

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

MINUTES

December 1, 2011

Regular Meeting

The Regular Meeting of the Planning Board was opened at **7:32 p.m.** by Chairman Andrew Gargano with a reading of the Legal Notice, followed by the Pledge of Allegiance.

ROLL CALL

Present: Linda Connolly, Christopher Garcia, Robert Nolan, Douglas Ott, Geoffrey Syme, *Vacancy*, Alternates Michael Siesta and Steven Castronova, Chairman Andrew Gargano, Board Attorney Thomas Germinario, Esq., Board Engineer John Hansen, P.E., Board Planner Charles McGroarty, P.P.

Absent: Mayor Bettina Bieri, Councilman Philip Weisbecker.

Alternates Michael Siesta and Steven Castronova were requested to sit on the Board in the vacant seats.

PUBLIC PORTION

Chairman Andrew Gargano opened the Public Portion of the meeting and the following addressed the Board:

Richard Randazzo, Wooley Road – Mr. Randazzo addressed the Board regarding the status of the well ordinance and the amendments that he had proposed [Ordinances #2007-028 and 029], and inquired whether the Board had received a response from the Township's Hydrogeologist, M2 Associates (Matthew Mulhall). The Secretary advised that no response had been received in response to requests that had been sent to Mr. Mulhall. The Board directed that a memo be sent to Mr. Mulhall to inquire whether he has reviewed Mr. Randazzo's well ordinance amendment comments and what his recommendations are with regard to them.

With no one else present wishing to address the Planning Board on any matter of concern, the Public Portion was **closed** on a **motion** by Robert Nolan and a **second** by Douglas Ott.

PRESENTATIONS – None.

APPLICATIONS

PENDING APPLICATIONS – None.

EXTENSIONS OF TIME – None.

MEMORIALIZATIONS - None.

NEW APPLICATIONS

GEORGE & SANDRA CARD

Minor Subdivision #PB-10-11-03

Block 2714; Lot 2 & 3

166 Lakeshore Drive; LR Zone

Seeking: Minor Subdivision approval to move the lot line for Lot 3 and merge it with Lot 2 to remove an existing encroachment.

Arthur J. Schappell, Jr., P.L.S., land surveyor and professional who prepared the subdivision plan, was present to address the Board regarding the Card minor subdivision application. He qualified himself for the Board and was sworn in by Board Attorney Tom Germinario. George and Sandra Card were also present to testify and were sworn in by Mr. Germinario. The Cards gave a brief description of the purpose of their minor subdivision application, stating that they wanted to square off their rear yard of Lot 2; Block 2714 for their personal use, and the neighboring property owner at 6 Belmar Court has agreed to sell a portion of the adjoining Lot 3; Block 2714 for this purpose. Mr. Germinario clarified the pre-existing non-conformancies for the Board, advising that the addition of 2770SF will make Lot 2 more conforming in lot area, lot depth and side yard and the subdivision will not increase any non-conformancies in Lot 2, nor create any non-conformancies in Lot 3. Therefore, he stated, no variances were required with this application. He also noted that there was an encroachment of Lot 2 into Lot 3, and this minor subdivision would remove the existing encroachment. Chairman Gargano read Paul Ferriero's report, dated November 22, 2011, and noted that the lot numbers needed to be identified correctly on the application form. With regard to item #5 of the report, Mr. Schappell testified that the metes and bounds description and deeds would be prepared and given to the attorney and engineer for review and approval and a signature block would be added to the plan. Steven Castronova commented that the minor subdivision made sense, especially in light of the existing encroachment of a fence, as indicated on the plan.

Following testimony and discussion by the Board, and there being no one else present wishing to comment on this matter, a **motion** was made by Steven Castronova with a **second** by Michael Siesta to **approve** the Minor Subdivision for George and Sandra Card, Block 2714; Lots 2 and 3, with the stipulations noted in Paul Ferriero's November 22, 2011 report.

Roll Call: **Yes:** Steven Castronova, Linda Connolly, Christopher Garcia, Robert Nolan, Douglas Ott, Michael Siesta, Geoffrey Syme, Chairman Andrew Gargano.
 No: None.

WOJCEICH CZYKIER

Amended Major Soil Removal/Fill Permit #PB-07-10-08

Bulk Variance

Block 9406; Lot 45

27 Weedon Drive; R-3 Zone

Seeking: Bulk Variance approval and amendment to a major soil movement permit to construct one 10-foot concrete retaining wall in the rear yard where a maximum of 6 foot is permitted, and such other variance approval that the Board deems necessary, so as to permit changes to the retaining wall and landscape design for the Major Soil Removal/Fill Permit #PB-07-10-08.

Board Attorney Tom Germinario reviewed the amendment and variance required for the previously approved Major Soil Movement Permit #PB-07-10-08 for Wojceich Czykier. He advised the Board that the originally approved plan had a two tiered rock wall system as a retaining wall and, during an inspection, it was discovered that a single wall was being installed at a height not permitted by local zoning. He noted that the wall was approved from an engineering standpoint, but additional landscaping was required and a variance was necessary for the additional 10-foot wall height where only 6 feet is permitted. The Chairman opened the meeting to the public for comment. The following addressed the Board regarding this application.

James Noble, 26 Evelyn Drive, was sworn in and addressed the Board regarding this application. He testified that he had been before the Board a year prior to this meeting and inquired if the Board Engineer was present to discuss how the change of materials was approved and the rock wall was replaced with a concrete block wall, without the neighboring property owners' approval. Board Engineer John Hansen replied that he did not know all the particulars of this matter, but that, during an inspection, it was discovered that the retaining wall was not being constructed according to the original plan and the matter was remanded back to the Planning Board. Mr. Noble commented that a dramatic substitution had been made in his "residential community" and that it was not suitable. He distributed several photos of the site for the Board's review (Exhibit 1). He noted that he, and an adjoining neighbor, had conceded to the Czykiers so that the project can be completed, but he was concerned about the value to his property. He stated his concerns:

1. Stormwater drainage - Drainage is flowing into an aging storm sewer that serves the community, with a potential to cause additional damage to his property. Mr. Noble requested that the Board/Township Engineer address the drainage pattern into the storm drain. Mr. Hansen commented that the drainage problem is due to the project not being completed and that it was not up to finished grade yet. A site inspection will be made to make a determination on the drainage issue. Chairman Gargano suggested that all approvals should be held up until an inspection has occurred. Mr. Germinario advised that approval could be subject to the Board Engineer's inspection.

2. Landscape plan - Mr. Noble stated that the Czykier's revised landscaping plan was insufficient and requested 10 foot white pine trees no less than 10 feet staggered at least 6 feet from the wall, necessitating that they would have to be planted on his property to allow sufficient room to grow. Mr. Noble testified that he had planted his own white pine trees and installed a berm to address the drainage and erosion issues that had resulted from Mr. Czykier's site being clear-cut of trees and foliage. He spoke of a concern that the trees, if planted along the wall, would not receive enough sun to allow healthy growth, and that they would need to be a minimum of 10 feet when planted. A discussion ensued about the planting of trees on the neighboring properties, and Mr. Noble stated that if the trees are planted on his property, they would become an asset and he would be responsible for the care of the trees.

3. Concrete wall system – Mr. Noble commended the professionalism of the contractor, Albert Christmann, but Mr. Noble questioned the height of the concrete block wall and the safety issues that may be created if someone falls off of the top of the wall. He discussed the various grades and was concerned about the wall exceeding the 10-foot height proposed by the applicant and his professional. Mr. Hansen, Board Engineer, commented that, typically, several courses of concrete block are installed below grade as a base.

Albert Christmann, the applicant's contractor, who was present at the hearing, qualified himself and was sworn in by the Board Attorney. He provided testimony in support of the application for the amended soil movement permit and bulk variance, and explained about the height of the concrete blocks in relation to the various grades that are achieved. Mr. Christmann advised the Board that he was not at the original hearing, but that the approved two-tier rock wall system would have presented several problems, including structural stability, and a stepped wall that included a fence, which would prevent access for regular maintenance. He testified that he had revised plans prepared for the concrete block system and submitted them to the Planning Department, and they were then provided to the Board Engineer, Paul Ferriero, for review and approval before proceeding with permits and construction. Board member Geoffrey Syme commented that he recalled Mr. Ferreiro discussing the revised wall system and its structural integrity at a prior meeting. The Board discussed the pros and cons of the concrete wall, and Mr.

Noble expressed that a tremendous effort was made to come to a resolution about this matter so that all parties will have some satisfaction.

Richard Bertha, 30 Evelyn Drive, was sworn in and testified on the amended soil permit and variance application before the Board. He inquired about the drainage near the watershed property and Mr. Christmann advised that the stormwater would drain into a swale that is being installed. Mr. Christmann added that the Board's Engineer had made the field change with regard to a curtain drain during a site visit, and this will be noted on the as-built plans. Mr. Bertha advised that, historically, he has had drainage issues, but they became exacerbated when Mr. Czykier clear-cut his property. Both Mr. Noble and Mr. Bertha testified that the applicant's contractor, Mr. Christmann had cleaned up the damage to their properties following heavy flooding during the summer. There was a discussion about the concrete block wall and solutions to shield it from the neighboring properties, and two solutions suggested were concrete stain or planting "Boston" ivy along the wall.

Board Planner Chuck McGroarty advised the Board that no testimony had been received to support the granting of a variance. He stated that the Board has to demonstrate that a variance can be granted without a negative impact to the neighbors. He questioned how the Building Dept. could have issued a building permit without an approved plan and how the design of the wall changed, and the Secretary advised the Board that the revised plan had been reviewed, approved, and signed by the Board Engineer. Discussion continued about the wall height and the criteria surrounding the variance. Mr. Germinario noted that this was an unusual situation and the Board could prove, without professional testimony, that the mitigating factors offered would not be a substantial detriment to the neighboring property owners. Douglas Ott commented that the neighbors can work out the details and the Board can make it "legal" for them. Mr. Noble requested that the Czykiers post a bond to insure that they complete the landscaping that all parties agree upon. There was discussion about fencing for the top of the wall, and it was noted that a chain link fence was proposed as indicated on the plan. Mr. Christmann inquired about a drain in the corner of the property and Mr. Hansen concurred that the drains should be directed to the same location, and Mr. Christmann clarified the drainage matter for the Board.

Following discussion, the public portion was **closed** on a **motion** by Steven Castronova and a **second** by Christopher Garcia.

Mr. Czykier was invited to come before the Board and Mr. Germinario reviewed all the conditions that would be part of the Board approval for the major soil removal/fill permit amendment with bulk variance. The conditions were as follows:

1. Applicant shall develop a landscaping plan to screen the wall from the adjoining lots to the rear (Block 9408, Lots 1 and 2) with the concurrence of the owners of those lots. Applicant shall submit a revised plan that depicts the location, size and species of the agreed upon plant material. Written concurrence from the owners of the adjoining rear lots shall accompany the revised submittal.
2. Within 30 days of the approval, Applicant shall post a bond to cover implementation of the landscaping plan in an amount to be determined by the Board Engineer.
3. Revised plans shall specify chain link fencing at the top of the wall.
4. The rear surface of the concrete wall shall be stained brown or "Boston Ivy" shall be planted to shield it.
5. Revised plans shall show the altered connection between the drain inlet at the west end of the gabion wall and the catch basin.

Mr. Czykier agreed to comply with all of the Board conditions regarding the approval. Mr. Germinario advised that until the resolution is memorialized and all the conditions met, site work must not continue.

Following testimony and discussion by the Board, and there being no one else present wishing to comment on this matter, a **motion** was made by Michael Siesta with a **second** by Douglas Ott to **approve** the Amendment to the Major Soil Removal/Fill Permit #PB-07-10-08 and Bulk Variance for Wojceich Czykier, Block 9406; Lot 45, 27 Weedon Drive, with conditions.

Roll Call: **Yes:** Steven Castronova, Linda Connolly, Christopher Garcia, Robert Nolan, Douglas Ott, Michael Siesta, Geoffrey Syme, Chairman Andrew Gargano.
 No: None.

TRIPLE T CONSTRUCTION, LLC
Preliminary Site Plan #PB-03-11-01
Bulk Variance

Block 6002; Lot 29
280 Marshall Hill Road; LMI Zone

Seeking: Preliminary Site Plan and Variance Approval for rehabilitation of existing building and site to accommodate a warehouse/distribution center/office and construction storage. This application was bifurcated and prior approval was memorialized by the Planning Board for the boat storage portion of the site plan on October 27, 2011.

Richard P. Saunders, attorney for the applicant was present, as well as applicant Scott Ridings. Chairman Gargano advised the applicant and his attorney that the Board would accept an introduction to the site plan application at this meeting, but the testimony in support of the application would be held until the next Planning Board meeting in January. Mr. Saunders advised that the applicant's engineer was present and they were prepared to discuss the application at this meeting. Chairman Gargano responded that the Board Engineer needed time to review the revisions to the plans that had been submitted after the deadline for submissions prior to a hearing, and stressed that the Board would hear only the introduction to the project at this meeting. Mr. Saunders responded that the applicant was prepared to go forward with the entire testimony, but will proceed as far as the Board permits.

Chairman Gargano began by addressing the matter of the Zoning Officer's memo to the Board, dated November 23, 2011, which cited that the applicant continues to operate businesses at the site without Planning Board approval, in addition to storage of numerous vehicles both indoor and outdoor. With regard to the Zoning Officer's statements, Mr. Saunders advised that the existing building did not have electricity and the applicant was not using the building for any purpose, whatsoever, except storage of his own vehicles. Scott Ridings, president of Triple T and owner of the subject property, was sworn in by Mr. Germinario and stated his address as 280 Marshall Hill Road, West Milford, NJ. Mr. Saunders advised the Board that all the vehicles at the site, with the exception of the boats, belong to Mr. Ridings's company, and Mr. Ridings concurred with this. When the Chairman inquired if the Zoning Officer's memo was incorrect, Mr. Saunders replied in the affirmative, adding that he has questioned on several occasions just what types of businesses Mr. Lupo assumes are being conducted at the building, and does not know what he is referring to. He stated that the building was uninhabitable, and since this application has taken so long to be heard by the Board, the proposed tenants have declined leasing the space. Chairman Gargano confirmed with the Board Attorney that the owner is permitted to store his own vehicles on his site, and Mr. Germinario reiterated that the owner has testified that all the vehicles on the site belong to him. Steven Castronova commented that he had visited the site and witnessed a padlock on the gate, and it seemed to him that the building was not being used at this time. Douglas Ott commented that he had also visited the site and described a deplorable condition that included at least 10 rusting and abandoned vehicles, in addition to trucks, boats, and cars, as well as logs and debris strewn around. Mr. Ridings testified that he has some old cars that he should dispose of, but that he was waiting for site plan approval before doing anything at the site. He testified that he had started to store the boats before the site plan for the boat storage was approved, and when the unexpected snowstorm came in October, he was unable to remove the boats. Mr. Ott replied that he had conducted a site visit the prior day and there were several people observed by the boats, adding that the boats are parked so they cannot be moved. Mr. Saunders stated that the marina personnel had access to the boat storage site, and the parking configuration was a condition of approval that they had no intention of changing. Chairman Gargano requested a contact person in the event a Board member wanted to conduct a site visit, and Mr. Ridings provided his phone number for contact. Mr. Saunders also advised the Board that they could visit the Recycling Center and request to speak to Scott. Chairman Gargano cautioned the applicant that he needed to address the issues identified in the memo from the Zoning Officer, and that the Board is concerned with all the issues with regard to this site plan application. The Zoning Officer will be notified that Mr. Ridings has testified that all the vehicles are his (or his company's) property. Mr. Germinario advised that the applicant is obligated to remove any derelict vehicles located on his site. Mr. Saunders stated that he has continuing issues with Mr. Lupo, with the matter having been heard by the courts, and when he requested that Mr. Lupo identify the problems, he fails to identify them. Mr. Saunders continued to state that Mr. Ridings works daily at the site, and when he had previously constructed another access road to the Recycling Center, he received a complaint and was ordered to cease construction, which he complied with. He noted, again, that there was no electricity in the building that had been purchased by his client in 2008. Board member Robert Nolan inquired whether the site was a Brownfield site, and Mr. Ridings replied that there was a shallow contaminated well that was decommissioned by the NJDEP, in addition to an Orange and Rockland spill that had been cleaned up. Mr. Nolan requested that the Zoning Officer, Jim Lupo, be invited to attend the next Board hearing on this matter and the Board concurred. The Secretary will apprise Mr. Lupo of this request.

At this point, Board Engineer John Hansen suggested that the Chairman allow the applicant to continue with testimony on the proposed site plan project. Mr. Saunders continued by advising the Board that the applicant was seeking preliminary and final site plan approval. The Secretary interjected that the applicant had not filed the requisite final site plan application, checklists, and fees, to which Mr. Saunders replied that the applicant was prepared to submit them, and as it appears they will be returning to the Planning Board the following month, there will be time to complete the required forms. Mr. Saunders presented Mr. Ridings as the principal owner in Organized Organic Waste, but noted that this factor will not impact the application before the Board. He stated that the applicant is seeking approval to complete the road that he began to construct, and the drainage will be replaced as indicated on the site plan. Of the two tenants that were originally proposed, Triple T Construction is the remaining tenant; Shore Grip, the other potential tenant, has since relocated to another site. Mr. Saunders stated that the applicant understands that any tenant that leases space at the site will have to meet the approved uses. He continued to describe the proposed site plan, stating that the building will be heated by outdoor

furnaces, with the applicant providing explanations about the technology behind this type of heating system. The applicant also plans to do a facelift to the exterior of the building to make it more presentable. With regard to variances, Mr. Saunders testified that there are two pre-existing conditions, one for a side yard setback where 75 feet is required and 42.5 feet on the west side of the building exists, and a side line buffer on the east property line where 40 feet is required and only 4 feet exists. Mr. Saunders advised that these are not being changed and will not exacerbate the pre-existing conditions. Mr. McGroarty commented that he did not see revised architectural plans, and inquired whether the sign details had been revised to conform to the current ordinance, and also mentioned the lighting that needed to be addressed, to which Mr. Saunders advised that they would be addressed in the revised plans. Mr. Ridings testified that he was taking a building that was in a state of disrepair and renovating it for any permissible use for himself and his tenants. It was noted that 11,200 sq feet of the building would be used for Triple T Construction, which will include a small office for his business with 3 employees anticipated. Mr. Ridings testified that he would be occupying the building from approximately 6am to 4 pm (8pm in the warmer months), and that he intended to have the parking lot repaved and the site cleaned up. He proposed to install a dual fuel gas and wood furnace, with a central boiler, and he provided a copy for the Board to review. Mr. Ridings maintained that this proposed unit, a 3200 Series, is EPA qualified and is 98% efficient. With regard to the building, Mr. Ridings testified that he intends to square off the building with a similar masonry product as the rest of the building, and two wooden shed structures were removed. Geoffrey Syme inquired what type of construction vehicles would be stored at the site, and Mr. Ridings replied that he is a residential and commercial contractor, and he would be storing dump trucks, excavators, etc. for use in his business, as well as small trucks to 70,000 lb trucks. Mr. McGroarty inquired whether truck storage is proposed for the parking lot area, to which Mr. Ridings replied that it is not proposed.

Patrick McClellan, P.E., engineer for the applicant, qualified himself for the Board at the prior boat storage hearing in September, and the Board concurred that he did not need to re-qualify himself for this hearing. Mr. McClellan advised the Board that there would be no significant change to the building's footprint, and that site lighting, drainage and new paving were proposed. He provided a site plan exhibit to review for the Board. He explained the proposed ingress and egress, with rotation around the building, adding that the driveway entrance on Marshall Hill Road would be maintained strictly for emergency use, and the gate at that entrance would be kept lock. With regard to parking spaces, Mr. McClellan advised that 30 spaces are required by ordinance for the proposed use, and 12 for the boat storage area, with a total of 42 spaces required, which is what the plan proposes. A drainage report had been submitted for review and the applicant was requesting to replace the existing pipes with 15-inch pipes to remove the surface water. Mr. Saunders and Mr. McClellan then reviewed Paul Ferriero's report, dated November 25, 2011, and addressed each of the 26 points for the Board, advising that where required, revisions to the plans will be made. They also acknowledged that the Highlands or NJDEP approval may be required, and advised that the proposed block wall system will be a modular retaining wall system (with the Board suggesting "Boston ivy" to shield the wall just as they recommended for the Czykiers), the pavement noted in #11 was not needed and will be removed and planted with ground cover, and the parking spaces noted in #12 can be revised to comply with the ordinance requirements. The Board Engineer commented that the applicant is requesting site plan approval without a tenant, so he will need to comply as closely as possible with the ordinances. Robert Nolan inquired about handicapped parking, and Mr. Ridings replied that all ADA requirements would be met. The concerns of the Fire Marshall were addressed, and Mr. Saunders and Mr. Ridings maintained that they have had discussions with the Fire Marshall and have clarified the areas that were of concern, to which Mr. Hansen advised that the applicant would need a written document confirming this. Mr. Saunders stated that the applicant had no objections to the comments in Mr. Ferriero's memo and they would comply with them. Chris Garcia inquired about tractor-trailer ingress and egress, and Mr. Hansen advised that this would need to be addressed in the revised plans. Chairman Gargano inquired when the applicant intended to resubmit the revised plans, and Mr. McClellan commented that the plans would be re-submitted in time for the January 26, 2012 Planning Board meeting. Mr. Saunders then advised the Board that the applicant would grant the Board an extension for site plan and bulk variance reviews until February 2, 2012. The Secretary noted that the requisite final site plan application, fees and checklists need to be submitted as soon as possible in order for this matter to be continued on January 26, 2012, and Mr. Saunders affirmed that they would be. Chairman Gargano also requested that copies of the zoning violations for this site be obtained prior to the next hearing on this matter for the Board to review.

Prior to the adjournment of this matter, Mr. Saunders advised that his client works at the Recycling Center and is requesting permission to sell Christmas trees on his site, adding that the Zoning Officer has denied the zoning permit. Chairman Gargano advised that the applicant would have to put the matter to the Zoning Board of Adjustment if the use is not permitted.

NEW BUSINESS - There was no new business to discuss.

ORDINANCES FOR INTRODUCTION – None.

ORDINANCES REFERRED FROM COUNCIL - None.

BOARD PLANNER'S REPORT – Board Planner Chuck McGroarty had no report for the Board.

BOARD ATTORNEY'S REPORT – Board Attorney Tom Germinario had no report for the Board.

BOARD ENGINEER'S REPORT – Board Engineer John Hansen had no report for the Board.

MISCELLANEOUS

Approval Of Invoices – Board Professionals

The Board reviewed the invoice report for the invoices submitted by the Planning Board professionals for services performed during the months of September and October 2011. The invoices were **unanimously approved** for payment on a **motion** by Steven Castronova with a **second** by Michael Siesta.

MINUTES

The Minutes from the September 22, 2011 and the October 27, 2011 Regular Meetings of the West Milford Planning Board would be available at the next meeting for Board approval, but were available in draft form by contacting the Secretary.

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

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Notice dated 11-01-11 that an application is being made to the NJDEP for a Highlands Exemption and Water Quality Management Plan Consistency Determination by Esco Products, 171 Oak Ridge Road, Block 15901; Lot 7.
2. Notification dated November 11, 2011 from CH2MHILL regarding the submission of additional and updated information for the Tennessee Gas Pipeline's Highlands Applicability Determination for the Northeast Upgrade Project-Loop 325, and the Existing Highlands Exemption for the 300 Line Project-Loop 325 that will include a revised comprehensive mitigation plans, revised alignment drawings, access road and ECD alignment and overview maps, and the line list for access roads.
3. Notification from FERC, dated November 21, 2011 regarding the Environmental Assessment for the Planned Northeast Upgrade Project for the TGP, inviting review of the assessment and public comments until December 21, 2011.

NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Notice from Houser Engineering, LLC regarding an application being submitted to the NJDEP for a Freshwater Wetlands GP#25 and FHA Applicability Determination for a septic system alteration for Robert Castro, 48 Landing Road, Block 2701; Lot 14.
2. Notice dated October 27, 2011 received from the NJDEP regarding a Private Potable Well Water Analysis in the vicinity of the SB Petroleum Site, GPS Enterprises, 551 Warwick Tpk., Block 703; Lot 3, advising that the water obtained from the well is acceptable for drinking water and other domestic uses.
3. Application notification for a GP#25, dated November 10, 2011, regarding the repair of an existing malfunctioning sewage disposal system for Richard Gryzmolowicz, 9 Green Terrace Way, Block 10402; Lot 8.
4. Notice of Violation and Offer of Settlement from the NJ DEP to Passaic County, dated November 15, 2011, , regarding the Apshawa Main and Auxilliary Dams, NJ Dam File Nos. 22-1 and 22-314, advising that the NJDEP has not received an inspection report, and requiring the owner to inspect the dams and submit inspection reports within 60 days of this notice.
5. Notice dated November 15, 2011 sent to Brian Douglas, 25 Charissa Court, regarding the Carpi Lake Dam, NJ DEP Dam File No. 22-129, advising that the inspection report and existing NJ DEP records find the Carpi Lake Dam to be in Safe condition with repairs necessary. The owner is required to perform necessary studies and prepare plans for the implementation of the recommendations outlined in the June 28, 2011 inspection report.
6. Notice dated November 4, 2011 sent to Lindy's Lake Association regarding the Lindy's Lake Dam, NJ DEP Dam File No. 22-54, advising that the inspection report and existing NJ DEP records find the Lindy's Lake Dam to be in fair condition with maintenance and repairs necessary, especially with regard to the damage to the renomattress located at the outlet of the culvert located under Lindy's Drive, with said damage to be addressed by June 30, 2012.
7. Response Action Outcome Notice, received November 17, 2011, from Conestoga-Rovers & Associates regarding the Lukoil Station #57360, 1910 Union Valley Road, Block 6101; Lot 8, with regard to remediation of the soil and groundwater related to Case #04-03-16-1803-12.

CORRESPONDENCE

1. Notification dated November 10,2011 from the NY/NJ Trails Conference announcing the publication of the tenth edition of the North Jersey Trails Map set that will be available for \$9.95,

which will include over 275 miles of marked trails within over 16 parks in northern New Jersey. Maps are available by visiting the NY/NJ Trails Conference web site at www.nynjtc.org.

2. HEPSCD Certification, dated October 27, 2011, of the Soil Erosion and Sediment Control Plan for the Gould Road Culvert Bridge Replacement 1600-25 at Gould Road over Macopin Brook, with certification valid for 3.5 years.
3. HEPSCD Certification, dated October 27, 2011, of the Soil Erosion and Sediment Control Plan for the Sun Young Joo Fill and Grade Project at 55 green Terrace Way, block 10402; Lot 12, with certification valid for 3.5 years.
4. Notice received November 21, 2011 from ANJEC regarding the ANJEC Capital Day seminar on December 2, 2011 at the NJ State House Annex, Trenton, NJ, featuring speakers addressing the issues of environmental lawmaking in NJ, with advanced registration required.

ADJOURNMENT

With no further business to come before the Planning Board, the Regular Meeting of December 1, 2011 was **adjourned** at 10:10 p.m. by Chairman Gargano on a **motion** by Steven Castronova and a **second** by Christopher Garcia.

Approved: January 26, 2012

Respectfully submitted by,

Tonya E. Cubby, Secretary