

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

August 4, 2014

The August 4, 2014 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:38 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Andrew Abdul, 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: David Watson Hallowell, Councilwoman CarlLa Horton, Bob Jonas, Councilman Lou Signorino, Clinton Smith.

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

PRESENTATIONS:

PUBLIC MEETING ON TRAILS MASTER PLAN - 2010 ANJEC Smart Growth Planning Grant – Prior to commencing with the presentation, Chairman Sangle advised those present that ANJEC and Kerry Miller were responsible for the Commission receiving the grant for this project. She was invited to this meeting, but was unable to attend. Chairman Sangle publicly thanked ANJEC and Ms. Miller for their patience with the Commission for exceeding the time limit for the grant so that this project could be completed. Tim Dalton echoed Chairman Sangle's comments and recognized the assistance provided by the NY/NJ Trail Conference and other local groups (JORBA) for their input on the various trail locations. He also recognized Commissioner Doug Ott for coordination of the project from 2010, and Joanna Slagle of Banisch Associates, the Commission's GIS mapping consultant for the grant project, who was not in attendance. The following is the presentation on the Trails Master Plan:

Introduction

The Environmental Commission has been engaged since 2010 in the development of a Trails Master Plan for our township. The process, funded by a grant was obtained from ANJEC with matching funding from the Township, was to:

- Assemble a committee, with leadership provided by Douglas Ott, to work on the project, and to guide the consultants in preparation of the final plan documents.
- Engage consultants, members of the Environmental Commission, interested parties such as the NY-NJ Trail Conference and local citizens in the project.
- Meet regularly to develop the narrative and trail list and conduct field trips to observe and document the trails and possible new connections.

The document being presented tonight represents the result of our efforts and provides a path forward for continuing to improve our knowledge and management of this wonderful trail system.

The Process

We have collected a database of known and proposed trails and a method for expanding this database as time goes along. We have invited input from concerned groups and proposed a method for incorporating these inputs into the trail system according to the plan.

Banisch Associates, represented by Joanna Slagle has been engaged to assist in the production of the master plan and associated documents.

Regular meetings and field trips have been conducted and an action plan established to ensure that the project will be able to continue to operate in the future.

The Master Plan Includes the Goals developed at the outset of the project, an inventory of trails and an action plan to guide future uses, with information on available tools, information and possible funding sources to assist in ongoing efforts. Here is a brief introduction to the structure of the plan.

Goals of West Milford Trails Plan

The goals and objectives for the West Milford Trail Master Plan are to:

- Identify, promote and preserve a network of shared use trails in West Milford Township, which will interconnect municipal, county and state recreation areas and provide pedestrian access to historical landmarks and natural resources within and around the Township
- Coordinate the Township's trail system plan with the overall plans of Passaic County Heritage Plan and the plans of the State of New Jersey.
- Develop a pedestrian friendly transportation network throughout West Milford Township that connects to neighboring municipalities.
- Apply for funding and grants whenever possible to assist in project initiatives and to defray costs.

Trail Inventory

An extensive listing of trails and trail systems in the Township has been prepared and is now available as a tool for managing the action plans and maintenance activities, as well as providing information that can be used to promote the Township.

Action Plan

The Action Plan provides a toolbox for the Township to assist in the identification, selection, and implementation of trails and trail areas. Partnering with the State, County and private organizations and reaching out to private landowners helps to bolster efforts to develop a Township wide trails network. Consequently, the Action Plan can be viewed as a guidebook to create a long lasting agenda for a trails network in the Township.

Some key items that are discussed include:

- Greenways, linkages and trails
- Passaic County Heritage Tourism Element of the Passaic County Master Plan
- Trail Management
- Community Education
- Implementation approaches and resources
- Tools for creating bicycle and pedestrian paths
- Funding the plan – Sources and approaches

Conclusion

The implementation of a well-planned and thoughtful trail network benefits the entire community and region, providing opportunities for more meaningful interaction with the Township than vehicular transportation can provide.

Alternative forms of transportation such as hiking and biking promote a healthy lifestyle and community interaction, reduce pollution and automobile dependence, and enhance the overall character of West Milford Township.

Following the presentation, Chairman Sangle requested further comments, advising that this was the last time for public input before the document is sent to the Mayor and Council and ANJEC before the grant monies can be received. Doris Aaronson requested that Emerald Trail be added to the list of trails, and David Watson Hallowell inquired about the Wallisch and Westbrook Park Trail. Tim Dalton acknowledged that the Friends of Wallisch want their trail included, but there were problems with a bridge on Westbrook Park trail. The Commission's Secretary suggested that information on any additional trails to be added to the Trails Plan document should be sent via email to Planning@WestMilford.org. Chairman Sangle expressed that the Commission would like this Trails Plan to be added to the Township's Master Plan, either as an attachment or an addendum, with revisions made to the trails plan as needed. Mr. Dalton noted that there were references made in the Trails Plan to the Township Master Plan. Councilman Lou Signorino commended the Commission for all the work they did to create this document, and Chairman Sangle responded that it was a team effort. Gary Oppenheimer suggested that a copy of the trail map be displayed in the Township Library to encourage additional trail information. Bob Jonas suggested that the Trails Plan Map have a usage key for bikes, equestrian, etc. Chairman Sangle noted that the Township Attorney may have to provide a

disclaimer about Township liability on the Trails. He also observed that the Economic Development Committee could use the document as a tool for their efforts, and Doug Ott commented that the Planning Board wanted the EDC to be aware of the Trails Plan. With regard to trail maintenance, Don Weise advised that not all the trails listed in the Trails Plan are maintained by the NY/NJ Trail Conference, and Mr. Oppenheimer suggested that these trails be identified and coordinated with the Trail Conference. Chairman Sangle suggested that the degree of difficulty should also be noted. With regard to ADA accessible trails, Mr. Jonas noted one near the Wanaque Watershed. Mr. Dalton emphasized that information can be added to the database. Councilman Signorino suggested that the information be added to the website and have access for smart phones. Chairman Sangle suggested that as information becomes available, get the information to the Commission's secretary for the Environmental Commission to add to the plan.

Following the review and public comments, the Environmental Commission approved the Trails Master Plan and would provide a copy to the Township Council for review and approval.

Sustainable West Milford - David Watson Hallowell reported on the results of stream testing on Union Valley Road near the Community Garden at Apple Acres, and advised that although the fecal coliform and nitrate levels were acceptable, the ammonia levels were 7 times what is allowable, and the phosphorous is 2 times the allowable level. He requested assistance from the Environmental Commission on how to address this. Gary Oppenheimer suggested that testing should be conducted up stream until the source is evident or the levels become acceptable. Chairman Sangle observed that if the source involves the MUA plant above the site, insufficient funds may be the main obstacle. He then suggested Sustainable West Milford forward their results to the Township Administrator and Health Dept. and ask them to assist with the testing, as well as bringing it to the attention of the Mayor and Council. Tom Tamayne commented that 2 simultaneous test be repeated up stream, and correlate the events. Chairman Sangle recommended that the water test results be copied to the MUA and request that they assist on addressing the areas that may be causing the elevated levels, adding that if their levels are high, they will get fined by the NJDEP and it will cost more than the testing. Mr. Hallowell noted that the phosphorous testing was more expensive. Mr. Oppenheimer commented that if they test for one element, it would be easier to isolate the one issue. The Commission discussed testing in the past at Pinecliff Lake, noting that the levels were lower going out of the lake than going into it. Doug Ott reviewed the water flow down Stephens Road and suggested testing be done down from the garden and also above Crescent Park, and Mr. Tamayne observed that if the water is dirty above Crescent Park then it is not the result of that plant. Andy Abdul discussed costs for testing kits, noting that fecal coliform run about \$25. and nitrate, phosphorous and ammonia run about \$40. for strip tests. Chairman Sangle observed that following testing, if a hot spot is detected, then a professional can be called in. It was suggested that the Watershed Ambassador could assist with the testing, but Jennifer Easterbrook commented that Thalia Reyes was no longer involved in the program and a new ambassador would be starting in September. The Secretary would contact Passaic County regarding the new ambassador assignment. Chairman Sangle reminded the Commission that all activities must be approved first by the Administrator, then the Mayor and Council.

APPLICATIONS FOR REVIEW –

OAK RIDGE PRESBYTERIAN CHURCH

Use & Bulk Variance ZB#02-14-01

Block 16201; 39

321 Oak Ridge Rd.; R-4

Seeking: Use and Bulk Variance with Minor Subdivision approval to subdivide the existing church structure and residence onto two separate lots.

Following their review, the Commission had no concerns regarding any environmental issues for this application.

MICHAEL AND SHANNON KIMAK

Bulk Variance ZB#06-14-09

Block 5403; Lot 2

6 Pontiac Ct.; R-1 Zone

Seeking: Bulk Variance approval to construct a 12' x 18' shed in the front yard.

After a review of the aforementioned application, the Commission made the following comments:

-The Commission inquired how the additional stormwater runoff from the increased impervious coverage would be addressed.

-The Commission inquired whether any lighting would be installed that could adversely affect neighboring property owners.

-The Commission inquired about the intention of the homeowner with regard to the use of the shed and whether it will be used for storage of contaminants.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP Green Comm. \$3000.00 Grant for Community Forestry Management Plan: No update was available from Ron Farr, Certified Forester and Township Consultant for the grant project.

NJDEP NNL Reforestation Grant - \$620,197.00: No update was available on this grant project.

Trails Master Plan: See above under Presentations.

ON GOING BUSINESS

Lakes Committee: Andy Abdul reported that there were few matters on for discussion at the prior Lakes Committee meeting but they considered suggestions for future activities. Chairman Sangle inquired whether there was discussion about invasive species, and Mr. Abdul replied that there was no discussion about this issue. Tom Tamayne noted that it is a matter of concern since whatever aquatic (invasive) species is on a boat when it is washed, it can be carried to different water bodies. Chairman Sangle suggested that installation of signage be considered at various marinas that permit boat washing. Mr. Tamayne suggested that as an alternative, the boat owner could let their boats dry for 2 weeks prior to moving to another water body, although this could become inconvenient for the boat owner. He noted that New York State has aquatic hitchhiker notices at the various lakes and marinas. Clint Smith, GWL Commissioner, commented that it was difficult to enforce, and there is a concern that certain practices will alienate the boat owners, and regulation would be difficult for small marinas. Chairman Sangle stressed that education was the key component in this issue, and what was good for one part of the lake (Greenwood Lake) was good for the entire lake.

Greenwood Lake Commission: Mr. Abdul advised that he could not attend the prior month's Greenwood Lake Commission meeting and had no report for the Environmental Commission.

Open Space Committee: It was noted that the Open Space question would be on the ballot in November 2014 with regard to continuation of dedication of funds specifically for open space. Doug Ott observed that there was a piece of land (200 acres) that was recently made available for open space, and the Commission was not made aware of it. Bob Jonas stressed that communication was key and he would contact Linda Glosinsky of the Land Conservancy to keep the Commission apprised regarding properties that become available.

Environmental Contamination Issues: Tom Tamayne reported that the only matter of concern was the Adelo properties from last month's agenda that was briefly discussed by the Commission at that meeting.

Green Team-Sustainable Subcommittee: Jennifer Easterbrook reported that the pamphlet printing would be completed in September, and the same logo would appear on the tote bags that are being printed. Cards were also being printed regarding composting tips. She noted that all printing

will be done professionally by BC Marketing, and all cost are covered by the budget prepared with the grant funds. There will be three items to distribute to visitors at Autumn Lights.

Report on Sustainable Jersey Re-certification: Ms. Easterbrook reported that out of 415 municipalities, 130 received immediate approval. Work will continue for the September 14 and November 23, 2014 Sustainable Jersey deadlines so that all the action items are completed. She noted that they are attempting to get recognized at the 2014 luncheon at the NJLM Conference. She reported that she was working with Ron Farr to secure information required by Sustainable Jersey, but the information they required was an inventory of the trees, so Mr. Farr will assist with this requirement. The Green Team was also working on the “buy fresh buy local” campaign, assisted by a local vendor, Sustainable West Milford, and area farms. With regard to one of the major action items, a land use pledge from the Township, the Commission’s Secretary, who serves as the Planning Board Secretary, advised that the Planning Board Attorney was not at the recent Planning Board meeting when this document was brought to the attention of the Board, and the Board did not want to comment on anything until their Attorney had a chance to discuss it with them.

Other matters discussed included recycling plastic grocery bags, drug collection dates that will be coordinated with the local police dept, and a request for interesting facts about recycling or environmental issues for the next educational pamphlet that will be produced. Resident Doris Aaronson suggested that Jennifer Easterbrook attend a Beautification and Recycling Committee meeting since many of activities and efforts may be overlapping and could be coordinated with another organization.

NEW OR CURRENT BUSINESS

Beaver Dam at Environmental Boardwalk: Bob Jonas distributed photos of the current flooded Environmental Boardwalk, and how it should look without damage from the beavers. He noted that the beavers had left for a month or two, and after speaking with Amy Schweitzer of the DEP, it was determined that December would be the optimal month for trapping, if necessary. He suggested several options: 1. Hire a trapper, although it is not the right season and a trapping permit would not be issued by the DEP; 2. Build a Beaver Baffle – he designed a mechanism with wire mesh and piping that will be supplied by the DEP. The Commissioners discussed various materials and options for installation of a beaver device; the use of a Commissioner’s boat and/or canoe was necessary. They discussed their plan of action and would be in contact to schedule a date to determine water depth, extent of the dam, and other factors needed prior to installation of a “beaver baffle”.

Bear Education Presentation – September 22, 2014: Doris Aaronson requested that the representatives from the Health Board, the Lakes Committee, and other civic clubs be contacted regarding the upcoming Bear education presentation, which will take place on September 22, 2014 at 7:00 at the West Milford Town Hall.

ATV Use - Township Trails: Chairman Sangle commented that with regard to ATV use, he wanted to see recreation for the youth without harming the environment, disrupting neighboring property owners, and without being a liability for the Township. He requested Councilman Lou Signorino to provide an update on this matter. Councilman Signorino responded that he did not have anything specifically prepared for this meeting, but noted that there has been damage to certain properties, including the Wallisch site, and he believed that there should be a designated site where ATV use may occur. Chairman Sangle observed that if it was in a controlled environment, run by a private company and no liability to the Township, that it could work. It was noted that oil and gas leaking from the vehicles could be an environmental issue. Gary Oppenheimer noted that in the woods near Echo Lake, there was concern since the ATV’s rutted the roads so badly that they could not bring in fire equipment. Bob Jonas stated that the NY/NJ Trail Conference maintains over 2000 miles of trails, of which he and his wife maintain trails that encompass 200 miles, and they have continually had problems with ATV users. He noted that signs are not effective, and although some may follow the rules, others tear up the trails with no regard for others who want to use them. Councilwoman Carlla Horton commented that she was seeking more information on this matter and her mind was currently open on the subject, although she noted that the Township’s insurance provider was not covering the Township with liability

for an ATV site. The Commissioners discussed the matter and several voiced their concerns regarding the environment. All concurred that it was an issue that required further discussion, research and solutions that would continue beyond this meeting.

Request for completion of “Environmental Survey”: The Commission needed further time to review the request and to determine if it was a valid request for information.

Autumn Lights Festival: Tim Dalton requested the Autumn Lights registration form be sent to him and Jennifer Easterbrook in preparation for the festival.

Annual Report to the Township Council – Chairman Sangle advised that he and Alternate Member Jennifer Easterbrook would be presenting the Annual Report to the Township Council at the August 20, 2014 Council meeting. The Secretary would notify the Township Administrator to put this matter on the agenda.

New Township Library: Chairman Sangle requested a copy of the new Library site plan for review by the Commission, and Doug Ott noted that he would try to obtain a copy.

MINUTES

The Minutes for April 7, 2014 Environmental Commission meeting were **unanimously approved** on a **motion** by Tim Dalton, with a **second** by Andrew Abdul with a minor typo noted.

CORRESPONDENCE RECEIVED:

The following correspondence was reviewed by the Environmental Commission and filed:

Highlands Water Protection And Planning Act Correspondence

1. Application for a Highlands Applicability Determination, dated July 11, 2014, submitted to the NJDEP by Houser Engineering LLC, regarding Greenwood Lake Marine Supply/538 Lakeside Road LLC, Block 3610; Lot 30, Greenwood Lake Tpk., for the redevelopment of existing gravel parking lot to provide a mixed use building including boating supply retail and boat maintenance. Parking areas are provided in both front and rear, stormwater control is located beneath the front parking lot, the building will be served by a private well and a subsurface disposal system including an aerobic treatment system.

NJ Department Of Environmental Protection Correspondence

1. Freshwater Wetlands GP #10A and Flood Hazard Area Permit Application, dated July 2, 2014, received from Maser Consulting on behalf of Passaic County Engineering Dept. regarding the Marshall Hill Road Culvert 1600-282 for the expansion of the existing pavement and replacement of the existing culvert.

2. Dam Application Permit #1469, dated July 9, 2014, received from NJDEP for Vacamas Programs for Youth, regarding the Henion Pond Dam, NJDEP Dam File #22-18, for removal of the spillway, install a new spillway and culvert, and protect the existing right side of the embankment from overtopping flows and raise the left side of the embankment. The Henion Pond Dam is located across a tributary of the Pequannock River.

3. No further Action Covenant Not To Sue notice received from the NJDEP, dated July 21, 2014, regarding the removal of a 550 gallon #2 Heating Oil UGST at 77 High Crest Drive, Block 12901; Lot 43.

4. Freshwater Wetlands Letter of Interpretation – Line Verification, dated July 16, 2014, received from the NJDEP regarding James and Linda Antonucci for Block 101; Lot 29, Cherry Ridge Road, advising that the subject site’s wetlands are of Exceptional Resource Value and requires a transition area adjacent to the wetlands of 150 feet.

5. Freshwater Wetlands General Permit #10A for a Minor Road Crossing, and Freshwater Wetlands Transition Area Waiver Averaging Plan, dated July 16, 2014, with an expiration date of July 15, 2019,

received from the NJDEP for James and Linda Antonucci, regarding Block 101; Lot 29, authorizing the disturbance of 4,341 sq ft of freshwater wetlands transition area for the construction of a driveway, as well as a modification of the transition area for a proposed dwelling.

6. Copy of an application for a NJDEP General Permit #8 regarding the proposed construction of a 494 sq. ft. garage on 280 Weaver Road, Block 12402; Lot 5.

Miscellaneous Correspondence Received/Sent

1. Notice from the Township of Hardyston dated June 27, 2014, advising that the Planning Board has adopted a resolution on May 22, 2014 approving the 2014 Master Plan Re-examination Report pursuant to N.J.S.A. 40:55D-89, specifically with respect to the provisions of the NJ Highlands Water Protection and Planning Act (N.J.S.A. 13:20-1 et seq.) and municipal conformance with the Highlands Regional Master Plan and other provisions and recommendations of the Township of Hardyston, and recommending the Highlands Checklist Ordinance, Highlands Preservation Area Exemption Ordinance, and certain other land use ordinance amendments.

2. Final Report of Compliance, dated 07-01-14, received from the Hudson Essex Passaic Soil Conservation District, regarding Schwartz – Oak Ridge Road Associates Parking Lot Improvements, Block 15901; Lot 1, 209 Oak Ridge Road.

3. Notice from Jefferson Township regarding the adoption of the following ordinances: Ordinance #2-14 Establishing Chapter 370 Of The Jefferson Township Municipal Code Entitled “Riparian Zones” For The Purpose Of Establishing Riparian Zones Within The Township Of Jefferson And Regulating The Use Thereof; Ordinance #3-14 Establishing Chapter 417 Of The Jefferson Township Municipal Code Entitled Steep Slopes; Ordinance #4-14 Amending Chapter 436 Of The Jefferson Township Municipal Code Entitled “Subsurface Sewage Disposal System Management.”

4. Notice from the Township of Jefferson, dated July 21, 2014, advising of a First Reading of the following: Ordinance #16-14, Ordinance Establishing A Redevelopment Plan For Certain Properties Located Along Route 15 In The Township Of Jefferson, And Amending Ordinance Number 14-11, Establishing The Redevelopment Area –3 Zoning District (RA-3), By Adding The Properties Included In This Ordinance To The RA-3 Zone. Chapter 490 Of The Land Development Code Of The Township Of Jefferson Is Amended To Include The Properties In This Ordinance In The RA-3 Zone; And Amending Chapter 490-8, The Zoning Map.

5. HEPSCD certification of a soil erosion and sediment control plan, dated June 27, 2014, regarding the West Milford Public Library, 1470 Union Valley Road, Block 7903; Lot 13, 14, certifying the plan for 3.5 years.

6. HEPSCD certification of a soil erosion and sediment control plan, dated June 2, 2014, regarding the Salt Storage Project at 30 Lycosky Drive, Block 6002; Lot 28.01, certifying the plan for 3.5 years.

7. Correspondence dated July 24, 2014 from Passaic County Planning Department regarding the proposed West Milford Library, Block 7903; Lots 13 – 16, 1470 Union Valley Road, advising of the following that is needed for review prior to consideration of unconditional site plan approval: Deed for road widening for 33 feet from the centerline of Union Valley Road, in addition to Title Policy, Affidavit of Consideration and NJ Form GIT3; Revised road profile for southern driveway with no more of a 2% grade for the first 25 feet from the back of the sidewalk with a revised waiver request; Revised plans for southern driveway that will use a dropped curb with raised sidewalk and apron for pedestrian access; ROW access permit required for the southern driveway. Required permits and bond amounts will be sent once unconditional approval is granted.

8. Copy of West Milford Zoning Permit Approval #ZP-07-14-0226, dated 07-29-14, for 538 Lakeside Road LLC regarding proposed boat storage on existing gravel site with installation of a privacy fence along the property frontage, subject to the following conditions: prior to any work commencing on the site, the owner is required to obtain approval from the West Milford Planning Board, Passaic County Planning Board, and receive a Highlands Determination.

9. Pequannock Post, Volume 19, Issue 4, August 2014.

10. Resolution from Vernon Township, dated 07-28-14, advising of a request for Federal and/or State funds to address the single lane underpass on Canistear Road.

PUBLIC COMMENTS

Doris Aaronson commented that the Environmental Commission and Chairman Stephen Sangle should be nominated for the Governor's Environmental Excellence Award.

ADJOURNMENT

With no further business to come before the Environmental Commission, the August 4, 2014 meeting was **adjourned** at **10:21 p.m.** on a **motion** by Tim Dalton and a **second** by Douglas Ott.

Approved: January 5, 2015

Respectfully submitted,

Tonya E. Cubby, Secretary