

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

August 2, 2021

Virtual Meeting - Via Zoom

The August 2, 2021 Regular Meeting of the Township of West Milford Environmental Commission was held virtually, via Zoom, beginning at 7:00 pm with a reading of the Legal Notice.

ROLL CALL

Present: Janet Little, David Ofshinsky, Thomas Tamayne, Douglas Trainor, William Cytowicz (7:30), Chairman Stephen Sangle.

Absent: James Rogers, Don Weise.

Also Present: Michael Micali, Carol Bradford.

Chairman Sangle advised that a quorum was present for this meeting.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW

WAITE/PALLOTA

Bulk Variance #ZB-06-21-10

Block 2704; Lot 2

8 Yardville Road; LR Zone

Seeking: Bulk Variance approval for construction of a proposed 28 x 26 detached garage for storage and personal use, with variances requested for for accessory rear yard setback, where 10 ft is required, 17 ft exists, and 7 ft is proposed; accessory building coverage, where 3% is required, 3.2% exists, and 8.4% is proposed; accessory side yard setback, where 10 ft is required, 10.3 ft exists, and 8.1 ft is proposed.

The West Milford Environmental Commission reviewed the above referenced Board of Adjustment application for a bulk variance for construction of a detached garage, with plans prepared by Houser Engineering, dated 06-03-21, and survey prepared by Arthur J. Schappell Jr, dated 02-24-21, and made the following comments:

- The Commission inquired how the applicant proposes to address runoff from the garage, and noted that gutters were indicated on the plans, but no leaders.
- The Commission recommended that the applicant consider installation of rain barrels or a rain garden to reduce the run-off to adjacent properties.
- The Commission noted that there is no exterior lighting proposed on the plans that were submitted, but advised that if any lighting is installed, that it be directed so that it does not adversely affect adjacent property owners.

ON GOING BUSINESS

Belchers Creek Testing: Commissioner Dave Ofshinsky provided an update on the Belchers Creek ongoing testing. He advised that the readings at Crescent Park were at 1.7 for Nitrates, .03 for Phosphates, and noted that the water was very clear and the ground water levels were low, with little rain received. He is not sure if the readings were the result

of the lack of rain. The samples taken at Brown's Point were both o.o. Chairman Sangle was somewhat suspect of the o.o readings. Commissioner Tom Tamayne advised that he has been having on-going conversations with Suez and there have been many improvements, and more are planned, so the readings will improve. He added that he is not surprised at the low readings with all the work they have done on the facilities. Mr. Ofshinsky remarked that he received the lowest readings in Crescent Park most recently, and he has observed that they have been diligent in repairing the facilities. Chairman Sangle requested WM Lake readings to be taken in the next month to monitor from the prior sludge dumping.

Community Forestry Mgt. Plan: AAR - Annual Accomplish Report–CEU's required for 2020 – 2021 - Commissioner Janet Little had no updates to report and advised that she has not had the opportunity to take any classes recently. The Secretary noted that she sent a list of the latest classes and webinars to the Commissioners and will continue to do so when received.

NNL Reforestation Grant: Update on Tree Survey and Closeout Analysis - Janet Little advised that she, Jim Rogers and Doug Trainor will meet, possibly at the Library, to compile a report on the data and surveys they conducted on the remaining trees from the grant project.

Greenwood Lake Bi-State Commission: Janet Little attended the recent GWLC meeting and reported that there was a lot of community input since there is no longer public access to the lake, adding that this issue consumed the majority of the meeting. Ms. Little expressed surprise that the Township had adopted a resolution recently to dissolve the Brown's Point lease agreement with the State of NJ, and noted that the only alternative for a boat launch would be for the State to construct and manage it. The Commission suggested that the Township may not want the liability and maintenance responsibility if a public boat launch is installed.

Lakes Committee: Jim Rogers provided a report to the Commission regarding the most recent Lakes Committee meeting, and Chairman Sangle reviewed the report. The proposed Compression Station by Tennessee Gas Pipeline on Burnt Meadow Road was the main topic of discussion, led by Renee Alessio. Jim Rogers and Doug Trainor are assisting the Lakes Committee with testing for their Lakes Assessment study funded by the Highlands Council. Chairman Sangle recommended that the Lakes Committee members take samples at the various lakes and locations and provide them to Jim Rogers and Doug Trainor to conduct the tests. The logistics and testing protocols should be outlined.

Open Space Committee: Open Space & Recreation Plan Update – The Planning Board Public Hearing regarding the Master Plan Amendment will be held on August 5, 2021 at 7 pm, West Milford Town Hall. Commissioner Don Weise will be present at the meeting. He submitted some edits on the OSRP to The Land Conservancy on NY-NJ Trail Conference references, and he will review them with the Planning Board.

Environmental Contamination Issues: Tom Tamayne reviewed the 5 notices that he received regarding environmental contamination issues, as well as the items listed on the agenda.

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

Environmental Boardwalk: Tom Tamayne advised that he was unsuccessful in getting his landscape contractor to give him an estimate on the environmental boardwalk site for removing weeds and phragmites, but he will keep trying. Chairman Sangle recommended that the DPW should get involved in this also.

NEW OR CURRENT BUSINESS

Harper Turner Farms (Sisco-Izak) – Castle Rock Road – The County Agriculture Board Hearing for Soil Movement Activities related to farm businesses at the site was postponed until further notice. Janet Little attended the meeting and was not aware that they had postponed hearing. She said that it may be heard by the County AG Board in Sept or Oct, and assumed that we will receive a notice.

MINUTES

The minutes from the June 3, 2021 Environmental Commission meeting were unanimously **approved** on a **motion** by Dave Ofshinsky with a **second** by Tom Tamayne.

NEW OR CURRENT BUSINESS

- The Secretary advised that the Jon Boat registration for the following year has been received and is in the Environmental Commission file in the Planning Office.
- The key to the glass display case at the Environmental Boardwalk, maintained by the late Doug Ott, was delivered to the Planning Department, and the Chairman advised the Secretary to retain it in the Commission's files.

CORRESPONDENCE RECEIVED: The following items were reviewed and filed:

Highlands Water Protection and Planning Act Correspondence

None.

NJ Department of Environmental Protection Correspondence

1. Correspondence from The Land Conservancy of NJ, dated June 30, 2021, advising that an application has been submitted to the NJDEP Green Acres Program for Nonprofit Stewardship Funding regarding a restoration project at the Nancy Conger Westbrook Preserve Addition on Westbrook Road, Block 9201; Lots 1, 2, 3 & 5, for the restoration of the historical hydrology of the Westbrook headwaters and improvement of the ecological integrity of the property. A copy of the application is on file with the NJDEP.
2. Response Action Outcome notice, dated July 8, 2021, received from Atiqur Rahman, site remediator, regarding Happy Landing Marina - Elena Dykstra, 871 East Shore Road, Block 4401; Lot 1, with respect to AOC-1 for two 4,000 gallon gasoline UST and one 1,000 gallon gasoline UST, AOC-2 for Product Piping Associated with the UST's, and AOC-3 for Dispensers associated with the UST's.
3. Response Action Outcome notice, dated July 8, 2021, received from E2 Project Management, regarding remediation at Matrax, LLC, 171 Oak Ridge Road, Block 15901; Lot 7, preferred ID 666474, advising that the preliminary assessment has been completed.
4. Suspected Hazardous Discharge notice, dated July 20, 2021, NJDEP #21-07-19-1112-33, regarding 1953 Macopin Road, B 8201; L 1, for the removal of a 550G #2 HO UST, with clean up pending.
5. Suspected Hazardous Discharge notice, dated July 27, 2021, NJDEP #21-07-26-1836-32, regarding 49 Timber Lane, 14901; L 14, for the removal of 2 550G #2 HO UST's, with clean up completed.
6. Response Action Outcome, Preferred ID: 031885, dated July 23, 2021, received from PT Consultants, Inc., regarding 85 Marshall Hill Road, Block 6303; Lot 5, James Worth Realty, LLC, with respect to "historic fill" and no other areas, advising that the remediation has

been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites.

Miscellaneous

1. Hudson Essex Passaic Soil Conservation District – Stop Construction Order regarding 41 Castle Rock Road, Block 2202; Lot 1.06, Anthony Battinelli Jr., for Failing To Obtain Certification for Filling and Grading, advising property owner to stop all filling and grading soil disturbing activity and construction on the property, effective July 15, 2021, until the following is completed: 1) Submit soil erosion and sediment control application, fee and plan which has been prepared by a NJ license engineer, depicting all present and proposed site improvements; 2) upon plan certification, submit the required Start Notice; 3) Install all erosion control measures on-site as designed on the SESC plan.

2. HEPSCD Report of Compliance, dated 07-01-21, received for Farrell Soccer Field Rehab Phase II, Block 6002; Lot 28.02, Lycosky Drive, regarding the establishment of permanent stabilization of all disturbed areas in accordance with the certified soil erosion and sediment control plan.

PUBLIC COMMENTS

Michael Micali, 38 Kushaqua Trail S. – Mr. Micali inquired about the telecommunication cell tower on Lakeside Road, and the application that was being heard by the Board of Adjustment. The Chair advised that the Environmental Commission is merely an advisory body to the Boards and Governing Body, and cannot approve or deny applications. He noted that the Commission was not in favor of the tower being constructed in the location that was proposed. Mr. Micali then inquired if the Commission would be present at the next hearing on this matter, and the Chairman advised that the Commission sent a memo to the Board of Adjustment expressing the concerns they had, but reiterated that they are only an advisory body. The Commission's Secretary was advised to email a copy of the memo to Mr. Micali outlining the comments from the Environmental Commission.

ADJOURNMENT

Chairman Sangle noted that the next Environmental Commission meeting is scheduled for September 13, 2021 and may be held via Zoom, but that will be determined when the meeting date approaches. With no further business to come before the Environmental Commission, the August 2, 2021 regular meeting held via Zoom was **adjourned** at 7:45 p.m. on a **motion** by Chairman Sangle and a **second** by Dave Ofshinsky.

Approved: September 13, 2021

Respectfully submitted by

Tonya E. Cubby, Secretary