

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD
MINUTES**

August 5, 2021

Regular Meeting

Vice Chairman Geoffrey Syme was Acting as Chair in the absence of Chairman Christopher Garcia. Mr. Syme opened the August 5, 2021 regular meeting of the West Milford Planning Board at 7:00 p.m. with a reading of the Legal Notice, followed by the Pledge of Allegiance.

ROLL CALL

Present: Councilwoman Ada Erik, Councilman Warren Gross, James Rogers, Geoffrey Syme, Glenn Wenzel, Alt. #1 Michael DeJohn, Alt. 2 JoAnn Blom (7:17).

Absent: Steven Castronova, Linda Connolly, Chairman Christopher Garcia, Robert Nolan, Board Attorney Thomas J. Germinario, Board Engineer Paul W. Ferriero.

Also Present: Associate Planner Alison Kopsco, Environmental Commissioner Don Weise.

Mr. Syme requested Michael DeJohn and JoAnn Blom (upon arrival) to sit in for two of the absent members, and advised that a quorum was present to hold this regular meeting.

PUBLIC PORTION

The public portion was opened by Mr. Syme. With no members of the public wishing to address the Board, the public portion was **closed** on a **motion** by Ada Erik, with a **second** by Warren Gross.

PUBLIC HEARING

Open Space and Recreation Plan Update

Acting Chairman Syme opened the public hearing for the Open Space and Recreation Plan Update. The Board was to consider adoption of the updated plan as an amendment to the Township of West Milford Master Plan. It was noted that this plan was prepared by The Land Conservancy, in conjunction with the West Milford Environmental Commission, with funds available through a grant from the NJ Highlands Council. The Secretary advised that notices for this hearing had been published, and sent by certified mail to the adjoining municipalities and the Passaic County Planning Board.

Mr. Syme advised that there will be some minor edits to the copy of the plan that the Board received, specifically regarding the references to the NY-NJ Trail Conference:

On page 2, the following was requested to include:

Residents live and raise their families in the municipality because of its rugged landscape, forested lands, clean water, and easy access to **hunting, fishing, and** a multitude of breathtaking parks and public open space lands.

On page 29, the following edits were requested:

Highlands Preserve, formerly the San Cap Park, is a 268-acre park adjacent to Abram S. Hewitt State Forest located off Union Valley Road in West Milford. The park contains several multi-purpose athletic fields but is mostly known and used for its hiking trails. The park has trail connections to the ~~Quail~~ **Bearfort Ridge Loop Trail**, State Line Trail, and ~~the~~ Appalachian Trail. Passaic County recently installed new playground equipment in the Preserve.

Abram S. Hewitt State Forest

Abram S. Hewitt State Forest is located entirely within West Milford Township. It includes a section of Bearfort Ridge, which offers hikers a challenging climb and breathtaking views. Home to where the Appalachian Trail connects into New York State, it includes the Bearfort Ridge **Loop** Trail, Ernest Walter Trail, and West Ridge Trail. Parking is available off Warwick Turnpike. Scenic viewpoints along the trails are located

near West Pond and Surprise Lake. *Mr. Syme noted that the Bearfort Ridge Loop Trail should reference the Jeremy Glick Trail.

Environmental Commissioner and Open Space Coordinator Don Weise explained to the Board that the Bearfort Ridge Trail was originally a point to point trail, along with the Quail Trail, but has been reconfigured to become the Bearfort Ridge Loop. This will assist in less people becoming lost since the trails will be connected as a loop.

Board member Glenn Wenzel inquired about the purpose of the updated Open Space and Recreation Plan, and noted that the Township is approximately 70% undeveloped and removing more properties from the tax roles could erode the tax base. He did not see anything in the updated OSRP plan regarding tax relief, and expressed concern about the small percentage of developable land remaining in the Township, as well as the increased cost for maintenance of the preserved properties with limited municipal staff available.

Mr. Weise addressed the Board regarding some of the concerns expressed. He advised that the Open Space Committee/Environmental Commission is not interested in preserving any land that is contributing significantly to the tax base. He maintained that their purpose is strategic, and that is to provide various types of recreational opportunities in the Township. Unless a property presents a major contribution to the municipality, the parcels are not recommended to be purchased for open space. As for the reason for updating the OSRP, the updated plan will make us eligible for grants and state funds for purchase of lands. Regarding the concerns about the maintenance of the open space properties, Mr. Weise noted that if a parcel is preserved for trails, then the trails will be maintained as such, but the majority of the properties that are purchased are for general recreational open space. He did note that The Land Conservancy suggested in the plan that there should be some investment in funds for Brown's Point as a possible tourist site.

Following comments from the Board, the meeting was then open to the public for comments. With no one present wishing to address the Board regarding this matter, the public portion was **closed** on a **motion** by Ada Erik, with a **second** by Warren Gross.

MEMORIALIZATIONS

Acting Chairman Syme noted the minor edits that will be made to the document, and advised that the resolution adopting the OSRP Update as an amendment to the Master Plan was available for Board consideration.

Resolution No.2021-13

RESOLUTION ADOPTING THE OPEN SPACE AND RECREATION PLAN UPDATE AS AN AMENDMENT TO THE TOWNSHIP OF WEST MILFORD MASTER PLAN

A **motion** was made by Jim Rogers, with a **second** by Ada Erik, to **approve** Planning Board Resolution No. 2021-13 Adopting The Open Space And Recreation Plan Update As An Amendment To The Township Of West Milford Master Plan.

Roll Call

Yes: Ada Erik, Warren Gross, James Rogers, Glenn Wenzel, Michael DeJohn, JoAnn Blom, Acting Chair Geoffrey Syme.

No: None.

Motion approved.

APPLICATIONS – None.

NEW OR ONGOING BUSINESS

Highlands Sustainable Economic Development Plan – Alison Kopsco of J. Caldwell & Associates advised that the final draft of the Highlands Sustainable Economic Development Plan document has been provided to the Master Plan Committee for review at their next meeting on August 26, 2021. It was noted that by Mr. Syme that the regular Planning Board meeting scheduled for that day will most likely be cancelled.

ORDINANCES/RESOLUTIONS REFERRED FROM COUNCIL

Mr. Syme made an inquiry to Councilwoman Erik and Councilman Gross regarding several ordinances that are under consideration by the Governing Body, and she replied that the cannabis matter was included on the Council's upcoming agenda, as well as a telecommunications facility ordinance. The bulk standards ordinance is not ready yet for introduction, but she would know more once she receives her Council packet for their meeting the following week. Mr. Syme requested clarification for the Board on these proposed documents, and reiterated to Ms. Erik and Mr. Gross that they have been requested to be alert to any land use documents (resolutions, ordinances) that should be referred to the Board.

BOARD PLANNER'S REPORT – None.

BOARD ATTORNEY'S REPORT – None.

BOARD ENGINEER'S REPORT – None.

MISCELLANEOUS

Following several comments from the Board members, Ada Erik reviewed some of the past history of the site on Union Valley Road that was the location of the former Wiggins Farm. She reported that in the 1970's, a Jamesway retail store was considered for the site, and in the 1980's the federal wetlands protection act came into effect. Ms. Erik recalled that trenches were constructed by the owners on either side of the property and they were inhabited by bog turtles, which essentially stifled any development plans. She observed that there should be documentation with the Environmental Commission files regarding the wetlands on the site and the presence of bog turtles. Glenn Wenzel recalled from the 1990's that there was a small buildable footprint for that site, and inquired if an application for a Letter of Interpretation had been submitted to the NJDEP prior to the alterations of the topography and soil at the site. Alison Kopsco advised that the NJDEP had been notified.

The Board briefly discussed shipping containers on residential and commercial sites and noted that some clarifications on this matter were included in the bulk standards ordinance recommendations that the Governing Body was to consider.

Invoices

The Planning Board professionals' recent invoices were **approved** on **motion** by Warren Gross with a **second** by Ada Erik following a review of the invoice items.

MINUTES

With a correction noted on page two, the Minutes from the July 1, 2021 Regular Meeting were **approved** by those members present at that meeting on a **motion** by Ada Erik and a **second** by Warren Gross.

CORRESPONDENCE RECEIVED:

The following correspondence items were reviewed by the Board:

Highlands Water Protection and Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. Correspondence from The Land Conservancy of NJ, dated June 30, 2021, advising that an application has been submitted to the NJDEP Green Acres Program for Nonprofit Stewardship Funding regarding a restoration project at the Nancy Conger Westbrook Preserve Addition on Westbrook Road, Block 9201; Lots 1, 2, 3 & 5, for the restoration of the historical hydrology of the Westbrook headwaters and improvement of the ecological integrity of the property. A copy of the application is on file with the NJDEP.

2. Response Action Outcome notice, dated July 8, 2021, received from Atiqur Rahman, site remediator, regarding Happy Landing Marina - Elena Dykstra, 871 East Shore Road, Block 4401; Lot 1, with respect to AOC-1 for two 4,000 gallon gasoline UST and one 1,000 gallon gasoline UST, AOC-2 for Product Piping Associated with the UST's, and AOC-3 for Dispensers associated with the UST's.

3. Response Action Outcome notice, dated July 8, 2021, received from E2 Project Management, regarding remediation at Matrax, LLC, 171 Oak Ridge Road, Block 15901; Lot 7, preferred ID 666474, advising that the preliminary assessment has been completed.
4. Suspected Hazardous Discharge notice, dated July 20, 2021, NJDEP #21-07-19-1112-33, regarding 1953 Macopin Road, B 8201; L 1, for the removal of a 550G #2 HO UST, with clean up pending.
5. Suspected Hazardous Discharge notice, dated July 27, 2021, NJDEP #21-07-26-1836-32, regarding 49 Timber Lane, 14901; L 14, for the removal of 2 550G #2 HO UST's, with clean up completed.
6. Response Action Outcome, Preferred ID: 031885, dated July 23, 2021, received from PT Consultants, Inc., regarding 85 Marshall Hill Road, Block 6303; Lot 5, James Worth Realty, LLC, with respect to "historic fill" and no other areas, advising that the remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites.

Miscellaneous

1. Hudson Essex Passaic Soil Conservation District – Stop Construction Order regarding 41 Castle Rock Road, Block 2202; Lot 1.06, Anthony Battinelli Jr., for Failing To Obtain Certification for Filling and Grading, advising property owner to stop all filling and grading soil disturbing activity and construction on the property, effective July 15, 2021, until the following is completed: 1) Submit soil erosion and sediment control application, fee and plan which has been prepared by a NJ license engineer, depicting all present and proposed site improvements; 2) upon plan certification, submit the required Start Notice; 3) Install all erosion control measures on-site as designed on the SESC plan.
2. HEPSCD Report of Compliance, dated 07-01-21, received for Farrell Soccer Field Rehab Phase II, Block 6002; Lot 28.02, Lycosky Drive, regarding the establishment of permanent stabilization of all disturbed areas in accordance with the certified soil erosion and sediment control plan.

ADJOURNMENT

Prior to adjourning, the Board was advised that the August 26, 2021 meeting will most likely be cancelled, with the next regular meeting scheduled for either September 2 or September 23, 2021. They will be notified by email.

With no other matters to come before the Planning Board, Acting Chair Geoffrey Syme **adjourned** the meeting of August 5, 2021 at 8:00 pm on a **motion** by Glenn Wenzel, with a **second** by Warren Gross.

Approved: September 23, 2021

Respectfully submitted by

Tonya E. Cubby, Secretary