

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**March 6, 2023**

**Main Meeting Room**

The March 6, 2022 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:05 pm with a reading of the Legal Notice.

**ROLL CALL**

**Present:** Thomas Tamayne, James Roger, Don Weise, Chairman Stephen Sangle.

**Absent:** James Lyons, Douglas Trainor.

Also Present: Mark Lynch.

**PRESENTATIONS** – None.

**APPLICATIONS FOR REVIEW**

**FORTINO**

**Bulk Variance ZB-01-23-02**

B 13101; L 8

23 Upper High Crest Drive; LR Zone

**Seeking:** Bulk Variance approval for an addition to the rear of an existing dwelling for a great room and master bedroom, and replacing an existing deck with a 36 s.f. deck to the right side of the new addition. Variances requested include Front Yard Setback, where 30 ft is required, 18.6 exists, and 18.1 is proposed; Lot Coverage, where 10% is required, 7.7% exists, and 12.6% is proposed; and Deck Setback, where 15 ft is required and 12.5 ft is proposed.

Subsequent to their review of the bulk variance application for an addition at 23 Upper High Crest Drive, the Commission made the following comments:

- The Commission suggested that leaders and gutters should be installed to address stormwater runoff.
- Exterior lighting should be installed so that it does not adversely affect neighboring properties.

**TIM SULLIVAN & MICHAEL DWYER**

**Bulk Variance ZB-12-22-21**

B 3004; L 14

66 Glendale Road; LR

**Seeking:** Bulk Variance approval for a 11 ft x 17 ft first floor addition for a bedroom, laundry room and office, and a second floor addition in the front of the house for master bedroom, walk in closet, and bath, with variance requested for front yard setback where 40 ft is required, 28.3 exists, and 28.3 is proposed, and side yard setback where 30 ft is required, 15.73 exists, and 15.73 is proposed.

Subsequent to their review of the bulk variance application for additions to 66 Glendale Road, the Commission made the following comments:

- The Commission recommended that stormwater runoff and drainage for the additional impervious coverage should be addressed since there were no leaders, gutters, or drywells indicated on the plans that were submitted.
- Exterior lighting should be installed so that it does not adversely affect neighboring properties.

## **ON GOING BUSINESS**

**Greenway Project:** Chairman Sangle advised that Mark Lynch, who anticipates an appointment to the Environmental Commission for an alternate position, had been present to review the Greenway plans with several of the Commissioners prior to this regular meeting. Chairman Sangle noted that at the prior month's meeting, no plans or maps were available for review. Based on several residents' concerns expressed at the last meeting though, the routes were adjusted so there will be no encroachment on private property. Don Weise advised that Peter Dolan of the NY/NJ Trail Conference had standardized bridge designs [for various sites along hiking trails] that may be useful if a NJDEP application is required. Chairman Sangle noted that borings would have to be taken on either side of the creek to determine the soil composition. Mr. Weise will extend an invitation to Mr. Dolan to attend the April Commission meeting. Chairman Sangle noted that a meeting for public input on the Greenway plan may not be held until all the details are worked out and revisions are made.

**Environmental Contamination Issues:** Commissioner Tom Tamayne had nothing new regarding contamination notices for the month.

With regard to Veolia, Mr. Tamayne reported on a recent conversation with one of the company representatives, noting that in January there was a flow exceedance of 11,000 above their allowable exceedance, but this included a mix with storm drains and sump pumps from residents. In February, there were high fecal counts at Bald Eagle Commons and Veolia will continue to monitor this location. A new permit was being prepared for the Highview system. They recently experienced high effluent readings, but have not determined the cause. Mr. Tamayne was advised that the plans for the new treatment plant off Marshall Hill Road were approximately 90% complete. He will request Veolia to attend one of the Commission's regular meetings to do a presentation on the new upgrades they are planning for West Milford. From his perspective as an engineer, he sees nothing but positives with the upgrades of all the systems that have been planned or completed.

**Belchers Creek Testing:** Recent test results were reviewed by the Commission. Doug Trainor was not present but provided data for the next meeting. Jim Rogers will ask him for clarification on the notation regarding proximity to Greenwood Lake. Chairman Sangle remarked that Mark Lynch should be given instruction on the Belcher Creek testing, so he requested that the equipment be brought to the next meeting at 6:30 to go over testing protocols. Mr. Lynch inquired if soil tests are also being conducted, but Jim Rogers explained that the water is stirred up, and when it has settled, the samples are taken. Chairman Sangle observed that since Veolia became owners of the sewer plants, the readings have greatly improved. Mr. Rogers suggested that Mr. Lynch can also meet with one of the Commissioners at a testing site to review the process.

Chairman Sangle advised that once the Greenway project has been referred to the Administration/Governing Body for consideration and implementation, the Commission will begin review of the septic pumping ordinance and fertilizer ordinance for possible amendments to increase compliance.

**Lakes Committee:** Jim Rogers advised that the Lakes Committee meeting will be held during March and he will have a report at the next Commission meeting.

**Open Space Committee:** Don Weise was not in attendance and there was nothing new to report on Open Space matters at this time.

**Shade Tree Committee:** No update at this time.

**Green Team–Sustainability Committee:** No update at this time.

**Community Forestry Management Plan:** Chairman Sangle reported that former Commissioner Tim Dalton had expressed interest in an appointment to the Commission, and he might consider assisting with the forestry plan and amended tree removal ordinance. He must complete an application and submit it to the Clerk's Office for an appointment. The Secretary advised that there is one regular position and two alternate positions available on the Commission.

**Greenwood Lake Bi-State Commission:** Commissioner Doug Trainor was not present to provide a report on a recent GWLC meeting, nor an update on the grant for Greenwood Lake.

**Environmental Boardwalk:** Tom Tamayne reported that he had been unsuccessful in contacting the neighboring property owner (by the Environmental Boardwalk) to request permission to access his driveway for treating and cutting down the phragmites at the Boardwalk site.

### **NEW OR CURRENT BUSINESS**

**Tree Removal Ordinances:** Jim Rogers presented a draft of the revised tree removal ordinance amendments to the Commission for review, and noted that the new language in the ordinance was indicated in bold. Ordinances from surrounding towns were used in the preparation of the new amended ordinance. He commented that the amendments will provide a better management of tree removal in the Township, but the main recommendation is that the Township engage a certified forester who would have part of his fees covered by the tree removal application fees. He noted that a new element in the draft was the requirement of a tree replacement plan for the removal of 21 or more trees. Councilman Chazukow had inquired where the replacement trees are going to go, and it is suggested that a transfer or mitigation site be used which would replace trees on Township property. Tom Tamayne remarked that we would run out of locations to replant with so many people cutting trees down. Jim Rogers noted that 15% of the trees planted under the reforestation grant did not survive, so their location could be an option for new trees. Mark Lynch suggested that the fees for tree removal be deposited into a trust account for tree maintenance. He also suggested that the tree removal companies should be responsible for obtaining permits, just as the septic pumping companies. Chairman Sangle advised that the Commission will provide as much information as possible to the Governing Body so that they can make an informed decision regarding the amended tree removal ordinance. He and Jim Rogers will plan to attend the March 15, 2023 Council meeting to review the draft ordinance. The Secretary will have them included on the agenda.

**West Milford Lake 2008 Mitigation Study:** Chairman Sangle advised that there was a plan that was prepared in 2008 for West Milford Lake, if the Township had obtained ownership of the site.

**Volunteer of the Year:** The Commission recommended that Tim Dalton be nominated for Volunteer of the Year for all his efforts with the Commission, particularly the reforestation grant project.

### **MINUTES**

The minutes from the February 6, 2023 Environmental Commission meeting were unanimously **approved** on a **motion** by Don Weise and a **second** by Chairman Stephen Sangle.

**CORRESPONDENCE RECEIVED:**

*The following correspondence was reviewed by the Commission:*

**Highlands Water Protection and Planning Act Correspondence**

1. None.

**NJ Department of Environmental Protection Correspondence**

1. Flood Hazard Area Verification and Individual Permit received from the NJDEP, dated Feb 23, 2023 regarding Block 504; Lot 1, (Mount Laurel Lake) for the construction of a single family home and associated driveway in the riparian zone.
2. NJDEP Natural and Working Land Strategy Stakeholder Sessions, received 06-06-23, seeking carbon sequestration researchers, land managers, local government, environmental NGO's, farmers and private landowners for the following virtual meetings: 03-16-23 = Aquatic Habitats, Non Tidal Wetlands and Tidal Wetlands; 03-21-23 = Developed Lands; 03-23-23 = Agricultural Lands; 03-28-23 = Forested Lands. Visit NWLS website for more info at NJclimate@dep.nj.gov.
3. Notice dated March 2, 2023 from HDR Engineering advising of an application for a Freshwater Wetlands Transitional Area Waiver and Flood Hazard Area Individual permit for Veolia Water NJ, B 7801; L 65, Beacon Hill Rd, for the replacement of the existing WWTP (rotating biological contactors) with a membrane bioreactor (MBR) WWTP to meet all current and future NJDEP effluent limits.

**Miscellaneous**

1. Correspondence from ANJEC, dated 03-06-23, seeking input via survey on open space priorities in NJ for the next version of the SCORP – State Comprehensive Outdoor Recreation Plan ([www.anjec.org](http://www.anjec.org)).
2. 2023 ANJEC Open Space Stewardship Grants – Applications due April 17, 2023. Suitable projects include community gardens, trail building, signage, maintenance, urban agriculture projects, printed or online guides, maps, inventories of open space, trails, assessments, riverfront trails, pollinator gardens, multi town plans to link open space or trails, conservation easement inventory, monitoring, outreach and education, invasive species management, restoration or maintenance of riparian areas within preserved public open space, education stormwater management projects on preserved public open space.
3. March FREC Events, Forest Resource Education Center, Jackson, NJ.

**PUBLIC COMMENTS** – None.

**ADJOURNMENT**

With no further business to come before the Environmental Commission, the March 6, 2023 regular meeting was **adjourned** at 8:30 p.m. on a **motion** by Don Weise with a second by Chairman Stephen Sangle.

Approved: May 1, 2023

Respectfully submitted by

Tonya E. Cubby, Secretary