

Highlands Redevelopment Area Designation Pre-Application Meeting

Date: February 1, 2010
Time: 9:30 am
Location: Highlands Council Office in Chester, NJ
Re: Application for Highlands Redevelopment Area Designation
West Milford Municipal Complex – Block 7903 Lots 13, 14, 15, 16

Attendees:

Highlands Council Staff	Applicant Representatives
Eileen Swan Tom Borden Dan Van Abs Chris Ross	Bettina Bieri – West Milford Township Mayor Douglas Ott – Library Board, Environmental Commission Gillian Hemstead – Library Board, Environmental Commission Fred Semrau – Township Attorney Mark Denisiuk – Ferriero Engineering Inc. Paul Ferriero – Ferriero Engineering Inc., Township Engineer

Introduction

The subject properties are Lots 13, 14, 15, and 16 in Block 7903 located between Ridge Road and Union Valley Road in the Township of West Milford, Passaic County. The tract is mostly developed and contains the municipal building which houses the administrative offices and police station. The remainder of the tract includes the municipal ambulance squad building, a small public library, a cell tower site, a small retail store, a small dwelling, and maintained lawn areas. The Township of West Milford wishes to redevelop the western portion of the property with a 25,500-square foot three story public library, associated parking areas, and a new septic disposal system. Another element of the proposed project is the removal of the small retail building and its garage. This area of proposed disturbance is approximately 1.5 acres. The applicant is seeking a Highlands Redevelopment Area Designation from the Highlands Council, and will then apply for a Highlands Preservation Area Approval (HPAA) with redevelopment waiver permit from the NJDEP.

On December 14, 2010, the Highlands Council staff received an application for a Pre-Application meeting for the proposed Highlands Redevelopment Area Designation. The Council staff deemed the application to be administratively complete and a Pre-Application meeting date was mutually agreed upon for February 1, 2010 at the Highlands Council office.

Summary of Meeting

Highlands Council staff used the Highlands Interactive Mapping tool to present the project location on-screen and to assess Highlands resources. The applicant presented the site plan and briefly described the proposed project. The applicant has calculated that the Highlands Redevelopment Area would meet the 70% impervious requirement. Potential resource issues were discussed:

- Encroachment into a Highlands Open Waters Buffer – buffer exists for an off-site wetland in the proposed project area, which is inconsistent with Preservation Area rules (N.J.A.C. 7:38-3.6) and the Highlands Regional Master Plan (RMP). It was noted that the off-site wetland is disturbed (aerial mapping shows that the area is an existing ball field). Applicant stated they will be seeking a Letter of Interpretation/HRAD from NJDEP. If the wetlands is determined to not exist or have a different delineation than as mapped, the result would be a deletion or modification to the buffer.

- Development in Tier 2 Wellhead Protection Area (WHPA) –Not expected to be an inconsistency with the Regional Master Plan, as the discharge of sanitary wastes through a septic system is permitted in Tier 2.
- Tier 1 WHPA – A discussion ensued about a related Tier 1 Wellhead Protection Area. It was noted that an existing septic system is within Tier 1 – this facility is not inconsistent with the RMP unless it is enlarged to accept additional flow. In that case, a waiver would be required. Any conservation restriction imposed through an HPAA should note the potential need for replacement or upgrade of the septic system in the future. At the time of replacement, a separate HPAA with public health and safety waiver may be needed if the replacement septic system is within the Tier 1 WHPA.

In addition, the site plan indicates construction of a bioretention/recharge facility, and it appears that the facility would encroach into the Tier 1 Wellhead Protection Area, which is inconsistent with the RMP. The applicant was not familiar with the well that would be associated with that Tier 1 Wellhead Protection Area – they indicated that they will consult their survey. (Subsequent to the meeting, Highlands Council staff consulted NJDEP data. The well is listed as a public non-community water supply well – NJDEP well ID 4782.) The applicant may show that the well is not at the location indicated by NJDEP, which would modify the location of the WHPA). If the recharge facility does encroach into the Tier 1 WHPA, the applicant should move the facility out of Tier 1 to the maximum extent feasible, provide justification for any remaining encroachment due to lack of alternatives, and request a waiver from RMP standards. Finally, the new septic system is outside of Tier 1, which is consistent.

- Conservation restriction language – should acknowledge the existence of the septic system (as discussed above), well and stormsewers, and provide for the ability to repair them as necessary.
- Other Required Waivers:
 - Impervious surface of greater than three percent of the land area of a lot (N.J.A.C. 7:38-3.5)
 - On a lot that does not contain forest, no more than one individual subsurface disposal system or equivalent disposal unit for each 25 acres of the lot (N.J.A.C. 7:38-3.4(b)(2)).

Next steps for the project were discussed. The applicant indicated that they had already submitted a Pre-Application meeting application to NJDEP to expedite the process. Highlands Council staff indicated that it would be beneficial for there to be Highlands Council presence at that meeting to facilitate a coordinated review.