

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**July 11, 2022**

**Main Meeting Room**

The July 11, 2022 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:05 pm with a reading of the Legal Notice.

**ROLL CALL**

**Present:** James Lyons, James Rogers, Thomas Tamayne, Don Weise, Chairman Stephen Sangle.

**Absent:** Douglas Trainor.

**PRESENTATIONS** – None.

**APPLICATIONS FOR REVIEW**

**FRED DEMARCO**

**Bulk Variance #ZB-05-22-07**

Block 505; Lot 6

21 Laramie Trail; LR Zone

**Seeking:** Bulk Variance approval for the proposed construction of a 14.33 ft x 26 ft one car accessory garage in the front yard and a 26 ft x 10 ft attached car-port, including a 6 ft x 6 ft porch located to the right of the garage.

The West Milford Environmental Commission reviewed the above referenced Board of Adjustment application. Subsequent to their review of the plans prepared by McKittrick Engineering Associates, dated 06/27/21, the Commission noted that delayed discharge rain barrels are proposed for the site. The Commission did not identify any environmental concerns with the proposed variance request.

**YAAKOV COHEN**

**Use & Bulk Variance #ZB-05-22-06**

Block 3512; Lot 4

9 & 11 MacDonald Road; R-1 Zone

**Seeking:** Use and bulk variance approvals for an expansion of a pre-existing non-conforming use (2 residences on one lot) and construction of a second story addition to an existing residence on lot #11, with variance for side yard setback where 30 ft is required, 30 ft exists and 24.9 ft is proposed; and rear yard setback, where 50 ft is required, 48.5 ft exists, and 31.7 ft is proposed.

The West Milford Environmental Commission reviewed the above referenced Board of Adjustment application. Subsequent to their review, the Commission noted that the plans did not indicate that the balcony is impervious cover. The Commission also noted that no exterior lighting was proposed for the addition, but if installed, that it not adversely affect surrounding properties. The Commission recommended that the applicant consider rain barrels to capture additional stormwater runoff.

**ERIC COULSON**

**Bulk Variance #ZB-06-22-08**

Block 7305; Lot 7

128 Bearfort Road; LR Zone

**Seeking:** Bulk variance approval to install a 6 ft fence at the rear of the property with a parcel that fronts two roads.

The Commission did not identify any environmental concerns with the proposed variance request.

**CHRISTOPHER LYNCH**

**Bulk Variance #ZB-02-22-01**

Block 3406; Lot 14

60 Old Lakeside Road; R-1 Zone

**Seeking:** Bulk variance approvals for an addition to the front of an existing dwelling and expansion of an existing garage, with variances requested for front yard setback, where 40 ft is required, 76 ft exists, and 18 ft is proposed; side yard setback where 30 ft is required, 11.8 ft exists, and 10.25 is proposed; and building coverage where 10% is permitted, 16.8% exists, and 29.01% is proposed.

The West Milford Environmental Commission reviewed the above referenced Board of Adjustment application. Subsequent to their review, the Commission noted that the applicant's plans indicated gutters without leaders, and inquired how the roof drainage would be routed since the property slopes towards GWL. The Commission recommended the applicant consider rain barrels to capture the excess stormwater, and also advised that any exterior lighting should be installed so that it does not adversely affect surrounding properties.

**ON GOING BUSINESS**

**Belchers Creek Testing:** Commissioner Jim Rogers reported on recent testing of Belchers Creek. He reported that he and Commissioner Doug Trainor recently obtained several samples at four different sites, including Stowaway, Pinecliff Lake Dam, John Street, and Brown's Point. He has not been in contact with Mr. Trainor and did not receive the results of the sample tests.

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

**NJDEP NNL Forestry Grant Project Closeout:** Chairman Sangle advised that a meeting was held with the Administrator and Recreation Director regarding the close out of the NNL Grant. There is agreement that the remaining funds may be returned to the State, if the State will accept the funds. If they require the grant to be completed, then 133 trees will have to be planted. Commissioner Jim Lyons has a contact at the State level and he will confer with them, since the most expedient course would be to return the remaining grant funds to the state. If the trees must be replanted, the Commission strongly recommends that the Township contract with a certified forester to assist with the close out of this project.

**Community Forestry Management Plan:** No update was available at this time. The Secretary was requested to provide Jim Lyons with a copy of the approved CFMP for the Township.

**Greenwood Lake Bi-State Commission:** Doug Trainor was not in attendance and did not provide a report from the GWL Bi State Commission meeting.

**Lakes Committee:** No report was available.

**Open Space Committee:** Chairman Sangle and the Commission concurred that the Administration should be requested to use the post 2014 Open Space funds to retain Princeton Hydro for \$1500. to create a plan for the Bubbling Springs Nature Walk in lieu of the ANJEC grant which was not awarded to the Township for the project's conceptual plans. A proposal had been received from Princeton Hydro for the initial plans.

**Environmental Contamination Issues:** Tom Tamayne reported on several contamination issues that he received, as well as those listed on the agenda. He reviewed the treatment plant upgrades that are being proposed by Veolia. He noted that they will require slight building increases to accommodate the new treatment equipment, and the Secretary confirmed that two applications have been received from Veolia for two sites. Mr. Tamayne remarked that these upgrades will make a real improvement in the water quality. He further advised that the funding is available to make the upgrades, and remote controls will be added in the plants so that a more rapid response will be available with any issues that may arise. He observed that the upgrades will improve the discharge and help the environment. With regard to a letter received by the Township from a resident in the Birch Hill development, he was not aware of any new treatment plants being proposed near that location, and the Environmental Commission concurred that they have received no notifications from either Veolia or the NJDEP.

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

**Environmental Boardwalk** – Tom Tamayne reported that the treatments were applied by Lake Management Sciences. He shared photos of the Boardwalk and the dead phragmites and weeds. The Commission concurred that the first treatment was successful, and authorized the Secretary to submit the purchase order for payment of the \$1571.00 invoice. Mr. Tamayne will contact the Township DPW to request assistance with the removal of the dead phragmites so that the next treatment can reach the undergrowth. The Township has approved three treatments for 2022. The DPW will also be requested to check for the return of the beavers. Repairs will be necessary to the boardwalk as a result of the water levels which rise when the beavers rebuild their dams.

### **NEW OR CURRENT BUSINESS**

**Greenway Project:** Chris Garcia was not in attendance at this meeting to provide an update. Chairman Sangle reported that the Township may be acquiring property at the corner of Marshall Hill Road and GWL Tpk which, when sold, may provide funds for projects.

**Tree Removal Ordinance Amendments:** Jim Rogers reviewed the draft tree removal ordinance amendments that he had prepared for the Commission following research of several area towns' tree removal ordinances. He noted that the new language for the existing ordinance was in bold, and the italics was language that may be removed. He emphasized that he drafted this from the ordinance that was currently "on the books". The Commission discussed the "duly appointed Forester" and his responsibilities, including reviewing applications from the Township. They noted that he would not have any power, per se, but would advise the Administration whether a tree removal permit meets the ordinance guidelines. The Commission proposed that the Forester will be an employee or consultant who will not have any authority, but will identify any violations and accept or reject applications for tree removal, reporting to the Zoning Officer or the Administration. The Commission reviewed other aspects of the draft ordinance and noted that the Township's governing body would have to approve the ordinance with any fines associated. The Commission suggested that trees could be replanted in lieu of fines for unauthorized tree removal. Fees for the application and tree removal were reviewed, and the Commission discussed average fees for a forester's services (\$43.00 ph). Mr. Rogers would revise the draft ordinance and present the changes at the next meeting.

### **MINUTES**

The minutes from the May 2, 2022 Environmental Commission meeting were **approved** on a **motion** by Don Weise and a **second** by Jim Lyons.

## **CORRESPONDENCE RECEIVED:**

The following correspondence was reviewed by the Commission:

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

Highlands Applicability Determination application being submitted by Suburban Consulting Engineers on behalf of Veolia Water New Jersey regarding Block 7801; lot 68, Bald Eagle Village Water Treatment Plant, seeking Exemption 11 for the installation of contact piping to achieve 5 minutes of chlorine contact time at Bald Eagle Village Water Treatment Plan.

2. Correspondence from the NJDEP regarding a clarification of a HAD for Block 7601; Lot 2, Texaco/Chevron, advising that the WQMP determination was not addressed.
3. Copy of an application for Highlands Preservation Area approval, received June 15, 2022 from BEI – Bogia Engineering Inc., regarding Moove In Storage, Block 6902; Lot 17, 11 White Road, for an addition to an existing storage facility.

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

1. Treatment Works Approval (TWA) #22-0001, dated 06/07/22, received from the NJDEP regarding subsurface disposal system improvements at Moosehead Marina, Block 3201; Lot 6 and Block 3202; Lot 6, 254 Lakeside Road.
2. Treatment Works Approval (TWA) #22-0119, dated 06/10/22, received from the NJDEP regarding Olde Milford Estates WWTP Clarifier Rehabilitation at Block 8902; Lot 3, 88 Rolling Ridge Road, and Block 8903; Lot 34, 22 Rolling Ridge.
3. Treatment Works Approval (TWA) #22-0152, dated 06/07/22, received from the NJDEP regarding Highview Acres WWTP Improvements including construction and operation of proposed chemical addition subsystems to augment operation of existing Highview Acres Treatment Plant located at 1290 Macopin Road.
3. Treatment Works Approval (TWA) #22-0180, dated 07/05/22, received from the NJDEP regarding Crescent Park WWTP Improvements, including the addition of caustic soda for PH control, peracetic acid to enhance disinfection, polyaluminum chloride for phosphorous reduction and polymer to enhance solids settlement and removal at Block 9711; Lot 17, Morris Avenue.
4. Treatment Works Approval (TWA) #22-0150, dated 07/05/22, received from the NJDEP regarding Bald Eagle Commons WWTP Improvements, including the addition of caustic soda for PH control, peracetic acid to enhance disinfection and MicroC to support biological nitrogen removal at the BEC WWTP along Morsetown and Richmond Roads, Block 5308; lot 1, Block 5501; Lot 21 and 5501; Lot 22.
5. TWA public notice, dated June 28, 2022, received from Houser Engineering regarding Greenwood Lake Services, 322, 330, 341 Lakeside Road, Block 3107; Lots 1 & 2, and Block 3101; Lot 9, for the construction of an onsite wastewater treatment and disposal system alteration.
6. Flood Hazard Area IP, FW GP #2, WQ Cert, dated June 13, 2022, received for Rockland electric, Block 4601, Lot 8; Block 6002, Lot 33; and Block 6002, Lot 44.04, Burnt Meadow Road, for the construction of an underground utility line across Hewitt Brook in connection with an underground to overhead electric transmission line associated with a natural gas compressor station.
7. Suspected Hazardous Substance Discharge notice, dated June 4, 2022, regarding 120 Morsetown Road, Block 4701; Lot 9, with respect to the removal of a 1000 gal UST, with clean up pending.

8. Suspected Hazardous Substance Discharge notice, dated July 2, 2022, regarding the area of Gould and Union Valley Road, Block 14802; Lot 2, with respect to a blown hydraulic line on a truck – clean was in progress.

9. Suspected Hazardous Substance Discharge notice, dated June 30, 2022, regarding 26 St. George St., Block 7105; Lot 8, with respect to the removal of a 550 gal UST, with clean up pending.

10. Suspected Hazardous Substance Discharge notice, dated June 25, 2022, regarding 899 Burnt Meadow Road, Block 4701; Lot 9, with respect to a report of various unknown oils being dumped at this location for several years.

11. Flood Hazard Area Verification and Individual Permit #1615-22-0004.1 LUP 220001, dated June 2, 2022, received for Thomas Berger, Block 4401; Lot 15, 831 East Shore Road, for the reconstruction of an existing bulkhead with a concrete wall along Greenwood Lake.

12. Notification from the NJDOT, dated June 14, 2022, advising that the NJDOT is applying for a FHA IP and FW GP #10B & 11 for the bridge replacement of a structurally deficient bridge over the Pequannock River (Rt. 23 Northbound Bridge). The bridge span will be slightly widened to increase safety, and wildlife passages will be constructed under the bridge.

### **Miscellaneous**

1. HEPSCD Certification of soil erosion and sediment control plans received for the following:
  - Arsenal Developers Heritage SFD, 79 Heritage Drive, B 5204; L 10
  - Shop Rite Expansion, Recertification, 9-35 Marshall Hill Road, B 6303; Lots 15 & 16
  - Virginia Wood SFD, 56 Virginia Lane, B 10002; L 12
  - Lincoln Ave Culvert Replacement 1600-151, ROW for Lincoln Ave at Morsetown Brook
  - Village on Ridge, Recertification, Eagles Nest Terr, Burma Ct, Heritage Drive, various B & L

**PUBLIC COMMENTS** – None.

### **ADJOURNMENT**

With no further business to come before the Environmental Commission, the July 11, 2022 regular meeting was **adjourned** at 8:55 p.m. on a **motion** by Chairman Sangle and a **second** by Jim Rogers.

Approved: August 1, 2022

Respectfully submitted by

Tonya E. Cubby, Secretary