

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

MINUTES

February 25, 2016

Regular Meeting

Chairman Christopher Garcia opened the February 25, 2016 Regular Meeting of the West Milford Planning Board at **7:30 p.m.** with a reading of the Legal Notice, followed by the Pledge of Allegiance.

ROLL CALL

The Oaths of Public Office were administered to Linda Connolly and Edward Rosone.

Present: Mayor Bettina Bieri, Linda Connolly, Andrew Gargano, Warren Gross, Douglas Ott, Councilman Lou Signorino, Geoffrey Syme, Chairman Christopher Garcia, Steven Castronova, Edward Rosone, Board Planner Chuck McGroarty.

Absent: Glenn Wenzel, Board Attorney Thomas Germinario, Board Engineer Paul Ferriero.

Chairman Garcia requested Steven Castronova to sit in for Glenn Wenzel and advised that a quorum was present to hold this meeting.

PUBLIC PORTION

Chairman Garcia opened the meeting for public comment. With no one present wishing to address the Planning Board, the public portion was **closed** by unanimous vote on a **motion** by Mayor Bettina Bieri, with a **second** by Linda Connolly.

APPLICATIONS

NEW APPLICATIONS

TIMOTHY KEARNEY

Major Soil Removal/Fill Permit #PB-12-15-03

Block 16801; Lot 6

67 Greendale Drive; R-4 Zone

Seeking: Major Soil Removal/Fill Permit approval for previously importing 1,443 cubic yards of fill material to “create a more usable level rear yard” on a residential lot containing a single-family dwelling.

Chairman Garcia advised that the Secretary had been notified that the Planning Board Attorney was unable to attend the meeting due to a recent injury, so this application would be **carried** to the next regular Planning Board meeting on March 24, 2016. No further noticing by the applicant would be required.

PENDING APPLICATIONS – None.

MEMORIALIZATIONS – None.

NEW OR ONGOING BUSINESS

Passaic County Highlands Greenway Feasibility Study – Board Planner, Chuck McGroarty, advised the Board that the document received from the County and has been provided to the Board members contained the scope of work for the County to accept bids for a feasibility study for a “Highlands Greenway” project (Scope of Work for Professional Planning and Public Outreach Services – December 2015). He noted that the document had been published and the County was accepting bids for the project, and that this notice was more of an informational document. He remarked that if the County was seeking comments, the Board could provide them, but it was his understanding that the outline of the scope of work was completed. The proposed contiguous greenway would be located in Passaic County Highlands’ communities historically served by the New York and Greenwood Lake Railway. Board Member Warren Gross commented that if the project was completed in 10 years that it would be “amazing”, and many outside of Ringwood and West Milford would benefit from the Greenway project.

Affordable Housing Plan – Chuck McGroarty advised the Board that he would discuss the affordable housing matter in Closed Session since this was still the subject of litigation.

ORDINANCES FOR INTRODUCTION – None.

ORDINANCES REFERRED FROM COUNCIL

Ordinance 2016 – 004

Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending and Supplementing Chapter 500, Zoning, Article XIV Signs §500-152 “Permits Required” of the Revised General Ordinances.

Chairman Garcia requested Mayor Bieri and Councilman Signorino to provide the Board with comments regarding this ordinance that was introduced by the Township Council on February 17, 2016. Councilman Signorino advised that he requested the Township Council to consider a change to a section of the above referenced ordinance regarding signs for community events. The ordinance amendment, §500-152 C states that “Permits shall not be required for the following signs: building marker, identification, incidental, window, flag, political organization, community organization, local non-profit organization, and applicants who have received a permit in accordance with §500.36.1 of the Township Code.” Mr. McGroarty noted that, typically, Planning Boards are requested to review proposed amendments to existing ordinances or new ordinances to determine if they are inconsistent with the Master Plan. Following consensus from the Board, the Secretary was directed to send a memo to the Township Council advising that a review by the Planning Board finds the amendment to be consistent with the Master Plan. Councilman Signorino commented that the signs should be permitted for organizations or people holding town wide events. Mayor Bieri remarked that it made sense that if someone is applying for a permit for an outside event [temporary outdoor activity permit], that they should have permission for signs.

BOARD PLANNER’S REPORT – Mr. McGroarty advised that he will have a report for Closed Session near the end of the meeting regarding the Affordable Housing matter.

BOARD ATTORNEY’S REPORT – None.

BOARD ENGINEER’S REPORT – None.

MISCELLANEOUS

Approval of Invoices

The Invoices from the Planning Board professionals for the months of December 2015 and January 2016 were **unanimously approved** on a **motion** by Mayor Bieri with a **second** by Steven Castronova.

MINUTES

The Minutes from the Planning Board regular meeting of January 7, 2016 Re-Organization Meeting were **unanimously approved** by all those present at that meeting on a **motion** by Steven Castronova with a **second** by Mayor Bieri. Councilman Signorino was absent at that meeting and abstained from voting.

The Minutes from the Planning Board regular meeting of February 4, 2016 were **unanimously approved** by all those present at that meeting on a **motion** by Steven Castronova with a **second** by Councilman Signorino. Mayor Bieri was absent at that meeting and abstained from voting.

CORRESPONDENCE

Mr. McGroarty noted that #1 under Highlands Correspondence advised that a grant would cover the cost of developing the new Housing Element and Fair Share Plan for the Township. He observed that the Highlands Council was not initially going to allow municipalities to move monies around for other projects. Since the Housing Element was the main document that the Township was working on, the Township will be permitted to use the grant funds for developing the new required housing plan. Mr. McGroarty stated that if a letter is required by the Highlands Council outlining this request, he will provide a draft for the Township.

The following correspondence was reviewed by the Board:

Highlands Water Protection And Planning Act Correspondence

1. Notification from the Highlands Council, dated January 26, 2016, advising that the Module 2 Update was received from the Township of West Milford, and the Module 2, 3 and 7 Update scope of work has been completed, with a not to exceed amount of \$10,000. available for reimbursement under the Program and Plan Conformance Grant #09-033-011-1615 following review and approval of the invoices. The Module 2 Geodatabase and Developable Lands Summary Report will be posted on the Highlands Council website.

NJ Department of Environmental Protection Correspondence

1. Community Right to Know Survey for 2015, dated 01-19-16, received from United Water/Suez regarding the Bald Eagle Commons Sewer Treatment Plant on Richmond Road, West Milford, NJ.
2. Notification to the Township of West Milford from the NJDEP – Green Acres Program, dated February 3, 2016, advising that the grant proposal under the Recreational Trails Program for Invasive Species Removal on West Milford Hiking Trails was not selected for the 2015 round funding.

3. Flood Hazard Area Individual Permit and Freshwater Wetlands G.P. #1 received for the Upper Greenwood Lake Property Owners Association at 435 Lakeshore Drive, Hewitt, NJ regarding the replacement of an existing 586 linear foot railroad tie bulkhead with a concrete retaining wall along Upper Greenwood Lake within Block 2007, Lots 9.01 and 9.02.

4. NJDEP notice regarding Earth Day and Environmental Education Week, April 17 – 23, 2016.

Miscellaneous Correspondence Received/Sent

1. Borough of Bloomingdale, Ordinance #5-2016, Amending Chapter 92, “Zoning,” Article XII, “Schedule of Regulations,” Section 92-55, “B-1 General Business Zone,” of the Code of the Borough of Bloomingdale.

2. Notification of the Township of West Milford Volunteer Night, April 20, 2016 – Request for nominations for Volunteer of the Year.

Closed Session

Motion by Steven Castronova with a **second** by Linda Connolly to **close the meeting to the public** at **7:49 p.m.** and withdraw into Closed Session. Chairman Garcia read the following resolution into the record:

RESOLUTION NO. 2016-07

...Prior to the conclusion of this meeting, the Planning Board of the Township of West Milford shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12. sub-section (s):

(7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.

- **Affordable Housing – H.E./F.S.P.**

The regular meeting commenced at **8:12 p.m.** following the Closed Session.

Prior to adjourning, Chairman Garcia referred to the Board’s committees, and noted that Steve Castronova was appointed to two committees, and he may want to consider conceding one of the committee positions to Mr. Rosone. Chairman Garcia also advised Councilman Lou Signorino that he was appointed to the Design Standards Committee, and advised Linda Connolly that she was re-appointed to the Ordinance Committee.

Chairman Garcia, with concurrence from the Board members, requested that the Secretary cancel the March 3, 2016 Planning Board meeting. The next regular meeting would be held on March 24, 2016 at which time the hearing will be held for the Kearney Soil Movement Permit application.

Linda Connolly requested that the Ordinance Committee convene to review the existing aquifer testing ordinance. Steven Castronova commented that he would be willing to review the ordinance. A meeting was scheduled for March 24, 2016 at 6:30 p.m. prior to the regular meeting. The Secretary was requested to reserve the meeting room and to notify Glenn Wenzel, with a reminder to all the committee members prior to the meeting.

With no other matters to be brought before the Planning Board, Chairman Garcia **adjourned** the Regular meeting of February 25, 2016 at **8:16 p.m.** on a **motion** made by Andrew Gargano and a **second** by Geoffrey Syme.

Approved: March 24, 2016

Respectfully submitted by,

Tonya E. Cubby, Secretary