

TOWNSHIP OF WEST MILFORD

PLANNING BOARD

Minutes September 22, 2004 Regular Meeting

Vice Chairwoman, Leslie Tallaksen, called the meeting to order at 7:43 p.m. with the reading of the legal notice.

ROLL CALL

Present: Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner. Alternate: Clinton Smith. Board Attorneys: Glenn Kienz, Esq. and Bryant Gonzalez, Esq. Planning Director: William Drew, P.P. Consulting Engineer: Robert Kirkpatrick, P.E.

Absent: Chairman: Michael Tfank. Alternate: Matthew DeFede.

Chairwoman appointed Mr. Smith to vote for Mr. Tfank.

PUBLIC PORTION

Merjeme Duffy and Robert Duffy, Jr. 21 Warwick Turnpike, Hewitt, NJ and Michelle LaPlaca, 4 Greenbrook Drive, Hewitt, NJ addressed the Board regarding concerns with an application for a zone change. James A. Ross, 134 Richmond Road, West Milford, NJ was advised to address his concerns regarding Bald Eagle when the application was called.

There being no one else who wished to speak a **MOTION** was made by James O'Bryant, seconded by Kurt Wagner, to close the public portion. On voice vote all were in favor.

SITE PLAN WAIVER APPLICATIONS

1433 UNION VALLEY ROAD ASSOC., LLC
Site Plan Waiver #0420-0191W
Block 7520; Lot 1
1433 Union Valley Road, VC Zone

Board Attorney advised that Board member, Joseph Elcavage, was eligible to hear this application. That his employment in a similar business did not constitute a conflict.

Robert Lyszczare appeared on behalf of the applicant. He advised that he had purchased the subject building and planned to restore and use it as a real estate office. Mr. Lyszczare testified that he would be doing minor alterations; that he was waiting for permits; and, that he did not plan to pave the driveway. In response to questions from the Board, he further stated that the building was gutted and debris removed and exterior painting and landscaping completed. He stated that work on the property had been started prior to obtaining the necessary permits. He testified that an associate had been advised that permits were not required.

The Board tabled the matter until later in the meeting to give the applicant time to contact his colleague regarding her conversation concerning the need for permits.

ZONE CHANGE APPLICATIONS

ZANADO ENTERPRISES
Zone Change #0450-0176
Block 6803; Lots 4 and 11
Warwick Turnpike and Union Valley Roads; CC Zone
Request to change existing CC Zone to R-4
Board recommendation to Township Council

The applicant was represented by Allen Hantman, Esq., Morris & Hantman, 168 East Main Street, Denville, NJ. He explained that this was an amended application to rezone to an R-4 residential zone and maintain CC zoning as depicted on the map accompanying the request. He stated that zoning to a large lot residential would generate less traffic, less impact on the area.

William Drew, Planning Director, requested the attorney clarify the request being made. There was a discrepancy between what his client had proposed in a meeting with the Planner and what was being requested.

MOTION made by Joseph Elcavage, seconded by Michael Siesta, to carry the matter to the October 27, 2004 regular meeting.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Kurt Wagner, Clinton Smith, Leslie Tallaksen.
 No - None

APPLICATIONS

EUGENE PRAIS
Preliminary Subdivision #0410-1961
Variance #0430-0654
***De Minimis* Exception**
Block 8401; Lots 22 and 23
114 Dockerty Hollow Road; R-2 Zone
Create one building lot.

COMPLETE: 07-01-04
DEADLINE: 10-29-04

Appearing on behalf of the applicants was Eugene Prais, 114 Dockerty Hollow Road, West Milford.

The public hearing was carried from the Planning Board regular meeting of July 28, 2004. The applicant was present and advised the Board concerning the status of his subdivision application and the Highlands Act. He requested the Board to consider his variance application for side yard setback at this time and carry the subdivision to the October 27, 2004 meeting. There is sufficient time remaining in which the Board has to act.

In reviewing this application and the applicant's request, the Board considered the reports of its Board Engineer, Robert C. Kirkpatrick, P.E. dated May 31, 2004 and its Board Planner, William H. Drew, P.P. dated July 23, 2004. Upon reviewing these reports with the applicant, especially with his request for subdivision and for a *de minimis* exception with respect to the subdivision that would create Lots 22 and 23 of Block 8401, Mr. Prais requested the Board to bifurcate his application and only asked that the Board act with regard to his immediate request for bulk variance relief for the existing Lot 23.

As there were no members of the public present expressing an interest in this application a **MOTION** was made by Kurt Wagner, seconded by James O'Bryant, to close the public comment portion of the application. On voice vote all were in favor.

MOTION made by Michael Siesta, seconded by Kurt Wagner, to bifurcate the application and to grant the bulk variance requested.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Kurt Wagner, Clinton Smith, Leslie Tallaksen,
 No - None

The subdivision portion of the application was carried to the October 27, 2004 meeting.

VERIZON NEW JERSEY, INC.
Conditional Use/w Minor Site Plan #0420-0182
Variance #0430-0675
Block 16003; Lots 3 and 4
45 Paradise Road; R-4 Zone

COMPLETE: 07-16-04
DEADLINE: 11-13-04

Construction of an emergency generator enclosure.

The application before the Board is a request for minor site plan approval with ancillary "c" variance relief for the subject property. The applicant was represented by Thomas DiBiase, Esq., 345 Centre Street, Nutley, NJ.

Testifying on behalf of the applicant was Thomas A. Caserta, P.E. and P.P., Verizon New Jersey, Inc., 650 Park Avenue, East Orange, NJ, who provided expert engineering testimony with regard to the site plans prepared by the Reynolds Group, Inc. dated May 21, 2004 and consisting of four (4) sheets. Mr. Caserta indicated that he had been with Verizon for more than 31 years and was a site plan engineer licensed in the State of New Jersey. He indicated that he had reviewed the plans that had been submitted by the applicant to the Board and was familiar with the subject property, which was located at 45 Paradise Road in the Township of West Milford. He further indicated that the intent of the applicant was to erect an emergency generator to service the existing telephone building on the subject property. Mr. Caserta indicated that the building on the subject property was the central switching station for telephone service in the area, which also serviced the Township of West Milford. Pursuant to the Rules of the Federal Communications Commission ("FCC"), he indicated that power backups were necessary for telephone service providers and that Verizon had to meet certain capacity requirements for their services. Mr. Caserta indicated that as Verizon's central switching station on the subject property was at capacity, the instant application to the Board for minor site plan approval was necessary to allow for an emergency generator.

Mr. Caserta indicated that Verizon was a public utility and thus was an inherently beneficial use. This facility serves the immediate community in which it is located and, therefore, is a permitted use in the R-4 Zone based upon the West Milford Township Zoning Ordinance.

With respect to the enclosure, which was to house the proposed emergency generator, Mr. Caserta indicated that the enclosure would measure 35-feet by 17-feet and the generator would sit upon a concrete pad behind the building on the subject property. In terms of aesthetics, he indicated that the enclosure would be made of prefabricated material. As for landscaping to surround the enclosure, he referred the Board to Sheet 3 of 4 of the plans submitted and indicated that Spruce trees would be located north and south on the subject property to screen the enclosures from adjacent properties.

With respect to lighting to be provided, Mr. Caserta indicated that incandescent lighting would be provided for the use of service technicians but no other lighting was proposed. He indicated that the building on the subject property dated back to 1964 and thus predated the Ordinance requirements for the R-4 Zone.

With respect to sound generated by the emergency generator, Mr. Caserta indicated that the generator would meet State noise criteria (50 dba at night and 64 dba during the daytime) and that 1 hour monthly testing would occur during the day.

As the Board had questions with regard to the noise to be generated from the proposed generator, the applicant offered Matthew Murello, P.E., Lewis S. Goodfriend Associates, 760 Route 10 West, Whippany, NJ, who indicated he was an acoustics engineer licensed in the State of New Jersey. Mr. Murello indicated that the State standard for noise with respect to residential properties was 65 dba at daytime and 50 dba at nighttime. He further indicated that the applicant would provide acoustic walls to bring the noise generated by the emergency generator to 50 dba. He indicated that in the event of an emergency, the emergency generator could generate noise of up to 65 dba at night, which would be louder than the State standards. However, Mr. Murello noted that the State provided emergency exemptions for noise from the stated dba requirement such that, in the event of an emergency, Verizon would be exempt from application of the State noise requirements. Mr. Murello indicated, however, that the applicant was willing to place walls and barriers in its best effort to keep the generator under 64 dba at night at the lot line. In terms of what this might sound like, he indicated that the generator would sound similar to a lawn mower at 20 feet.

Mr. DiBiase indicated that the applicant would accept as a condition of approval that the applicant could only test its generators on a monthly basis during the hours of 9:00 a.m. to 5:00 p.m.

With respect to the location of the 10-foot x 10-foot concrete pad and the need for variance relief for setback, Mr. Caserta indicated that the location of the concrete pad was within the 30-foot buffer requirement imposed by the R-4 Zone. He indicated that the applicant could obtain variance relief pursuant to N.J.S.A. 40:55D-70c(1) as the subject property was a substandard lot pursuant to the R-4 Zone requirements. He indicated, that many of the existing conditions were preexisting nonconformities as the building on the subject property was established prior to implementation of the R-4 Ordinance. In this regard, he noted that the building was located close to the property line and as such it would be a hardship on the applicant to have to move the entirety of the building in order to meet present zoning requirements. Furthermore, as there was limited space to locate the concrete pad on the subject property, Mr. Caserta indicated that the proposed location was superior to what would be required under the Zoning Ordinance. To relocate the transformer and pad would require excessive relocation of existing conduit to provide for the new conduit to the transformer. The chosen location does not necessitate any relocation of existing conduit. In this regard, he indicated that it made better planning sense to locate the concrete pad closer in proximity to the power pole shown on the plans as this would limit the length of the feed of the primary feeds from the pole to the transformer pad in contrast to providing this same feed over the setback requirement. He further indicated that ground-mounted transformer pads as proposed by this applicant were required by the FCC after certain levels of power were reached.

Mr. Caserta further noted that proper screening in terms of landscaping would be placed to avoid any visual impact to adjacent property owners.

Mr. Caserta further indicated that the use proposed by Verizon was a public utility and thus an inherently beneficial use. In this regard, he indicated that there would be no detriment to adjacent property owners or the public in general and that there would be no substantial impairment of the zone plan and zone ordinance as a result of a granting of variance relief from the setback requirements.

In reviewing this application the Board considered the report of its Planner, William H. Drew, dated September 17, 2004. The Board also considered the reports of its Engineer, Robert C. Kirkpatrick, P.E., dated July 5, 2004 and September 16, 2004. Mr. DiBiase indicated that Verizon would agree to comply with all terms and conditions of their reports.

With respect to the side yard variance for the 35-foot x 17-foot enclosure, Mr. DiBiase indicated that Verizon would consent to a merger of Lots 3 and 4 as a condition of approval to get rid of the side yard variance with respect to the encroachment resulting from the proposed emergency generator enclosure. He also indicated that the applicant would agree to the Board Engineer's request that additional curbing be provided as recommended.

The Board then opened the meeting to the public. With no members of the public expressing an interest in this application, the Board promptly closed the public comment portion of the meeting.

MOTION made by Joseph Elcavage, seconded by Clinton Smith, to approve the application.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Kurt Wagner, Clinton Smith, Leslie Tallaksen.
 No - None

Mr. Kienz left the meeting.

BALD EAGLE COMMONS
Minor Subdivision #0410-1966
Block 5308; Lots 2 and 3
Cahill Cross Road; SCC Zone
Reconfigure lot lines for commercial development.

COMPLETE: 07-23-04
DEADLINE: 09-30-04

The applicant was represented by Karl Z. Sosland, Esq., 19 Main Street, Hackensack, NJ.

Testifying on behalf of the applicant was Kenneth Ochab, P.P., Kenneth Ochab Associates, Inc., 12-16 Fair Lawn Avenue, Fair Lawn, NJ, who provided planning testimony with regard to the subject property. He testified with respect to the minor subdivision as proposed in the minor subdivision plat prepared by Boyce L. McGeoch, P.L.S., P.P., dated June 2, 2004 and consisting of one (1) sheet. Mr. Ochab indicated that the applicant was seeking to adjust the existing common lot line separating existing Lots 2 and 3 in Block 5308 and that no new lots were proposed as part of the application. He further indicated that there were no bulk variances associated with the application.

Mr. Ochab indicated that the applicant was seeking to reconfigure the lot lines to better accommodate a proposed commercial building which was the subject of a separate site plan application also pending before the Board. He indicated that while the lot line dimensions were to be changed through the application, the acreage for both lots would remain the same.

Mr. Ochab indicated the Board should grant minor subdivision approval to the applicant as the proposed lot line configuration would conform to all applicable requirements including the Township Ordinance and Municipal Land Use Law.

In reviewing this application, the Board considered the report of its Board Planner, William H. Drew, P.P., dated September 17, 2004. The Board Planner indicated that the subject property was located on a southerly side of Cahill Cross Road, a Township Road, opposite its intersection with Richmond Road (a private road within the Bald Eagle Commons complex). The Board Planner noted that the subject property was located in the SCC (Senior Congregate Care) Zone. The Board Planner noted that the thrust of the application was to adjust the existing common lot lines separating Lots 2 and 3 on the subject property and that no new lots were proposed as part of the application. The Board Planner confirmed that there were no bulk variances associated with the application. The Board Planner further noted that the subject property was part of the Bald Eagle Commons development, which received final subdivision approval in 1996. Preliminary site plan approval received in 1992 indicated the use of Lot 3 for the residence of the on-site manager/maintenance personnel and a maintenance building for Lot 2. Under the current proposal submitted by the applicant, the Board Engineer noted that the applicant was seeking to reconfigure the lot lines to better accommodate their proposed commercial facility which was the subject of a separate site plan application to be heard by the Board.

The Board Planner indicated that the lot dimensions would be altered by the application; however, the resulting lot acreage would remain the same. He further indicated that the Bald Eagle Manor construction/sales office trailer was located on Lot 3, which was proposed to be removed according to the plans submitted by the applicant. It was noted that there were no environmental concerns associated with the application since no development was proposed, merely a lot line reconfiguration.

There were no other members of the public present expressing an interest in this application.

MOTION made by Joseph Elcavage, seconded by Kurt Wagner, to approve the application.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner, Clinton Smith
 No - None

BALD EAGLE COMMONS
Amended Preliminary #0420-8815
Final Site Plan #0420-8815 (Phase III A)
Block 5308; Lot 3
Cahill Cross Road; SCC Zone
Construction of a single-story commercial building.

COMPLETE: 07-23-04
DEADLINE: 09-30-04

The applicant was represented by Karl Z. Sosland, Esq., 19 Main Street, Hackensack, NJ. Testifying on behalf of the applicant was Kenneth Ochab, P.P., Kenneth Ochab Associates, Inc., 12-16 Fair Lawn Avenue, Fair Lawn, NJ, who provided expert planning testimony with regard to the subject property. Also appearing on behalf of the applicant was Sal Falciglia, PO Box 1, Ringwood, NJ. Mr. Ochab indicated that the applicant had submitted an application

with respect to the subject property, which was located on the southerly side of Cahill Cross Road (opposite to the intersection with Richmond Road). He indicated that his testimony would be with reference to the plans submitted to the Board entitled "Amended Preliminary and Final Site Plan for Phase IIIA – Bald Eagle Commons" prepared by Boyce McGeoch, L.S., P.P. and Frank Loscalzo, Jr., P.E., dated April 7, 2004, with a last revision date of July 21, 2004 and consisting of eight (8) sheets.

Referring to Sheet 1 of 8, Mr. Ochab indicated that Lot 3 would house the proposed commercial building, which would be adjacent to Cahill Cross Road. The commercial building was proposed to house a wine shop. The proposed commercial building would be 3,530 square feet in size and would be a single story building. Access to the subject property would be provided from Cahill Cross Road. He further indicated that on-site parking would be provided to accommodate the proposed wine shop. Referring to the plans, Mr. Ochab indicated that there was an existing NJ Bell Utility Easement, which was to remain where located and that the applicant had designed the layout of the subject property to avoid traversing this easement.

With respect to the style of the building, Mr. Ochab indicated that the building would have a pitched roof with dormers that were not going to be used for any purpose. He further indicated that the building and its façade would match the architectural scheme of the Bald Eagle development residential and commercial areas.

Mr. Ochab indicated that the applicant was willing and would comply with all terms of the Board Engineer's report dated September 16, 2004 as well as the Planning Director's report dated September 17, 2004. He further indicated that with respect to stormwater management control, the applicant was willing to do whatever the Board Engineer required to be done so that the project would be in compliance with applicable ordinances and regulations. With regard to a landscaping plan, he indicated that the applicant had not filed a landscaping plan since its prior practice with the Township with regard to the development of its project was to work with the Township's Landscape Architect and comply with whatever landscaping plan was recommended and agreed to.

The Board Planner indicated that the subject property was within the Bald Eagle Commons development, which received preliminary site plan approval in 1992 for the location of a residence for an on-site manager/maintenance personnel. The subject property along with adjacent Lots 2 and 4 were identified on the preliminary site plan phasing plan as Phase III of three (3) phases. The first and second phases, the Board Planner indicated had received final site plan approval and construction had been completed with the exception of the commercial building that was still under construction on the subject property.

The Board Planner noted that the applicant with respect to this application was seeking an amendment to the preliminary site plan approval and also seeking final site plan approval to permit the construction of a stand-alone commercial building to house a wine store. The Board Planner further noted that the applicant was seeking to further define its development in Phase III into two (2) sub-phases those being Phase IIIA and IIIB. The subject property the Board Planner noted was part of Phase IIIA and Lots 2 and 4 would be called Phase IIIB.

With respect to the Board Planner's concerns as to the number of parking spaces to be provided for the proposed commercial building, 22 parking spaces were required by the Ordinance and 22 would be provided by the applicant. Mr. Ochab further indicated that the building on the subject property would measure 3,530 square feet. The parking stalls he indicated were depicted incorrectly on the plans and were to be 9 feet by 20 feet in size. Mr. Ochab indicated that the applicant was willing to submit revised plans to show the parking stalls measuring at 9 feet by 20 feet.

Mr. Ochab then addressed the Board Planner's concern with respect to loading and explained how loading would occur on the subject property. In this regard, he testified that the loading zone would comply with all Ordinance requirements for loading. With respect to a proposed dumpster pad depicted on the plans, he noted that the dumpster pad would be relocated behind the loading zone in the rear yard of the subject property. By relocating the dumpster pad location, the applicant would not be placing a 6 foot high fence in a front yard as this is prohibited by the Land Development Ordinance.

With respect to the 5-foot high chain link fence to be placed along the top of slope from north to south on Lot 3 and the portion to be placed on Lot 2, the applicant would agree to a condition of approval of providing an easement for the location of the proposed fence on Lot 2.

In view of the foregoing changes, Mr. Ochab noted that there were no variances that were part of this application. With respect to the Board Planner's report, he indicated that all 12 enumerated recommendations stated therein could be complied with and would be complied with by the applicant.

Mr. Ochab further indicated that with respect to lighting, the applicant would agree to face any lighting inward on the proposed patio for the commercial building to avoid any glare to adjacent properties. With respect to lighting in the parking areas, the lighting proposed was to be controlled so as to prevent or limit any spillover of light off of the subject property.

With respect to signage, Mr. Ochab indicated that a free-standing sign was proposed to be located in the center of the subject property and was depicted on Sheet 1 of 8 of the plans submitted to the Board by the applicant. He noted that the location of the sign was 20 feet from the curb line, which conformed to Ordinance requirements.

The Board members then discussed the location of a proposed crosswalk from the subject property to Cahill Cross Road.

Mr. Ochab indicated that the applicant would abide by recommendations of the West Milford Police Department with respect to the crosswalk signage and any applicable state guidelines such as those for Uniform Traffic Control Devices.

Mr. Faciglia then testified to the Board with respect to lighting on the subject property and indicated that at Sheet 7 of 8 of the plans submitted, lighting would be proposed in the center of the property to reduce and limit any spillover of light off of the subject property. He further indicated that white lights similar to those found throughout the Bald Eagle Commons parking areas would be used.

The Board then opened the meeting to members of the public for comment on the application. In this regard the Board first heard from James A. Ross, 134 Richmond Road, West Milford, NJ, who indicated that he was a resident of Bald Eagle Commons and had concerns with respect to several aspects of the application. Mr. Ross indicated that he was concerned about whether the applicant would continue to build on the subject property and in this regard wished for the Board to maintain open space on the subject property. He further indicated that he was concerned with the water pressure and availability with further development of the property. He further noted that traffic was dangerous in the area of Cahill Cross Road and was concerned with some of the senior residents using the proposed crosswalk to get to the other side of Cahill Cross Road. Mr. Ross further questioned the need for a commercial building when there was already a commercial square in another portion of the Bald Eagle Commons development.

Mr. Ochab responded that the crosswalk was designed to assist residents of Bald Eagle Commons to access Cahill Cross Road and that the applicant had agreed to comply with the Township Police Department's recommendations and state guidelines. With respect to the commercial building, he indicated that the proposal complied with the Senior Congregate Care Zone requirements and that the proposed location of the wine store was better at the proposed commercial building than in the commercial center since there was a daycare facility located in the commercial square.

There being no other members of the public present expressing an interest in this application the Board promptly closed the public comment portion of the meeting.

MOTION made by Joseph Elcavage, seconded by Kurt Wagner, to approve the application.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner, Clinton Smith
No - None

THOMAS & CHRISTINE SCHNEIDER
Minor Subdivision #0410-1962
Variance #0430-0676

COMPLETE: 08-04-04
DEADLINE: 12-02-04

Block 2303; Lots 8 and 10
23 & 29 Gladstone Road; LR Zone
Lot line adjustment to eliminate a driveway encroachment.

The applicant, Thomas Schneider, 23 Gladstone Road, Hewitt, NJ, explained his proposal.

With no members of the public coming forward to provide comments, the Board closed the public comment portion of the application.

Due to a question concerning the location of an existing shed partially located on the adjoining property, the matter was carried to the October 27, 2004 meeting. The Board requested that the neighbor appear at that meeting or provide a letter regarding the encroachment of a shed on his property. There is no need for renote.

1433 UNION VALLEY ROAD ASSOC., LLC
Site Plan Waiver #0420-0191W

Block 7520; Lot 1
1433 Union Valley Road, VC Zone

Continuation of earlier hearing.

The applicant subsequently appeared with Linda McCullough, an employee, who testified that she was advised both by telephone and in person by the Township Building Department that a permit was not required for any type of demolition or landscaping or cleaning up the property. Permits would be required for electric and plumbing. She further indicated that the proper applications and fees had been submitted.

Mr. Lyszczare further stated that additional stone and gravel had been placed in the parking area and he had cleaned up the general appearance of the property to make it more presentable. He advised there would be approximately 14 employees.

MOTION made by James O'Bryant, seconded by Joseph Elcavage, to approve the site plan waiver.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Kurt Wagner, Clinton Smith.
No - Leslie Tallaksen.

MEMORIALIZATIONS

X-TRA SPACE CENTER
RESOLUTION NO. 2004 - 21
Preliminary & Final Site Plan #0220-0127
Bulk Variance #0230-0589

Block 6902; Lot 17
54 White Road; CC Zone
Request for time extension.
APPROVED: One-year time extension.

MOTION made by James O'Bryant, seconded by Joseph Elcavage, to memorialize the resolution.

On roll call vote: Yes - Joseph Elcavage, James O'Bryant, Edward Orthouse, Douglas Ott, Michael Siesta, Leslie Tallaksen, Kurt Wagner, Clinton Smith.
No - None

Mr. Elcavage requested on the cost of all pending litigation be made known so that the public is aware of the cost to the Township.

MINUTES

MOTION made by Joseph Elcavage, seconded by Kurt Wagner, to approve the minutes of the July 7, 2004 closed session. On voice vote all were in favor.

COMMUNICATIONS

The following correspondence was received and filed:

County Planning Board reports to the Planning Board regarding the following application:

Inserra/West Milford LLC, Minor Subdivision, Block 6303; Lots 13 and 15, 45 Marshall Hill Road. Approval withheld pending receipt of additional information.

Notice dated August 3, 2004 from Northeast Environmental Management Systems advising that Castle Rock Estates, L.L.C. is applying for a General Permit for property located on Union Valley Road, Block 9901; Lot 7.

Copy of letter dated August 2, 2004 from Michael Tfrank, Chairman, Planning Board to Paul Drake, Department of Community Affairs re: West Milford Township Smart Growth Grant and Plan Endorsement.

Copy of memo dated July 27, 2004 from William Drew, Planning Director, to Renee Palermo, Recreation Director, regarding joint meeting of the Recreation Advisory Board and Planning Board Master Plan Subcommittee.

Copy of letter dated August 13, 2004 from William Drew, Planning Director, to Steve Edmond, Passaic County Engineer, requesting information for application to State for designation of the Tichenor House as an historic structure.

Copy of letter dated August 11, 2004 from William Drew, Planning Director, to Paul Califf, Esq. regarding filing of site plan by Jack Jaust for Block 16005; Lot 12, Oak Ridge Road.

Letter dated September 2, 2004 from EcolSciences, Inc. advising that Michael Zupp is applying for a Letter of Interpretation/Line Verification for property known as Block 12110; Lot 6 located at the intersection of Martha Street and Germantown Road.

Notice dated September 2, 2004 advising that Bob Little is applying for a General Permit for the repair of a septic system on property located at 12 Lyons Road; Block 1001; Lot 2.

Notice from the New Jersey Planning Officials enclosing the slate of candidates and ballot form.

Notice dated September 6, 2004 advising that Barbara Cox is applying for a General Permit for the installation of a sub-surface sanitary disposal system for property located at 19 Schofield Road, Block 11501; Lot 8.

Copy of letter dated September 9, 2004 from Kevin Byrnes, Acting Administrator, to Robert Coyman, Zanado Enterprises, regarding request to speak before the Township Council re a zone change for property known as Block 6803; Lots 4 and 11.

Copy of letter dated September 10, 2004 from William Drew, Planning Director, to Elaine Duffy in response to her letter requesting information regarding the a zone change requested by Zanado

Letter dated September 2, 2004 from the DEP Division of Water Quality regarding the reopening of the public comment period on a new draft Stormwater Discharge New Master General Permit – Mining and Quarrying.

Notice from the Passaic County Hazardous Waste Collection Program advising small businesses and institutions of the next collection date for disposing of their hazardous materials.

Notice from ANJEC of 31st annual Environmental Congress to be held Friday, October 15, 2004. Topic: Beyond Home Rule – Environment through regional planning.

Memo dated September 13, 2004 from Kenneth Hawkswell, Health Officer, re: Interpretation of State Regulations for Freshwater Wetlands & Flood Hazard Areas.

The Board discussed the above memo and were disturbed with the lack of an adequate response to their simple request. Mr. Elcavage advised that he had forwarded a copy of the memo to the Mayor with a request that he look into it. Members requested that a memo be sent to the Mayor from the Planning Board asking him to look into the matter.

ADJOURNMENT

Meeting adjourned by unanimous consent at 10:54 p.m.

Respectfully submitted,

Grace R. Davis
Secretary