

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

February 6, 2023

Main Meeting Room

The February 6, 2022 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:00 pm with a reading of the Legal Notice.

The oath of office was administered to James Rogers for another term as citizen member.

ROLL CALL

Present: Thomas Tamayne, James Roger, Chairman Stephen Sangle.

Absent: James Lyons, Douglas Trainor, Don Weise.

Also Present: Chris Garcia, Ada Erik, representatives of Friends of Wallisch.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW

CANDICE SMITH & JOSEPH GAFFNEY

Bulk Variance # ZB-09-22-17

Block 3512; Lot 11

34 Rocky Point; R-1

Seeking: Bulk Variances for an addition/alteration to an existing dwelling and proposed new 280 sf garage, with variances for impervious cover where 20.7% is required, 19.76% exists, and 25% is proposed; building coverage where maximum is 10%, existing is 11.41%, and proposed is 25%; principal building side yard setback where 30 ft is required, 13.6 ft exists and 13.6 ft is proposed; and accessory building (garage) side yard setback where a minimum of 15 ft is required and 5 ft is proposed.

Following review of the above referenced application, the Commission recommended that drainage should be addressed since no leaders, gutters, or drywells were noted on the plans, and lighting should not be installed so that it adversely affects adjacent property owners.

GREG FITZGERALD

Bulk Variance #ZB-12-22-22

Block 3705; Lot 7

1892 Greenwood Lake Tpk; R-1

Seeking: Bulk variance approval to install a 6 ft fence on retaining wall in the front yard.

Following a review of the application submitted for the above referenced application, the Commission expressed that there were no apparent environmental concerns.

ON GOING BUSINESS

Greenway Project – Chairman Sangle advised that the Greenway Subcommittee is still waiting for an update on easements that may be required for Phase 1 of the project. He suggested that a site visit to the locations to determine the conditions of the sites with regard to wetlands and the areas that would accommodate a trail or path. Chris Garcia commented that he would be willing to do an assessment hike. Chairman Sangle advised that the assessment will be for public properties, not privately owned parcels. He provided an overview of the Greenway Project to residents who were present at the meeting, noting

that the main purpose is to have interconnected trails and waterways. Some residents expressed concern about the terrain and commented that the areas being considered is in fragile territory. One resident suggested that funds should be spent to clean up the water and silt in Belchers Creek. Chairman Sangle noted that whatever plan is prepared, it would be up to the Governing Body to accept the plan and move forward on it, adding that the Commission was tasked with developing a plan for the Greenway by the Governing Body. When a resident requested a copy of the plan or maps, Chairman Sangle advised that tax maps were used and a proposal drafted, but it is in the early stages. One option is to have a connecting trail/walkway from Shop Rite Shopping Center, but it is still in the early stages. He added that the intent is to make it more convenient for residents to access shopping and recreational areas. Several options were discussed and wetlands were noted in some areas that may require small bridges.

Chris Garcia provided some clarification for the residents present at the meeting, noting that the Greenway Plan is a master plan of sorts, and is intended to be adopted into the Township's Master Plan. The plan includes interconnecting trails and paths, for walking, hiking, biking, kayaking and canoeing. He observed that Wallisch Estates may have trails leading to the shopping center and this will be considered, but the goal is to create a better "sense of place" for businesses and residents. A draft is being worked on, but it is not ready for public consumption at this time until all the variables are considered. Mr. Garcia also noted that there is an opportunity for a watershed restoration project, which may help to solve water quality and address flooding issues. One of the residents remarked that the Board of Education, which owns part of the Wallisch site, may qualify for funding before the Township does. Chairman Sangle advised that the Township will hold public meetings where the residents can give input, but it is only at the early stages of the project. Chairman Sangle advised the residents to attend the GWL Commission meetings since GWL affects Belchers Creek and vice versa. Commissioner Tom Tamayne commented that the readings that we are getting from various sections of Belchers Creek are improving with all the investments being made by Veolia.

Chairman Sangle concluded the discussion by stating that a walkway may not be feasible, and there is so much involved to making it come to fruition, including complying with NJDEP requirements. He noted that the area behind Camp Hope and Evergreen Farm will be explored to determine what is achievable, and Mr. Garcia advised that there is drone footage of the area from the Trail Feasibility Study draft. Chairman Sangle will speak to the Township Planner and invite her to attend a meeting. He will obtain some maps for the next Commission meeting to review.

Environmental Contamination Issues: Commissioner Tom Tamayne reported on the contamination issues he received and those listed on the agenda.

Belchers Creek Testing: Recent test results were reviewed by the Commission. Doug Trainor will update the data chart for the next meeting.

Lakes Committee: No meeting was recently held – the next meeting will be in March.

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: No update was available at this time.

Greenwood Lake Bi-State Commission – Commissioner Doug Trainor was not present to provide a report on the grant for Greenwood Lake.

Environmental Boardwalk – Tom Tamayne reported that the trapper had trapped several beavers and breached the dam that they built. He checked the site and the water was flowing. He needs to contact the DPW Director to get access to an adjacent property for phragmite treatments. The phragmites are about 12 feet tall in some areas.

NEW OR CURRENT BUSINESS

Tree Removal Ordinances – Jim Rogers presented a final draft of the revised tree removal ordinance amendments for review. He noted that this was a compilation of research conducted by several Commissioners on the current ordinance, as well as ordinances from surrounding towns. With regard to tree removal applications, the biggest issue was retaining a Township Forester. Chairman Sangle noted that enforcement will be an issue, but someone on the Township staff, or a consultant, with the credentials and knowledge, will be required to review the tree removal applications. Without a Forester, the ordinance will not be effective. Chairman Sangle thanked the Commission for working on these amendments for the past 6+ months. The Commission gave consensus for the draft ordinance amendments to be referred to the Administration and Governing Body for consideration and to advise them that the Commission is willing to work with them on any revisions they feel necessary.

Trail Feasibility Study – Chairman Sangle advised that this document, being prepared under a grant from the NJ Highlands Council, and in conjunction with the Township and Planner Jessica Caldwell, needs input from the Commission, but they have not had the opportunity to review it. The data is still being compiled at this time.

MINUTES

The minutes from the January 9, 2023 Environmental Commission meeting were unanimously **approved** on a **motion** by Tom Tamayne 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. NJDEP Highlands Applicability Determination – Exemption #9 - received from Passaic County regarding the replacement of Passaic County Culvert No 1600-148 “Otterhole Over Post Brook”, File # SCE-R12489.011, near 76 Otterhole Road, B 11601; L 3.

NJ Department of Environmental Protection Correspondence

1. Suspected Hazardous Substance Discharge notice, dated Dec 28, 2022, regarding Veolia - Awosting Road (Outfall by Wanaque River), B 4501; L 1, advising of an exceedance for Total Phosphorous with a monthly average of 1.29 mg/l (allowance is .76mg/l).

2. Suspected Hazardous Substance Discharge notice, dated Feb 3, 2023, regarding 960 Burnt Meadow Rd., B 4601; L 17, and the release of hydraulic oil from a broken line on a piece of equipment – clean-up was in progress.

3. Suspected Hazardous Substance Discharge notice, dated Jan 28, 2023, regarding 35 Awosting Road, B 3906; L 6, related to the removal of a 550 gal #2 heating oil UST. Clean-up is pending.

4. Notification received Jan 13, 2023 regarding a Treatment Works Approval application being submitted to the NJDEP for an on-site wastewater treatment and disposal system at 16-22 Marshall Hill Rd, B 5701; L 6.

5. Notice of a Freshwater Wetlands General Permit #24, received Jan 20, 2023, being submitted to the NJDEP for a proposed septic repair at 6 MacGregor, B 9602; L 1.

6. Notification dated Jan 19, 2023 received from Map Engineering, advising of an application for a FHA IP being submitted to the NJDEP for installation of a new septic system to replace a failing system within the floodway.

Miscellaneous

1. ANJEC News – February 1, 2023.

2. 2023 Fundamentals for Effective Environmental Commissions – Virtual Zoom Sessions, March 21 – 23, 2023

ADJOURNMENT

Following various discussions with members of the public, and with no further business to come before the Environmental Commission, the February 6, 2023 regular meeting was **adjourned** at 8:50 p.m. on a **motion** by Tom Tamayne with a second by Chairman Stephen Sangle.

Approved: March 6, 2023

Respectfully submitted by

Tonya E. Cubby, Secretary