

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**January 4, 2021**

**Virtual Meeting - Via Zoom**

The January 4, 2021 Regular Meeting of the Township of West Milford Environmental Commission was held virtually, via Zoom, beginning at 7:00 pm with a reading of the Legal Notice.

**ROLL CALL**

**Present:** Janet Little, David Ofshinsky, James Rogers, Thomas Tamayne,  
Douglas Trainor, Don Weise, Chairman Stephen Sangle.

**Absent:** Tim Dalton

**PRESENTATIONS** – None.

**APPLICATIONS FOR REVIEW**

**RICHARD LAURETTA/JOHN BIANCHI**

**Use & Bulk Variance #ZB-06-19-0-10**

Block 6303; Lot 7

71 Marshall Hill Rd.; CC Zone

**Seeking:** Use and Bulk Variance approvals from the Board of Adjustment for a contractor storage yard and 1<sup>st</sup> and 2<sup>nd</sup> floor residential use in an existing commercial/residential building.

Chairman Stephen Sangle reviewed the Lauretta/Bianchi application for the Commission. According to the plans prepared by McKittrick Engineering, the applicant is seeking approval for a contractor and landscaping storage yard with ten metal storage containers. He noted that the storage yard is located near the brook, which is essentially a flood zone, and this brook runs from West Milford Lake. The well location is not shown on the plans, and since the containers are close to the wetlands buffer, there is a concern about what is proposed for storage in the containers, i.e. pesticides, fertilizers, or contaminants. The Commission also noted that the topography and/or slopes are not shown on the plans, but it appears that runoff will flow to the stream at the rear of the site. The Commission inquired about the two equipment parking areas in the rear of the property and recommended that the applicant testify to the Board about the type of equipment that will be located in these parking areas. The Commission also inquired how the leaking of equipment fluids (oil, gas) will be contained on the site. The Commission recommended that the Health Department confirm the septic capacity as it relates to the contractor storage facility and the two apartments in the existing commercial/residential dwelling.

**KURT RENZLAND**

**Use Variance #ZB-10-20-10**

Block 4601; Lot 16

900 Burnt Meadow Road; R-4 Zone

**Seeking:** Bulk Variance approval from the Board of Adjustment to construct a 4800 s.f. garage (accessory building) where 1500 s.f maximum is permitted in the R-4 Zone.

Chairman Sangle reviewed the Kurt Renzland application with the Commission. He noted that the garage was proposed for the extreme rear of the lot, and that it was a large garage with 20 ft. wide doors. No adjacent buildings were located near the proposed garage. The Chairman observed that the property slopes up from the proposed garage. The plan did not depict any

gutters and leaders, nor did it show any containment device for roof run-off, and the Commission recommended that leaders and gutters be required with any Board approval. It was also noted that there are four 1000 gallon existing seepage pits on the plans and the Commission inquired what they are being used for and whether they will be used for roof run-off. The plans indicate a septic tank but not the location of the field, nor the well location. The Commission inquired what type of vehicles or equipment will be parked in the garage, and how spillage of fluids from equipment and vehicles will be handled since no containment device was indicated on the plans. There were no details on the interior of the proposed garage and it appears that large equipment will occupy the space. The Commission noted that the Hewitt Brook runs behind the subject site.

### **NATHAN KIPPERMAN**

#### **Bulk Variance #ZB-10-20-09**

Block 2701; Lot 13

129 Lakeshore Drive; LR Zone

**Seeking:** Bulk Variance approvals from the Board of Adjustment to connect a garage to existing dwelling, enclose existing deck and construct a new deck, with variances requested for front yard setback, rear yard setback and maximum building coverage.

The Commission reviewed the plans submitted by the applicant and commented that no gutters or leaders are shown on the plans and run off from the roof structures will flow to Upper Greenwood Lake. The Commission suggested that gutters and leaders, as well as rain barrels, be considered to capture any stormwater run-off. The Commissioners noted that the applicant may need a wetlands survey or permit due to the proposed construction's proximity to the lake.

### **ON GOING BUSINESS**

**Belchers Creek Testing:** Commissioner Jim Rogers reported on recent testing of Belchers Creek. He noted that the nitrate levels were very high. Chairman Sangle suggested that the data on the Excel spreadsheet should list the locations along Belchers Creek so it would be easier to track the flow and any increases in the nitrate and phosphate results. Commissioner Dave Ofshinsky advised that he added new tabs to the Excel spreadsheet in the recent testing report so that the data could be reviewed by several methods. He noted that there was a big increase in numbers for the John Street tests, which may be due to failing septic systems or stormwater runoff. He also observed that Inserra's on-site treatment facility was not far from the John Street location, and there were also several commercial properties upstream, as well as ponds where there could be settling. The Commission reviewed the map of the testing locations and discussed the possible sources for the high nitrate readings, and surmised that there may be an issue between Pinecliff Lake and John Street. The Commission also considered storm drains as the source of the nitrate increase. Chairman Sangle remarked that the stream running from West Milford Lake may be an indicator for the excess in nitrates and recommended that test samples be taken by the bridge on Marshall Hill, and at the entrance to Belchers Creek.

Commissioner Tom Tamayne commented that the test results from Crescent Park, below the sewage treatment plan, have exceeded the permitted levels nine times, with one reading at 33, and wondered what was happening upstream from the treatment plan. Mr. Ofshinsky offered to take additional samples and noted that the stream runs off of Stephens Road. Mr. Tamayne advised that he is in contact with a representative of Suez every month and is surprised at the readings. Mr. Ofshinsky observed that he frequently hikes by Stephens Road and noticed that there is run-off from the horse farm, especially following recent storms. He will test the site where it crosses Union Valley Road from Stephens Road, and before and after the Suez plant at Crescent Park. Chairman Sangle suggested that the Commission concentrate their testing at Stephens Road, West Milford Lake, and Wallisch Estates at John Street. Commissioner Doug

Trainor commented that Reflection Lake, by the former paintball site, drains to feeder streams to Belchers and he suggested that this site be tested also. Chairman Sangle advised the Commission that it appears there are two main areas that the Commission should focus on – Crescent Park – which may be affected by the runoff from Stephens Road, and John Street at Wallisch Estates, which may be affected by West Milford Lake, or the Inserra shopping center treatment plant. Commissioner Don Weise suggested that test samples be taken at Adelaide Terrace. He inquired who had the testing equipment and requested training on the testing protocols. Mr. Ofshinsky remarked that he would take the testing equipment for the month of February. Commissioners were requested to coordinate their testing and drop off the samples or get their results to Mr. Ofshinsky for testing before the next meeting in February. Chairman Sangle will send the list of locations to Mr. Ofshinsky to include on the Excel spreadsheet.

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

**Community Forestry Mgt. Plan:** No update at this time.

**NJDEP NNL Forestry Grant Project Closeout:** No update was available at this time.

**Greenwood Lake Bi-State Commission:** Janet Little did not attend the December meeting and had no update. She noted that the GWLC was not providing much information at this time about a possible alliance with the owners of West Milford Lake. Chairman Sangle expressed concern about possible proposals for the site, and noted that the Commission had been involved in a study with Princeton Hydro in 2007-08 regarding environmental projects in consideration of options for the site.

**Lakes Committee:** Jim Rogers advised that there was no meeting for the Lakes Committee the past month. Information was provided to the Township regarding the use of ice retardants for the docks and he noted that the smaller lakes would prefer not to use it, if an ordinance is adopted. Mr. Ofshinsky understood that this was being proposed for Greenwood Lake, not the smaller private lakes.

**Environmental Contamination Issues:** Tom Tamayne reported on several contamination issues that he received and those listed on the agenda. Chairman Sangle noted that the NJDEP had provided a flood hazard area determination for the proposed Tennessee Gas Pipeline compression station on Burnt Meadow Road and advised that it qualifies for permit by rule. He also referred to the correspondence regarding a hydraulic study for the Charlotteburg Dam.

**Open Space Committee:** Don Weise reported that he had not received an update from the Land Conservancy on the revised Open Space Plan, and Chairman Sangle requested that he contact TLC for an update. The tentative schedule was for a draft to be given to the Commission by March or April, with edits and comments returned by June, and then it would go to the Governing Body for review, and then referred to the Planning Board for a recommendation to be incorporated into the Master Plan. Chairman Sangle observed that the Land Conservancy was instrumental in getting approval for some of the funding from the Highlands Council.

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

**Environmental Boardwalk** – Mr. Tamayne reported that he was successful in having the beavers trapped by the trapper in December, and the trapper advised that he would break down the dam. If the beavers returned, he would trap them again. Mr. Tamayne noted that the process was fairly simple, in-season, and the NJDEP was helpful in getting this accomplished. He suggested that the last time the beavers were trapped was approximately five years ago, so the trapping was successful to deter the beavers for several years. He also advised the Commission that the Boardwalk was under water again the week prior to this meeting, and if it is still under water, he will contact the Public Works department for assistance. Chairman Sangle suggested that the Commissioners identify some of the

vegetation that can be removed in the spring, and Mr. Tamayne observed that the weed overgrowth blocks all views from the boardwalk. He noted that the phragmites have taken over, and they may have to be removed from the roots. Chairman Sangle commented that herbicides may be needed to remove them since pulling them from the roots would not be feasible. He suggested that maybe they can be cleared with a 5 foot wide path along the boardwalk. Mr. Weise offered to contact a specialist who has worked in the lower Hudson Valley for an opinion on phragmite removal.

**NEW OR CURRENT BUSINESS** – None.

### **MINUTES**

The minutes from the November 2, 2020 Environmental Commission meeting were held and would be adopted at the next meeting.

### **CORRESPONDENCE RECEIVED:**

The following correspondence was reviewed by the Commission:

**Highlands Water Protection and Planning Act Correspondence** - None.

### **NJ Department of Environmental Protection Correspondence**

1. Correspondence from PSE&G, dated December 14, 2020, advising that an application has been filed with the NJDEP for an Extension of a Freshwater Wetlands GP #1 for the PSE&G Natural Gas Distribution and Transmission Systems Rights of Way Maintenance in various New Jersey counties – File # 0000-05-0036.1, FWW 160001.
2. Correspondence from PSE&G, dated November 30, 2020, advising that an application has been filed with the NJDEP for an Extension of a Freshwater Wetlands GP #1 for the PSE&G Electric Overhead and Underground Transmission Systems Rights of Way Maintenance in various New Jersey counties – File # 0000-02-0031.2, FWW160001.
3. Response Action Outcome (RAO) received from Dewberry Engineers, dated December 18, 2020, for Orange Rockland Utilities Electrical Transformer Spill at 750 Westbrook Road, Block 4701; Lot 61, Preferred ID 698000; Communication Center # 20-03-09-0820-52, with remediation completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C).
4. Suspected Hazardous Substance Discharge Notification, NJDEP #20-12-18-1351-17, dated December 19, 2020, received for 80 Barnegat Road, Block 1208; Lot 15 regarding the removal of a 275 AST with clean up pending.
5. Notice from Kelly Hale, 6 Broadway, Block 11302; Lot 17, dated December 9, 2020, regarding an application being submitted to the NJDEP for a GP #25 for a septic alteration.
6. Public Notification Form received from Dewberry Engineers, dated December 8, 2020, regarding 20 Taft Road, Block 1608; Lot 14, with respect to the discharge of dielectric transformer oil from a pole mounted transformer during a storm event on August 7, 2020. Site remediation activities have been initiated and are ongoing under the oversight of a LSRP.
7. Correspondence from the NJDEP – Division of Dam Safety & Flood Engineering, dated December 8, 2020, regarding Charlotteburg Dam, NJDEP Dam file #22-70, providing comments and recommendations on recently submitted documents from Civil Dynamics and GZA Geoenvironmental including a Hydrologic & Hydraulic Study and Stability Analysis of Charlotteburg Reservoir Dam and the Evaluation and Feasibility Study of the Bascule Gate at the Charlotteburg Reservoir Dam.
8. NJDEP Flood Hazard Area Verification Approval, dated November 25, 2020, regarding Tennessee Gas Pipeline, LLC, Block 4601; Lot 17, 960 Burnt Meadow Road, File # 1615-17-

0004.2 LUP 200001, verifying the flood hazard area limits and riparian zone limits for Hewitt Brook and Hewitt Brook Tributary at the subject site.

9. NJDEP Flood Hazard Area Applicability Determination, dated December 8, 2020, File # 1615-17-0004.2 APD 200001, advising that the proposed Tennessee Gas Pipeline Co. Compressor Station 327 along Hewitt Brook and Hewitt Brook Tributary on Block 4601; Lot 17, 960 Burnt Meadow Road, qualifies for a Flood Hazard Area Permit By Rule.

**Miscellaneous Correspondence**

1. ANJEC News
2. NY/NJ Trail Conference Newsletter

**PUBLIC COMMENTS** – None.

**ADJOURNMENT**

With no further business to come before the Environmental Commission, the January 4, 2021 regular meeting held via Zoom was **adjourned** at 8:40 p.m. on a **motion** by Jim Rogers and a **second** by Dave Ofshinsky.

Approved: February 1, 2021

Respectfully submitted by

Tonya E. Cubby, Secretary