

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**March 7, 2016**

The March 7, 2016 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:42 p.m. with a reading of the Legal Notice. Prior to the commencement of this regular meeting, Ron Farr, Certified Forester, provided a one hour seminar on invasive species for the members of the Environmental Commission.

**ROLL CALL**

**Present:** Andrew Abdul, Tim Dalton, Gary Oppenheimer, Don Weise, Alt. #1 Jennifer Easterbrook, Alt. #2 Jim Rogers, Chairman Stephen Sangle.

**Absent:** Douglas Ott, Thomas Tamayne.

**Also Present:** Ron Farr, Councilwoman Ada Erik, Councilwoman Marilyn Lichtenberg.

Chairman Sangle requested Alternates Jennifer Easterbrook and Jim Rogers to sit in for Douglas Ott and Thomas Tamayne and advised that there was a quorum for this meeting.

**PRESENTATIONS** – It was noted by Chairman Stephen Sangle that the Environmental Commission participated in an Invasive Species Seminar prior to the Regular meeting.

**GRANT MANAGEMENT AND STATUS REVIEW**

**NJDEP NNL \$620,197.00 Reforestation Grant Project:** Ron Farr reviewed the 5 bids received on March 4, 2016 for the NNL Grant project and advised that only one bid fell below the bid threshold. Chairman Sangle stated that if there was only one bid that was viable, that the Forestry Subcommittee should make a recommendation to select that contractor. Mr. Farr observed that the bid documents must be examined for any discrepancies. The Commission Secretary advised that the bids would usually be sent to the Township Attorney for review prior to a recommendation being made to accept a bid. The Commission reviewed the bid proposals and discussed the projected costs of several elements of the bid project. Tim Dalton questioned whether \$109,000. to plant all the trees was sufficient. Chairman Sangle advised that the contractor was bonding for the project and if it was not completed correctly, the bond would cover the cost of someone else completing the project. He further advised that the Commissioners would review the bid proposals and contact Mr. Farr by Thursday, with the hopes of getting it to the Township Council for approval at the March 16, 2016 meeting.

**APPLICATIONS FOR REVIEW**

**Joseph Chapman**

**Bulk Variance #ZB-09-15-09**

Block 7701; Lot 15

975 Union Valley Rd.; R-1

**Seeking:** Bulk Variance approval for Maximum Building Coverage to construct a 1600 sq. ft. pole barn at 975 Union Valley Road, Block 7701; Lot 15, in the R-1 Zone, where 800 sf is permitted and 1600 sf is proposed.

Following a review of the above referenced application, the Commission had the following comments :

- The Commission inquired whether there will be any proposed lighting that may affect neighboring property owners.

**Marcin Owczarski**

**Bulk Variance #ZB-01-16-01**

Block 6201; Lot 22

19 McKinley Place; R-1

**Seeking:** Bulk Variance approval for Side Yard Setback and Distance to House to construct a 22' x 13' carport Structure at 19 McKinley Place, Block 6201; Lot 22, where 15 ft. is required for a side yard setback and 1 ft. 8 in. is proposed; and where 20 ft. distance to house is required and 7 ft. is proposed in the R-1 Zone.

Following a review of the above referenced application, the Commission had the following comments:

- The Commission inquired about the direction of stormwater runoff and suggested the use of rain barrels, or a rain water collection system to capture the stormwater runoff from the roof.
- The Commission was concerned about storage of any contaminants and/or fluid seepage from the vehicles to be stored in the proposed structure.

### **ON GOING BUSINESS**

**Lakes Committee:** Andy Abdul advised the Commission that the Lakes Committee would hold their first meeting in March and will have a speaker on geese control on March 21, 2016 at Town Hall.

**Greenwood Lake Bi-State Commission:** Andy Abdul distributed a draft report from the GWL Commission Treasurer and noted that there will be a formal report submitted for 2016. Mr. Abdul observed that New Jersey was more strict in permitting requirements than New York, and New Jersey can get bulk permits, but not for docks and repairs. The Commission reviewed the GWL Commission report and Mr. Abdul noted that the GWL Commission advised that an infrared survey of the lake on the New York side was to be completed to determine where sewage is coming into the lake, but they have no one who can process the information and do not know what they will do with the data they receive. The infrared survey was a state sponsored project. Chairman Sangle requested that the GWL Commission provide the information to the Warwick / Greenwood Lake Village Health Dept. and noted that this would be a good baseline for a determination on the source of weed and algae growth.

**Open Space Committee:** Chairman Sangle reported that the contract for Linda Glosinski and the Land Conservancy was not being renewed for open space matters. He further reported that he sent an email to the Council regarding the Weaver Road property since the Commission had strongly recommended the acquisition of this site due to the multiple recreational uses that it would provide. He noted that it doesn't appear that the Township is interested in this acquisition for open space. Councilwoman Ada Erik, who was present at this meeting, commented that the open space funds were being used for recreation at Nosenzo Pond Road. The Commission discussed the use of open space funds for recreation, and Chairman Sangle expressed the Commission's disappointment in the current approach by the Township with regard to the open space funds, especially considering the numerous volunteer hours invested in identifying and researching sites, conducting meetings, and providing on-site evaluations. He stated that the Commission did not have the time to expend on researching properties that would be used solely for recreational purposes and wondered whether the Commission should continue to recommend open space properties. The Township Council has a list of properties that the Commission provided upon their request, and there does not seem to be a need to continue beyond this point. Councilwoman Erik commented that the Township needed to be more aggressive in acquiring open space monies, and Chairman Sangle remarked that the Commission was not seeking to recommend purchasing every available open space property in the Township. Councilwoman Erik suggested that the Commission have a Council liaison, and Chairman Sangle stressed that an annual report is provided to the Township, and if there is anything that the Commission requires, he makes the request as Chairman, and keeps the lines of communication open. Commissioner Don Weise observed that the Land Conservancy and Linda Glosinski saved the Township money by locating properties and negotiating for the Township. Chairman Sangle remarked that since the Planning Dept. staff was wiped out, the Land Conservancy was invaluable with the services that they provided with regard to open space properties, including research, mapping, tracking and locating trails, locating funding sources, negotiating with property owners, as well as being the liaison between the Township, the Commission, and property owners. Councilwoman Erik reported that she recommended to the Council that a burned out house on Setting Sun Trail be purchased for use as a parking site for the Weaver road property. Chairman Sangle thanked Councilwoman Erik in advance for anything that she could do with regard to the open space matter. He further advised that if a property is not farm assessed, the Commission usually does not recommend removing the property from the tax rolls, but the Weaver Road tract was the best choice for open space acquisition due to the amount of outside funding that was available and the nominal taxes that were assessed for the site. He reiterated that a list had been provided to the Council, and the Weaver Road property was the first choice for the reasons outlined in their memo.

Councilwoman Erik inquired about the Apple Acres property and whether the Commission had any comments on this site. Don Weise stated that if the Township allows the brush to get out of control, it will lose its

classification, something that Linda Glosinski from the Land Conservancy had cautioned the Commission about. He observed that the Township could develop a cross country course on the site, and Councilwoman Erik said that she would approach the West Milford Board of Education about the High School using the site for this purpose. Chairman Sangle suggested that the Township's Recreation Director should be involved in any discussions regarding recreational use at the Apple Acres tract which was located on Union Valley Road.

**Environmental Contamination Issues:** No report was available due to Tom Tamayne's absence.

**Green Team—Sustainable Subcommittee:** Jennifer Easterbrook reported on the items needed for the Township to receive Bronze or Silver certification from Sustainable Jersey, adding that the current certification expires December 2017. She noted that the priority points were quite detailed and required time to get them outlined and completed. She reported about several priority projects including 1) natural resources, which expires 2020, and 2) prescription disposal. Councilwoman Erik commented that she requested that the West Milford Police Dept. become a drop off point, and was informed by the Sheriff's Dept. that we were second on the list. Additionally, 3) the municipal carbon footprint needed to be delegated since this was the largest project entailing one full year of tracking. Ms. Easterbrook stated that she would make this her personal priority. She reported that, although we had 350 points accumulated, since we did not have the priority points to our credit, we were not eligible for Silver certification. Chairman Sangle noted that new Commissioner Jim Rogers had offered to assist with the program at the last meeting. Ms. Easterbrook observed that going onto the portal and getting familiar with the program was the biggest hurdle. She set June 2017 to have all the work completed for our next certification. Commissioner Tim Dalton reported that he had spoken to the new Administrator regarding the Township becoming involved again with the Energy Star program. He would follow up and have something prepared for the April Council meeting. Chairman Sangle noted that the new Administrator was skeptical about having the Commissioners get access to the GIS data. Ms. Easterbrook commented that the Township missed out on 70 points by not having the certified Community Forestry Management Plan in 2014, and stressed that documentation was essential to receive the points. She requested all the Commissioners to assist with determining the items that will qualify for the Sustainable Jersey program, noting that they can only be Township projects. With regard to the Green Team and Commission points, she stated that they expire each year.

**Beaver Dam at Environmental Boardwalk:** This item was to be removed at the request of the Commission since the site appears to be doing well with no apparent beaver damage.

**Belchers Creek Testing Project:** Andy Abdul reported that the last Saturday of March would be the target date for nitrate and phosphate testing on Belchers Creek, with the time to be determined. Emails will be sent to the Greenwood Lake Commission. Chairman Sangle suggested that initial testing should be located at one of the prior sites used as a baseline, but that further testing would include earlier sites tested. Mr. Abdul also noted that the MUA and Lakes Committee members expressed an interest in the project. Ms. Easterbrook suggested someone contact the Watershed Ambassador. It was noted that there should be several volunteers familiar with the testing protocol. Chairman Sangle observed that although we would be testing for nitrates and phosphates, the Commission would also want to observe the PH and water temperature. Richard Meany, former Commissioner, commented that consistency was the main objective with the testing. Chairman Sangle advised that the equipment was purchased by the Township and must remain in the Township's possession, even if there are several groups assisting with the testing.

## **NEW OR CURRENT BUSINESS**

**Apshawa Preserve Fencing** – Richard Meany, former member of the Environmental Commission, addressed the Commission regarding the fence that had been installed at the Apshawa Preserve. He noted that this was a major greenway for forest, deer and other animals, and he was disappointed that the fencing was deterring the deer from going into the preserve, and felt that it was contrary to nature. He was of the opinion that Highcrest Lake was suffering due to the deer foraging on their property now that they cannot have access to the Apshawa Preserve. Chairman Sangle advised Mr. Meany that the Commission walked the property several years ago and the decision [by the NJ Conservation Foundation] to fence the preserve was to allow the forest to regenerate. Chairman Sangle requested that the Secretary inquire if a zoning permit had been obtained for installation of the fence.

Volunteer of the Year Program on April 20, 2016 – The Commission requested that Bob Jonas be nominated for Volunteer of the Year and requested the Secretary to submit the nomination from the Chairman. With regard to Volunteer Night, Chairman Sangle requested Jennifer Easterbrook to assist in representing the Commission with him and to provide a report to the Council about the activities of the Commission, including Sustainable Jersey and ALF.

## **MINUTES**

The Minutes of prior meetings were unavailable for approval, but would be available at next month's meeting.

**CORRESPONDENCE RECEIVED** - *The following correspondence items were reviewed by the Commission and filed:*

### **Highlands Water Protection and Planning Act Correspondence**

1. Notification from the Highlands Council, dated January 26, 2016, advising that the Module 2 Update was received from the Township of West Milford, and the Module 2, 3 and 7 Update scope of work has been completed, with a not to exceed amount of \$10,000. available for reimbursement under the Program and Plan Conformance Grant #09-033-011-1615 following review and approval of the invoices. The Module 2 Geodatabase and Developable Lands Summary Report will be posted on the Highlands Council website.
2. Copy of a Highlands Applicability Determination application, dated February 2, 2016, received from Langan Engineering and Environmental Services regarding the Union Valley Road/Marshall Hill Road Utility Improvements for Orange & Rockland Electric.
3. Highlands Exemption #4, Water Quality Management Plan – Consistent, received from the NJDEP, dated Feb 25, 2016 regarding Block 2802; Lot 3, 333 Warwick Tpk., with reference to NY SMSA LP dba Verizon Wireless for proposed antenna and equipment installation.

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

1. Community Right to Know Survey for 2015, dated 01-19-16, received from United Water/Suez regarding the Bald Eagle Commons Sewer Treatment Plant on Richmond Road, West Milford, NJ.
2. Notification to the Township of West Milford from the NJDEP – Green Acres Program, dated February 3, 2016, advising that the grant proposal under the Recreational Trails Program for Invasive Species Removal on West Milford Hiking Trails was not selected for the 2015 round funding.
3. Flood Hazard Area Individual Permit and Freshwater Wetlands G.P. #1 received for the Upper Greenwood Lake Property Owners Association at 435 Lakeshore Drive, Hewitt, NJ regarding the replacement of an existing 586 liner foot railroad tie bulkhead with a concrete retaining wall along Upper Greenwood Lake within Block 2007, Lots 9.01 and 9.02.
4. NJDEP notice regarding Earth Day and Environmental Education Week, April 17 – 23, 2016.
5. Notification from McKittrick Engineering, dated February 29, 201, regarding an application being filed with the NJDEP for a GP #25 for the installation of a new septic system in a wetlands transition area at 70 Wayside Road, block 806; Lot 18.
6. Notification from PSE&G, dated February 22, 2016, advising that an application was being made for a Freshwater Wetlands Statewide General Permit #1 in support of the repair, replacement and maintenance of natural gas distribution and transmission mains in public rights of way.
7. Notification from McKittrick Engineering, dated February 29, 201, regarding an application being filed with the NJDEP for a GP #25 for the installation of a new septic system in a wetlands transition area at 33 Elm Street, Block 3502; Lot 1.

### **Miscellaneous Correspondence Received/Sent**

1. Borough of Bloomingdale, Ordinance #5-2016, Amending Chapter 92, "Zoning," Article XII, "Schedule of Regulations," Section 92-55, "B-1 General Business Zone," of the Code of the Borough of Bloomingdale.

2. Notification of the Township of West Milford Volunteer Night, April 20, 2016 – Request for nominations for Volunteer of the Year.
3. Copy of correspondence from the City of Paterson, Department of Law, dated February 29, 2016 regarding the Great Falls Hydroelectric Project, FERC Project #2814, and the Notice of Intent to File New License Application and Time Extension to File Pre-Application Documents. This project is located on the Passaic River on about 152 acres and includes three generating units. The application also seeks an extension for a pre-application document (PAD), authorize the City of Paterson to utilize the traditional process for re-licensing, and designate the City of Paterson as the Commission's non-federal representatives for the purposes of consultation under Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act.
4. Notification from Rutgers-NJ Agricultural Experiment Station regarding the following programs: Glacial Deposits of New Jersey, March 22, 2016 – Oxford, \$250.; Groundwater in Fractured Bedrock (Brunswick Aquifer) March 29, 2016 – New Brunswick, \$250.
5. NJ Forestry Association Annual Meeting, March 19, 2016, 8:30 – 4:30, Cook Campus, Rutgers, New Brunswick, \$60. - \$75.
6. Notice from the NY/NJ Trail Conference regarding the updated Jersey Highlands Trails Map Set: Central North Region - \$9.95 – [www.nynjtc.org](http://www.nynjtc.org).
7. Sustainable Jersey notification of Re-Vamped Municipal Energy Action Webinar on March 16, 2016 1 – 2 pm.
8. Notification from ANJEC regarding Open Space Stewardship Grants in the amount of \$1500. - deadline of April 1, 2015.

**PUBLIC COMMENTS** – Doris Aaronson, Bearfort Road, suggested that the Scouts be involved in the identification of the trees being planted, including what their benefits are, and Jim Rogers responded that he would speak to the scout master at the next meeting. Ms. Aaronson also suggested that get involved in the Emerald Forest project.

Councilwoman Erik reported that on March 16, 2016 the Health Officer would be discussing gypsy moths at Town Council meeting.

With regard to the Autumn Lights Festival (ALF) Councilwoman Erik advised that she was appointed to the ALF committee and there would be a meeting that month. One of the objectives is to determine why the money is not coming back in to “re-seed” the event, and she noted that there would be changes in the coming year with regard to this event.

Councilwoman Marilyn Lichtenberg inquired about a resident who had come to an earlier meeting seeking information about the school bus depot, and Chairman Sangle advised that this was a current remediation site that has been in progress for several years.

### **ADJOURNMENT**

With no further business to come before the Environmental Commission, the March 7, 2016 meeting was **adjourned** at **9:56p.m.** on a **motion** by Jim Rogers and a **second** by Andy Abdul.

Approved: July 11, 2016

Respectfully submitted,

Tonya E. Cubby, Secretary