

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

MINUTES

December 15, 2011

Regular Meeting

The Regular Meeting of the Planning Board was opened at **7:31 p.m.** by Chairman Andrew Gargano with a reading of the Legal Notice, followed by the Pledge of Allegiance.

ROLL CALL

Present: Linda Connolly, Robert Nolan, Douglas Ott, Geoffrey Syme, Chairman Andrew Gargano.

Absent: Mayor Bettina Bieri, Christopher Garcia, Councilman Philip Weisbecker, Michael Siesta, Steven Castronova, Vacancy, Board Attorney Thomas Germinario, Esq., Board Engineer Paul Ferriero, P.E., Board Planner Charles McGroarty, P.P. Chairman Gargano advised that the Board professionals were excused from this meeting, in addition to Mayor Bieri and Christopher Garcia.

PUBLIC PORTION

Chairman Andrew Gargano opened the Public Portion of the meeting.

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

PRESENTATIONS – None.

APPLICATIONS

PENDING APPLICATIONS - None.

EXTENSIONS OF TIME – None.

NEW APPLICATIONS – None.

MEMORIALIZATIONS

RESOLUTION NO. 2011- 17

WOJCEICH CZYKIER

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

Bulk Variance

Block 9406; Lot 45

27 Weedon Drive; R-3 Zone

Granted: Amendment to the Major Soil Removal/Fill Permit #PB-07-10-08 with Bulk Variance approval to construct a 10 foot concrete retaining wall in the rear yard where 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.

Motion made by Robert Nolan with a **second** by Douglas Ott to **approve** Resolution No. 2011-17 for the Amendment to the Major Soil Removal/Fill Permit #PB-07-10-08 with Bulk Variance for Wojceich Czykier, Block 9406; Lot 45, 27 Weedon Drive.

Roll Call: Yes: Linda Connolly, Robert Nolan, Douglas Ott, Geoffrey Syme, Chairman Andrew Gargano.

No: None.

RESOLUTION NO. 2011-18

GEORGE & SANDRA CARD

Minor Subdivision #PB-10-11-03

Block 2714; Lot 2 & 3

166 Lakeshore Drive; LR Zone

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

Motion made by Robert Nolan with a **second** by Douglas Ott to **approve** Resolution No. 2011-18 for Minor Subdivision approval to move the lot line for Lot 3 and merge it with Lot 2 to remove an existing encroachment.

Roll Call: Yes: Linda Connolly, Robert Nolan, Douglas Ott, Geoffrey Syme, Chairman Andrew Gargano.

No: 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

Chairman Andrew Gargano advised that, due to the Township Council's Re-Organization Meeting that will be held on January 7, 2012, the Planning Board Re-Organization meeting will take place on the second Thursday of the month, January 12, 2012, to accommodate any new appointments made to the Planning Board.

Board Member Robert Nolan commented that he enjoyed his first year serving with the Planning Board and thanked the Chairman, Vice Chairman, and Secretary for their efforts.

Chairman Gargano advised that he would not be seeking re-appointment for the position of Chairman of the Planning Board in 2012, adding that he thoroughly enjoyed the experience and the opportunity to serve the Township in this capacity. He requested that the Planning Board consider appointing another member as Chairman in 2012, and suggested Vice Chairman Geoffrey Syme as a well-qualified candidate for the position. Chairman Gargano thanked the members of the Planning Board, the Board Secretary, and the Board professionals, stating that he felt there was an excellent working relationship with this Board.

Approval Of Invoices – Board Professionals

Motion by Robert Nolan with a **second** by Douglas Ott to **approve** payment of the invoices for the months of October and November 2011. The invoices were approved by **unanimous consent** of the Board.

MINUTES

Motion by Robert Nolan with a **second** by Douglas Ott to **approve** the minutes of the October 27, 2011 regular meeting. The minutes were approved by **unanimous consent** of the Board. The Secretary noted that the minutes from the September 22, 2011 and December 1, 2011 Planning Board meetings were currently in draft form, but would be available for approval at the Planning Board meeting in January.

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

Highlands Water Protection and Planning Act – None.

NJ Department of Environmental Protection

1. No Further Action Letter received from the NJDEP, dated November 15, 2011, to Charles Tregidgo of Fair Lawn, regarding the remediation of a 275 gallon above ground storage tank at 18 Harvey Road, Block 1101; Lot 16.
2. Notice dated November 21, 2011 from the NJDEP advising that the FY2012 Annual Fee Report and Assessment of Fees for the NJ Pollutant Discharge Elimination System permit program is available on the DEP's website, and advising that the public hearing on the FY2012 Annual Fee Report for the period of July 1, 2011 through June 30, 2012 will be held on Wednesday, December 14, 2011 at 1:00 pm at the NJDEP office in Trenton. The written comment period will remain open until December 21, 2011.
3. Treatment Works Approval No. 11-0274, dated November 21, 2011, received for the Township of West Milford Municipal Complex, with said approval valid for 2 years from the date of issuance, and shall expire if building, installing, or modifying of the treatment works has not begun within the initial approval period.
4. Notice from the NJDEP Bureau of Dam Safety & Flood Control, dated December 2, 2011, to the Bald Eagle Village Condo Association regarding the Pettet Pond Dam, advising that an inspection revealed structural damage to the dam, and requiring that a detailed site inspection be completed and a report be submitted by a licensed professional engineer experienced with design and construction of dams within 45 days of the date of the letter, and written confirmation within 10 days of the date of the letter that they will comply with the order.
5. General Permit #18 application notification received on December 9, 2011 for Salvation Army and the rehabilitation of the Lower Star Lake Dam in the Borough of Bloomingdale, NJ.
6. Authorization for a Freshwater Wetlands Statewide General Permit #25 and Waiver of Transition Area for Access dated November 23, 2011 received for Robert Castro, 48 Landing Road, Hewitt, NJ with regard to alteration of an on-site sewage disposal system.
7. Flood Hazard Area Individual Permit dated November 22, 2011 received from the NJDEP for the Township of West Milford regarding a Bridge #1695-001 on Crescent Road.

CORRESPONDENCE

1. Correspondence dated November 18, 2011 received from Braemar At West Milford, LLC regarding execution of a Conservation and Drainage Easement from Braemar to the Township of West Milford
2. Pequannock Post, Volume 16; Issue 6 received December 5, 2011.
3. Request for review by the Open Space Subcommittee of Block 14602; Lots 1, 2, 4, 5, & 6 (Zampella, Union Valley Road) for possible Open Space acquisition by the Township.
4. Letter of support from the Township of West Milford, dated December 1, 2011, to the Institute for Sustainability Planning and Governance for the Sustainable Jersey Animals in the Community Program.

ADJOURNMENT

With no further business to come before the Planning Board, **motion** was made by Robert Nolan and a **second** by Douglas Ott to **adjourn** the meeting at 7:45 p.m.

Prior to adjourning, Chairman Gargano requested that the Secretary arrange for an account to be established for Matt Mulhall of M2 for consultation services that may be required for review of the Township well ordinance. The Secretary will inquire whether the professional services contract for the hydrogeologist's services would be with the Township or the Planning Board. Chairman Gargano noted that he was in contact with Matt Mulhall who advised that he would have an update on the proposed amendments for the current well ordinance for the January 26, 2011 meeting.

The Secretary was requested to contact Inserra/West Milford to inquire whether they will be returning for a time extension so that this matter can be placed on the January 26, 2012 Planning Board meeting.

Approved: January 26, 2012

Respectfully submitted by,

Tonya E. Cubby, Secretary