS** – None.

**ORDINANCES FOR INTRODUCTION**

**ORDINANCES REFERRED FROM COUNCIL**

**PLANNING BOARD PLANNER’S REPORT**

**PLANNING BOARD ATTORNEY’S REPORT**

**PLANNING BOARD ENGINEER’S REPORT**

**MISCELLANEOUS**

**Approval Of Invoices – Board Professionals**

**Subcommittee Reports**

Master Plan Subcommittee  
Ordinance Subcommittee  
Building Design Subcommittee  
Site Plan Committee

**MINUTES**

Approval of minutes of the August 27, 2009, September 3, 2009, and September 24, 2009 Planning Board Regular meetings.

**COMMUNICATIONS**

1. No Further Action and Covenant Not To Sue letter received from the NJDEP, dated September 30, 2009, regarding removal of a 550-gallon underground storage tank for Block 7003; Lot 4.02, Bender Residence.
2. Invitation from Passaic County Board of Chosen Freeholders regarding an information session about two new initiatives offered by PSE&G entitled “Direct Install for Government Facilities” and “Solar 4 All” on Friday, October 23, 2009 from 9:00 to 10:30 am.
3. Invitation to attend the “Passaic County Recovery Zone Economic Development Bond Briefing: How Your Community Can Benefit Financially” to be held on October 26, 2009 from 2:00 – 4:00 at the Passaic County Department of Economic Development.
4. Letter from Science applications International Corporation regarding Notification and Public Outreach Requirements for the former Texaco Service Station on 1457 Union Valley Road, Block 7601; Lot 2, acknowledging their compliance with NJDEP public notice regulations outlined in N.J.A.C. 7:26E-1.4.
5. Certification of soil erosion and sediment control plan dated September 22, 2009 received from Hudson Essex Passaic Soil Conservation District for Apple Valley Estates Remediation, block 9901; Lot 12, Union Valley Road, West Milford.
6. Certification of soil erosion and sediment control plan dated September 22, 2009 received from Hudson Essex Passaic Soil Conservation District for Dena Car, LLC site Improvements, Block 14104; Lot 1, 2038 Route 23 North, West Milford.
7. Notice of Denial of Application from Hudson Essex Passaic Soil Conservation District for Valley Ridge Development regarding the lack of revisions in the soil erosion and sediment control plan submitted in June 2007.

8. Letter from the Passaic County Planning Department, dated October 6, 2009, regarding Carol and Eric Louer, Block 3503; Lot 46, 1925 Union Valley Road, advising that no permanent CO should be issued until the as-builts show the roof leaders connected to the new inlet on Union Valley Road.
9. Notice dated October 9, 2009 from the Tennessee Gas Pipeline Company of intent to apply to the NJDEP for a Letter of Interpretation to establish where regulated wetlands are found on their property/easement.
10. Letter from Paul Ferriero dated October 8, 2009 regarding Ernie Oakes Amended Final Site Plan, Block 6002; Lot 44.03, Burnt Meadow Road, noting that the site work was in compliance with the approved plan and the CO may be issued.
11. Notice of an application by the following for a GP #25 regarding installation of a subsurface sewage disposal system: Kerry Greene for 49 Maple Rd., Block 10204; Lot 4; Dianna Blanke for 20 Madelyn Ave, Block 6603; Lot 17.
12. Letter from Anthony Patire of Marshall Hill, LLC, dated October 10, 2009 requesting a Township resolution of support in his efforts to create a wetlands mitigation site and with the Highlands Council and NJDEP regarding the West Milford Lake Dam site.
13. Dam Permit #1302 for Marshall Hill, LLC for removal of the West Milford Lake dam structure on Morsetown Brook.
14. Notice of Violation dated September 29, 2009 from the NJDEP received for Pazak Service Station, Aka Route 23 Corporation, 3021 Rt. 23, for failure to address deficiencies noted in submitted Remedial Action Report.
15. Notice from the Tennessee Gas Pipeline Co. regarding anticipated mowing on the existing pipeline right of way to begin on or about November 1, 2009.
16. Ordinance 2009-021 from the Township of West Milford Amending and Supplementing Chapter 90, Buildings, Numbering Of, requiring adoption of a house numbering map and display of numbers on all buildings and mail boxes.
17. Notice from Motiva Enterprises dated August 31, 2009 regarding notification and public outreach for Rt. 23 and Union Valley road, Block 14604; Lot 1, for remediation of the site.
18. Letter from NJDEP dated September 17, 2009 to Anthony Patire, Marshall Hill, LLC, advising that the DEP is proceeding with the necessary steps to construct a breach of the West Milford Lake Dam pursuant to the Safe Dam Act, N.J.S.A. 58:4-5d(2).
19. Letter dated September 23, 2009 to Anthony Patire, Marshall Hill, LLC requesting an escrow deposit of \$3,000. for services rendered on his behalf by various Township professionals and consultants with regard to the West Milford Lake Dam.
20. Community Notification Documents Per NJAC 7:26 E Section 1.4, received from Synergy Environmental for Lakeside Amoco, 2 Lakeside Road, Block 3509; Lot 16, with regard to on-going environmental investigation at the site.
21. Notice from Lukoil/GPMI Service Station, 1367 Union Valley Rd, Block 7508; Lot 16, with regard to remediation of environmental contamination at the site.
22. Notice of Violation received on September 11, 2009 regarding Freshwater Wetlands and Flood Hazard Area violations for Ken Perry, 93 Morsetown Road, Block 5001; Lot 4.
23. Notice of Violation dated 09/15/09 received for Kean Gibbons, 20 Krattiger Court, Block 10301; Lot 9, regarding Freshwater Wetlands and Flood Hazard Area violations.

24. Authorization for GP #25 and Waiver of Transition Area for Access received for the following: James Dunne, Block 10816; Lot 3; John Mileski, Block 16201; Lot 6; William Thayer, Block 2609; Lot 1; Ray and Karen Praschil, Block 905; Lot 6; Michael DelVecchio, Block 10301; Lot 16.

25. Public Notification regarding environmental contamination received on September 2, 2009 from Service Concrete, 173 Oak Ridge Rd., Block 15901; Lot 5 & 13.

**HIGHLANDS WATER PROTECTION AND PLANNING ACT** – None.

1. Agency Determination – Highlands Act Exempt #4 – Water Quality Management Plan – Consistent, dated September 30, 2009, received for Mr. Wonton, LLC, Block 6303; Lot 18, 1546 Union Valley Road, for reconstruction of parking area, including new curbing, paving and drainage.

2. Notice of Intent to Cancel, dated September 30, 2009, received for Cefes Financial, Harold Smith, for construction of a single family dwelling on Magnolia Road, Block 1806; Lots 4 and 5, due to insufficient documentation submitted for Highlands Determination.

3. Supplement to Highlands Applicability Exemption Request for Tennessee Gas Pipeline – 300 Line Project dated September 30, 2009 from Giordano, Halleran & Ciesla, regarding submission of documents for minor adjustments to the proposed 325 loop route, right of way, and temporary work space due to a more detailed design engineering analysis.

4. Letter from the Highlands Council dated September 30, 2009 providing Module 4 – Draft Environmental Resource Inventory on CD.

5. Notice from Michael Hoek, Block 7903; Lot 12, 1468 Union Valley Rd., received September 21, 2009, of an application to be made for a Highlands Exemption.

6. Highlands Determination – Not Major Highlands Development, and Water Quality Management Plan – Consistent, received on September 21, 2009 for Thomas Celano, Minor subdivision, Block 5309; Lot 1, Cahill Cross Road. Also received was approval of a revision to the Northeast Quality Management Plan.

**ADJOURNMENT**

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**ADDENDUM TO AGENDA**

**REGULAR MEETING**

**October 22, 2009**

**RESOLUTION NO. 2009 - 16**

**CLOSED SESSION**

Board Attorney Update:

*Jack Levkovitz vs. Township of West Milford Planning Board*

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**ADDENDUM TO AGENDA**

**#2**

**REGULAR MEETING**

**October 22, 2009**

**RESOLUTION NO. 2009 – 17**

**Authorizing Amendment of the Contract for Professional Services to PAUL W.  
FERRIERO, P.E., P.P., C.M.E.**