

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

July 6, 2020
Virtual Via Zoom

The July 6, 2020 Regular Meeting of the Township of West Milford Environmental Commission was held virtually via Zoom 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.

The Commission took a moment to acknowledge the passing of fellow Commissioner Clint Smith. New member Janet Little was welcomed to the Commission.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW

JOSEPH PONZO

Bulk Variance #ZB-04-20-04

Block 2016; Lot 2

6 Danforth Ave., LR Zone

Seeking: Bulk Variance approval for a 661 sq ft addition to an existing single family home, with variances requested for a front yard setback, where 40 ft is required, 33.2 exists, and 26.5 is proposed; side yard setback where 30 ft is required, 31.4 ft exists, and 10.1 ft is proposed; and lot coverage where 10% max is permitted, 8.82 % exists, and 16% is proposed.

Following the review, the Commission recommended that the applicant consider installing rain barrels and gutters and leaders to address the additional stormwater runoff that will result from the proposed addition. If space permits, the Commission also suggested that the applicant consider creating a small rain garden. The Commission recommended that any lighting that is proposed for the addition should be directed away from the adjacent properties.

WILLIAM SHCWARZLOW

Bulk Variance #ZB-05-20-05

Block 10601; Lot 21

1 Post Brook Road So.; LR Zone

Seeking: Bulk Variance approval for the construction of a two car detached garage, with variances requested for a rear yard setback, where 10 ft is required, and 5 ft is proposed; and lot coverage where 3% is required, with .9% existing and 5.7% is proposed to construct a 24 x 24 two-car garage.

Following the review, the Commission recommended that the applicant consider installing rain barrels and gutters and leaders to address the additional stormwater runoff that will result from the proposed two-car garage. If space permits, the Commission also suggested that the applicant consider creating a small rain garden. The Commission recommended that any lighting that is proposed for the garage should be directed away from the adjacent properties.

JAMES JAY HUGGINS

Bulk Variance #ZB-06-20-06

Block 4008; Lot 3

183 Long Pond Rd.; LR Zone

Seeking: Bulk Variance approval for a 1 bedroom and 1 bathroom addition to an existing 4 bedroom two bathroom home with variances requested for rear yard setback, where 60 ft is required and 20 ft is proposed, and maximum lot coverage, where 10% is required and 15% is proposed.

Following the review, the Commission recommended that the applicant install gutters and leaders to address the additional stormwater runoff that will result from the proposed addition, and also consider installing rain barrels or a small rain garden. The Commission recommended that any lighting that is proposed for the addition should be directed away from the adjacent properties.

ON GOING BUSINESS

ANJEC 2019 OSS Grant Project: Jim Rogers reported that the final report was sent to ANJEC on the OSS – Belchers Creek project, and they acknowledged receipt of the report. All the grant funds were received previously from ANJEC.

Belchers Creek Testing: Janet Little reported that she and Jim Rogers conducted testing on Belchers Creek. The readings were 0.0 for both phosphates and nitrates, so a test was conducted at Brown's Point and the results were 0.1 for both. Chairman Sangle commented that the weather conditions and air temperature need to be included in the data. Jim Rogers noted that it was a sunny day in the mid 80's. Dave Ofshinsky will add a date sheet to the testing spreadsheet by adding tabs to indicate different lists. Chairman Sangle urged the Commissioners to get licensed to operate the boat on Belchers Creek so that testing for phosphates and nitrates can continue. The Commissioners will coordinate the use of the testing equipment and continue to test at the four locations along Belchers Creek to stay consistent with the testing data. Chairman Sangle noted that he has the battery for the Jon boat, and the Commissioners discussed conducting testing on the boat and social distancing. The Commission discussed the boat that is still at the Environmental Boardwalk and it was suggested that former Commissioner Gary Oppenheimer be contacted to determine if he wants it returned to him.

Shade Tree Committee: Tim Dalton was absent; there was no update at this time.

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

NJDEP NNL Forestry Grant Project Closeout: Chairman Sangle noted that the issues regarding the closeout of the grant have not been resolved, to date. A meeting was held with the Administrator several months ago, but there has been no recent communication from the Fullerton company on this matter. He further advised that this is a matter between the Township, Fullerton, and the NJDEP.

Greenwood Lake Bi-State Commission: Since the passing of Clint Smith, Chairman Sangle requested a volunteer to attend the Greenwood Lake Commission meetings. Janet Little volunteered to attend the meetings and provide a report to the Commission each month.

Lakes Committee / Lake Management Planning: RJim Rogers reported that a meeting was held with the Lakes Committee, via Zoom, on June 15, 2020. They reviewed the report from the NJDEP on the HAB – Harmful Algae Bloom. He noted that there will be five alert levels with regard to the HAB: 1-Watch, 2-Alert, 3-Advisory, 4-Warning, 5-Danger. The procedures will be initiated by the Health Dept, who will notify the Mayor and Council of any issues with HAB, so that a determination can be made if the Danger level is present. He reported that the criteria for evaluation has more leeway than in prior years, and observed that

New York State has different criteria than New Jersey. Mr. Rogers observed that some of the lakes in North Jersey had already seen algae blooms. The Lakes committee also discussed the geese control at the lakes.

With regard to Covid-19 protocols, Mr. Rogers reported that the lakes will require social distancing, have a carry-in and carry-out policy, and limit the number of people on the beaches. It was suggested that each lake should have a plan developed to address the issues of capacity in response to Covid-19. The next meeting was scheduled for July 20, 2020.

Open Space Committee: Don Weise reported that there was no update at this time, noting that the Open Space Plan update was being prepared by the Land Conservancy and will be discussed at the August 3, 2020 meeting

Environmental Contamination Issues: Tom Tamayne reported that there was a bad odor at the Environmental Boardwalk recently and sent photos of the site to the Commission. He also noted that the beavers had returned and the boardwalk is getting flooded. Chairman Sangle suggested that the stream comes from the vicinity of the Suez plant near the High School, and that may be the cause of the odor. The Public Works Dept will be contacted again to try to address the beaver dams.

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

NEW OR CURRENT BUSINESS

Open Space & Recreation Plan – Chairman Sangle suggested that the August 3, 2020 meeting could be held outdoors or via Zoom. The Commissioners will be notified prior to the meeting after he confirms it with the Land Conservancy, who will be providing an introduction and update on the Open Space and Recreation Plan at the “Kick Off”.

Tennessee Gas Pipeline Proposed Compression Station - Burnt Meadow Road – The Commission requested a copy of the letter sent to the residents regarding this proposed project. They noted that an Environmental Impact Statement must be submitted for the Commission to review.

Off Road Vehicle Use – Action Letter – The Commission discussed the Off Road Vehicle use on trails and roads throughout the Township. After a lengthy discussion, the Commission agreed that action should be taken to address the damage that is resulting from the ORVs. It was noted that the Police Chief had been contacted by the Passaic River Coalition, but a response had not been received. The Secretary will contact the Police Chief and request that he look into this matter. Posting signs and installing barriers at different locations by the owners of the properties could help deter the ORV use. The Commission acknowledged that there is a limit to what they can do except encourage enforcement of the violations that occur.

MINUTES

The minutes from the March 2, 2020 Commission meeting were **unanimously approved** by all members present at the meeting on a **motion** by Jim Rogers and a **second** by Dave Ofshinsky.

The following correspondence was reviewed:

CORRESPONDENCE RECEIVED:

Highlands Water Protection and Planning Act Correspondence – None.

NJ Department of Environmental Protection Correspondence

1. Suspected Hazardous Substance notification, dated June 25, 2020, regarding the removal of a 550 gallon #2 UST, with clean up pending.

2. Notification dated 06-16-20 regarding a FW Gen Permit being submitted by McKittrick Engineering to the NJDEP on behalf of Shawn Rubenacker, 1293 Westbrook, B 9303; Lot 5.
3. Notification dated June 1, 2020 received from PSE&G regarding their application to the NJDEP for a Flood Hazard Area Individual Permit Extension in Support of PSE&G Electric Overhead Transmission Systems Right of Way Vegetation Maintenance to Permit Continued Use of Selective Herbicide Application Within Riparian Zones.
4. No Further Action correspondence received from the NJDEP, dated May 21, 2020, regarding the removal of a 550 G #2 HO UST at 414 Warwick Tpk., B 509; L 12.

Miscellaneous Correspondence

1. HEPSCD 3.5 year certification, dated April 29, 2020, of a soil erosion and sediment control plan for Dariuse Cieplak Soil Movement regarding a total project area of 3.678 acres, with 0.627 total acres to be disturbed at 246 Morsetown Rd., B 4701; L 22.
2. HEPSCD re-certification, dated April 6, 2020, of a soil erosion and sediment control plan for the City of Newark Water & Sewer Utility, Pequannock Residuals Treatment Facility, Route 23, B 14102; L 1.
3. Hudson Essex Passaic Soil Conservation district renewal of certified plan for the Decommissioning of Front Lake Dam, 267 Wooley road, Block 9901; Lot 27.01, with recertification valid through July 21, 2023.

PUBLIC COMMENTS - None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the July 6, 2020 regular meeting held via Zoom was **adjourned** at 8:35 p.m. on a **motion** by Dave Ofshinsky and a **second** by Tom Tamayne.

Approved: August 3, 2020

Respectfully submitted by

Tonya E. Cubby, Secretary