

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

JUNE 2, 2014

The June 2, 2014 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:34 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Andrew Abdul (7:44), Tim Dalton, Gary Oppenheimer, Douglas Ott, Thomas Tamayne, Don Weise, Alternate 1 Jennifer Easterbrook, Alternate 2 Lucas Slott, Chairman Stephen Sangle.

Absent: None.

Also Present: Ron Farr, Bob Jonas, Doris Aaronson.

Chairman Stephen Sangle advised that a quorum was present to conduct this meeting.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW

ANTHONY & DIANA MELIONE

Bulk Variance ZB03-14-02

Block 9408; 1

9 Evelyn Drive, R-3 Zone

Seeking: 1134 S.F. addition to an existing s.f. residence, including extended front porch, with addition to be constructed over existing garage and family room, for use by parents; bulk variance required for side yard setback where 40 feet is required and 10 feet is proposed.

Following review of the application for Anthony and Diana Melione, the Environmental Commission made the following comments: the Commission requested that the applicant address drainage and stormwater runoff from the addition due to the existing slopes on the property. The Commission also suggested the applicant consider using rain barrels for stormwater runoff.

GRANT MANAGEMENT AND STATUS REVIEW

2007 GWL NPS 319(h) Grant: Chairman Sangle advised that Dr. Fred Lubnow was to provide a final report to the NJDEP and the Township was to receive a copy of the document. The Secretary was directed to contact Dr. Lubnow for a copy of the document.

NJDEP \$3000. Green Communities Grant for Community Forestry Management Plan:

Chairman Sangle advised that the Reforestation Subcommittee was available to assist Ron Farr, Certified Forester with the CFMP. With regard to a reference about a Shade Tree Commission in the plan, it was noted that many towns have a Shade Tree Commission because they don't have an active Environmental Commission like West Milford has. Mr. Farr was to make the edits noted by the Commission and a revised copy of the C.F.M.P. will be sent to the Commission's Secretary for the Planning Board to review and comment at their June 4, 2014 regular meeting. Upon approval of the Planning Board, the document should be forwarded to the Township Administrator for review by various internal departments (D.P.W., Parks & Recreation) as well as the Township Council. Mr. Farr advised the Commission that he is unavailable on June 25, 2014 to address the Council, and suggested either July 16 or August 20, 2014 for a brief overview before the Council. The Commission's Secretary will make the arrangements.

NJDEP NNL Reforestation Grant - \$620,197.00: Ron Farr reported that he had begun preparing RFP's for the tree planting. He inquired who would be doing the mark outs. He was in contact with the NJDEP – Div. of Parks & Forestry, and they encouraged him to get some invoices submitted so that the funds are not used for another project. The Commission discussed the timeline for the State to approve the CFMP so that the reforestation project can begin. Chairman Sangle requested that Ron Farr suggest to the Council that there will be trees available for use in the streetscape project.

2010 ANJEC Smart Growth Planning Grant - Trails Master Plan: Chairman Sangle consulted with Doug Ott regarding his assessment of the Trails Master Plan document. The Commission discussed a few edits that were needed before the final copy is presented at a public meeting. The Commission determined that a public hearing on the document would be held at the July 7, 2014 Environmental Commission meeting. The Secretary will advertise the meeting, and Mr. Ott and Tim Dalton will prepare a powerpoint presentation. Joanna Slagle, the Commission's consultant on this grant project, will be invited to provide additional comment. The document will be sent to the Planning Board and Township Council for review and comments prior to the public meeting.

ON GOING BUSINESS

Lakes Committee: Andy Abdul distributed the minutes from the prior month's Lakes Committee meeting. He reported that the main discussion at their meeting focused on weeds and algae in the lakes, and the Lakes Committee acknowledged that every lake was different and may need varied approaches to the problem.

GWL Bi-State Commission: Andy Abdul reported that the discussion at the Bi-State Commission meeting the week prior focused on:

1. Weed harvesting prior to the boat races – it was noted that the weed harvester is being repaired and it may not be ready in time to complete the harvesting prior to the races on GWL.
2. Effluent from home septic systems was discussed, stressing that homeowners should get their tanks pumped every 3 years. The GWL Commission inquired whether the septic ordinance was being enforced in West Milford. The NY delegation offered assistance with training the Health Dept. in West Milford, citing their success with a septic monitoring program they instituted. Chairman Sangle observed that the Township of West Milford has a part time Health Officer and there is much to accomplish in the time allotted to him each week. Doris Aaronson, member of the Health Board, commented that there was a computer component that was not compatible with the program they currently use, in addition to the limited staff available for adding data to the database. The Commission requested that a memo be sent to the Township Administrator, with a copy to the Health Director, advising that Greenwood Lake, NY has offered help in collaborating with WM Health Dept. staff on the septic data. Additionally, the Commissioners have offered assistance to the Health Dept. to assess their computer systems and in-put septic pumping data into the database.

Open Space Committee: Don Weise and Tim Dalton reported that they met at the Weaver Road property with Kathleen Caren from Passaic County Open Space, as well as a representative from the Land Conservancy, to assess its potential use for open space acquisition. They all appreciated the value of the property, and advised that there were two properties that were land locked within the larger parcel that the Land Conservancy was negotiating with. Tom Tamayne advised that another resident, Rocky Hazelman, was apparently interested in purchasing the large lot that the Township was interested in. Mr. Weise advised that there was a significant buffer between the trails and the neighboring properties, so there should not be an issue with hikers disturbing any adjacent property owners.

Environmental Contamination Issues: Tom Tamayne advised the Commission that he received no report from the Health Dept. for the past month.

Green Team–Sustainable Subcommittee: Jennifer Easterbrook, Chairperson of the Sustainable Subcommittee, reported that the Subcommittee recently held a productive meeting, and she provided 3 draft resolutions for review. The Sustainable Land Use Pledge was to be forwarded to both land use boards for review and/or comment. Ms. Easterbrook reported that, currently, the Township has 340 points for submission for re-certification. Chairman Sangle advised that she should include all the projects in the re-certification application, and the Commission and Green Team can work on completing all or most of the requirements by November 23, 2014. Ms. Easterbrook reported that she contacted Sustainable Jersey and they advised that they would review the submission from June 2014 and provide comments on the items that need to be addressed.

The Commission discussed upcoming grant opportunities, and the Commission Secretary advised that the Administration, Finance Dept., and Council need to be aware of any grants that are anticipated for 2015 so that they can include the funds in the budget. Chairman Sangle inquired if there were any grants for testing on Belcher's Creek. Luke Slott and Tom Tamayne noted that there were 3 months to compile items required

for Sustainable Jersey, including the Sustainable Land Use Pledge, Wildlife Pledge, and Companion Animals Pledge. The Commission recommended that the later two animal pledges should be forwarded to the Administrator and Health Director for review before being provided to the Council for review and possible approval.

NEW OR CURRENT BUSINESS

Annual Report to the Township Council – Chairman Stephen Sangle and Alternate Jennifer Easterbrook will be available to attend the July 16, 2014 Township Council meeting to provide the annual report to the governing body. The Commission Secretary was requested to contact the Administrator's Office to schedule this matter for the Council agenda.

Environmental Boardwalk at Maple Road: Bob Jonas reported that he had a meeting with a biologist from the NJDEP Div of Fish, Game and Wildlife several weeks prior to this meeting, and since that meeting, the beaver has disappeared and the beaver dam lodge is deteriorated at the Environmental Boardwalk site. He speculated that it could have been a bear involved in the beaver's disappearance. Mr. Jonas noted that the water level was good, although there was lot of pond scum, adding that aeration would be beneficial to counter the build up of nutrients, but it would be expensive. With regard to vegetation, he reported that the phragmites appear to be winning the battle and have grown back. With regard to purple loosestrife, it appears that it is being managed by the beetle introduced to control the plant, although it may take some time for it to work completely. He suggested the use of barley balls for the control of the algae at the Boardwalk site; a local farm supply business may have them available for purchase. Mr. Jonas discussed with the Commission the possibility of installing a plastic pipe (beaver deceiver) as a deterrent in the event the beavers return.

MINUTES

The Minutes for February 3, 2014 Environmental Commission meeting were **unanimously approved** on a **motion** by Don Weise, with a **second** by Tim Dalton, following some corrections that were noted by Don Weise in an email.

CORRESPONDENCE RECEIVED – *The following documents were reviewed by the Environmental Commission and filed:*

Highlands Water Protection And Planning Act Correspondence

1. Notice of a Highlands Preservation Area Exemption Determination #1 for the Pequannock Water Treatment Plant Improvements, Project ID #1615-14-0003.1, dated April 30, 2014, advising that the proposed project is consistent with the goals of the Highlands Act.
2. Copy of an application from the Township of West Milford, dated May 29, 2014, for a Highlands Applicability Determination regarding the West Milford Salt Storage Project on Lycosky Drive, Block 6002; Lot 28.01 for the demolition and reconstruction of pavement areas, and demolition and reconstruction of vehicle storage and salt storage structures utilized by both the Township of West Milford and Passaic County.

NJ Department of Environmental Protection Correspondence

1. Correspondence dated May 5, 2014 from the NJDEP regarding the Stipulation of Settlement in the Matter of John Aiello, NJDEP File #NEA 120001-1615-09-0034.1, Block 4402; Lot 1, 828 East Shore Road, advising that, following a review of the Planning Board approved major soil movement site plans "A Plan" and "Alternate B Plan," they recommend that "A Plan" be executed as the restoration plan in connection with satisfying the conditions of the Settlement Agreement in response to violations issued to the owner of the subject site. This agreement referred to the approval of a restoration plan that included the removal of unauthorized fill material, and re-grading and re-vegetation in NJDEP Land Use regulated areas, specifically areas subject to Freshwater Wetlands Protection Act NJSA 13:9b-1 ET seq.
2. Denial without Prejudice of a Treatment Works Approval Application received from the NJDEP, dated April 29, 2014, for Bald Eagle Commons – Proposed Modification, due to the application being administratively deficient which was noted in the Notice of Administrative Incompleteness letter of July 7, 2013. The following are required for consideration: Section A1 Consent Form to be executed by the

Township of West Milford; Construction specifications signed and sealed by a NJ P.E.; Final Construction plans noted and signed and sealed by a NJ P.E.; Modification of the NJDES-DGW Permit # NJ0081914 required for reduction in disposal area.

3. Supplement Notice to Response Action Outcome dated January 6, 2014, received from Kleinfelder, dated May 5, 2014, regarding the Former Exxon Facility #35139, 4 Marshall Hill Road, Block 5701; Lot 3. Scope of Remediation includes 1,1,2-Trichloroethane in Offsite Groundwater (AOC-18) and no other areas.
4. Ground Water Renewal Permit Action – NJDES NJ0051098/P.I. ID 46105, dated April 30, 2014, received from the NJDEP for the West Milford MUA, regarding Bald Eagle Village – T- Underground Injection (UIC) Sanitary, effective 05-01-14 to 04-30-19.
5. Treatment Works Approval, dated May 15, 2014, received from the NJDEP regarding Storms Island, Block 4404; Lots 4.02, 10, 14, 15, 16, to construct and operate a 1060 gallon septic tank, a 1060 gallon dosing pump tank, and a 2” PVC force main for each lot on Storms Island, said permit effective until May 12, 2016.
6. Correspondence from the NJDEP Bureau of Dam Safety & Flood Control, dated May 22, 2014, regarding the Nosenzo Pond Dam, NJDEP File #22-241, granting the Township of West Milford’s request for a time extension until Dec. 31, 2014 to submit a full updated text portion of the Emergency Action Plan, but advising that an updated Emergency Notification Flowchart with current personnel must be submitted by June 30, 2014.
7. Correspondence from the NJDEP Bureau of Dam Safety & Flood Control, dated May 22, 2014, regarding Upper Crest lake Dam (NJDEP File #22-333) and Lower Crest Lake Dam (NJDEP File #22-334) advising that the compliance scheduled submitted by Civil Dynamics was acceptable, with general maintenance and repairs to be completed by Dec. 1, 2014. In addition, an E.A.P. is required by Dec. 2014, and a conceptual design for each dam rehabilitation is required by the NJDEP by Dec. 2015.
8. Notice received May 28, 2014 from the NJDEP-Div of Water Supply and Geoscience regarding Van Orden Sand and Gravel of Ringwood, advising of an application for the diversion of 104.1 million gallons of water per month and 492.54 million gallons per year, at a maximum rate of 3666 gallons per minute from two existing wells, 195 to 400 feet deep completed in the Precambrian Igneous and Metamorphic Rock Formation; the existing quarry sump pump, and two existing storage ponds. This represents a new permit for an existing, but previously unpermitted diversion, located off of Westbrook Road. This diversion is to be used for Dewatering-Mining. Comments must be received by Kenneth Komar of the NJDEP Div of Water Supply and Geoscience by June 27, 2014.

Miscellaneous Correspondence Received/Sent

1. HEPSCD notice, dated April 28, 2014, regarding Aikey Project, 58 Leslie Dr. and 145 Wesley Dr., Block 9501; Lots 19.03 and 19.06, extending the certification of the soil erosion and sediment control plan under the Permit Extension Act of 2012 until October 21, 2017.
2. HEPSCD notice, dated April 17, 2014, regarding Bubbling Springs Park Subsurface Disposal System, 1468 Macopin Road, Block 9001; Lot 13, certifying the soil erosion and sediment control plan for 3.5 years.
3. Notice from ANJEC – Garden Party at Duke’s Farm, June 8, 2014, \$75. pp.
4. Notice from ANJEC – Webinars for Environmental Commission Training – June 4, 2014 - 7 to 8pm – Effective Environmental Commissions & June 11, 2014 – 7 to 8pm – Environmental Resource Inventories.
5. Notice from the NY-NJ Trails Conference – 4th Edition of 50 Hikes in New Jersey, \$21.95.

PUBLIC COMMENTS – Doris Aaronson, Bearfort Road, advised that the Passaic River Coalition received \$45,000. in grant funds from the NJDEP for the Emerald Forest off of Union Valley Road. Ms. Aaronson advised that she is the NJDEP representative for the Passaic River Coalition and was requesting Chairman Sangle and Don Weise to be members of an advisory committee for the Emerald Forest Trail; two representatives will be chosen from the Passaic River Coalition for the committee. Ms. Aaronson expressed gratitude to the NY/NJ Trail Conference for their efforts in getting funds appropriated to North Jersey. The Commission reviewed the draft plan for the Emerald Forest Trail, and Ms. Aaronson commented that the original plan included park benches and nature signs. Don Weise observed that making the trails ADA accessible will be a large task. Ms. Aaronson noted that she has not been privy to the budget for the project.

The Commission discussed the accessibility requirements, noting that 4-foot wide paths would be required. Chairman Sangle suggested that drainage material might be required since the site was naturally flat, and would be affected by stormwater run-off. He remarked that the trails would be appropriate for the elderly and handicapped accessibility. The Commission discussed access from the various points of entry, and noted that they would not get involved in the legal issues regarding access to the site that may arise. Doug Trainor and his wife, local residents, inquired about the plans for the Emerald Trail and the funding that was being used for purchase of the site. Ms. Aaronson responded that Green Acres, Passaic County and Passaic River Coalition funds were being used for the purchase through grant applications. With regard to plans for the trail, Ms. Aaronson stated that the proposed plan was not going to deviate from the current trail/path that exists, and Chairman Sangle observed that 90% of the current trail/path is present.

ADJOURNMENT

With no further business to come before the Environmental Commission, the June 2, 2014 meeting was **adjourned** at **9:33 p.m.** on a **motion** by Tim Dalton and a **second** by Douglas Ott.

Approved: October 6, 2014

Respectfully submitted,

Tonya E. Cubby, Secretary