

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

September 8, 2014

The September 8, 2014 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:37 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Andrew Abdul (7:40), Tim Dalton, Douglas Ott, Thomas Tamayne, Alternate 1 Jennifer Easterbrook, Alternate 2 Lucas Slott, Chairman Stephen Sangle.

Absent: Gary Oppenheimer, Don Weise.

Also Present: Ron Farr, Bob Jonas, Dave Ofshinsky.

Chairman Stephen Sangle requested Luke Slott and Jennifer Easterbrook to sit in for the absent Commissioners, and advised that a quorum was present to conduct this meeting.

PRESENTATIONS: None.

APPLICATIONS FOR REVIEW

FREDERICK'S FUEL & HEATING SERVICE

Use and Bulk Variances #ZB-10-13-09

Block 16001; Lot 6

Route 23; HC Zone

Seeking: Use and Bulk Variance approvals for the construction of a 12' x 24' x 25' high billboard on a lot with an existing 12' x 24' billboard, with use variance required for location of a billboard within 1/2 mile of an existing sign, and bulk variances required for lot area, lot frontage, and lot depth.

The Commission briefly reviewed the application from Frederick's Fuel regarding Use and Bulk Variances for an off site billboard sign. The Commission acknowledged that this application was primarily a zoning issue.

JENNIFER HUBBINGER

Bulk Variance #ZB 05-14-04

Block 13101; Lot 13

308 High Crest Dr.; LR Zone

Seeking: Bulk Variance approvals for the construction of an in-ground pool, installation of a 6' fence, and re-location of a shed to the front yard for a lot that has frontage on two streets.

Following a review of the documents for the above referenced bulk variance application, the Commission suggested that the applicant try to reduce impervious surface, but expressed no other environmental concerns.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP Green Comm. \$3000.00 Grant for Community Forestry Management Plan - Ron Farr, forestry consultant for the Township of West Milford, advised that there were no updates with regard to the CFNP other than his anticipated attendance at the September 17, 2014 Township Council meeting.

NJDEP NNL Reforestation Grant - \$620,197.00: Ron Farr advised the Environmental Commission that he had sent the forest cover figures to the Sustainable Subcommittee for the Sustainable Jersey Re-certification. With regard to RFPs (Request For Proposals) for the NNL Grant Reforestation Project, Mr. Farr maintained that his goal was to have them prepared for review at the next Commission meeting in October. Chairman Sangle suggested that Mr. Farr meet with the Reforestation Subcommittee before the next Commission meeting. Chairman Sangle advised that he and Commissioner Tom Tamayne met with Barbara Francisco and the head of maintenance of the Board of Education regarding paving at the Maple Road Environmental Center, and discussed a proposal to plant trees on the BOE property. The Business Administrator was very receptive to the concept, and was excited to have the schools become a

part of the project both as an educational tool and from an environmental standpoint. Chairman Sangle noted that he wanted to continue the good relationship with the Board of Education since it benefits the students, but also that open communications is a benefit to the entire community. The Commission would keep her updated as plans and proposals become more evident.

Bob Jonas, NY/NJ Trail Conference, commented that Lisa Simms with the NJ Shade Tree Foundation might be able to assist with the tree planting. Chairman Sangle referred to a recent email concerning the Wallisch Property and invasive species affecting some of the plants and shrubs. Mr. Farr noted that the NNL grant only provided for the planting of trees, not plants or shrubs, but a grant may be available after the trees have all been planted. Dave Ofshinsky, a member of the Friends of Wallisch, was present to address the Commission about invasive species at the Wallisch site. Commissioner Tom Tamayne suggested that he leave his information and he would contact him about attending upcoming meetings on the reforestation project.

Trails Master Plan - Commissioner Tim Dalton reported that he had another round of information for the database, and he needs to spend some time inputting and updating the Trails Master Plan database.

ON GOING BUSINESS

Lakes Committee - Commissioner Andy Abdul reported that no meeting was held during the past August for the Lakes Committee.

Greenwood Lake Commission - Mr. Abdul had no report for the Commission regarding the Greenwood Lake Bi-State Commission.

Open Space Committee - Chairman Sangle advised that there was nothing new to report on Open Space at this time. He assumes that the negotiations regarding the Weaver Road property were ongoing. He commented that the Mayor did a good job getting grants and funding for the purchase of the property.

Environmental Contamination Issues - Tom Tamayne reported that he received 7 copies of documents from the Health Dept. including a No Further Action Letter and a small gasoline spill. Chairman Sangle reported that he and Mr. Tamayne had met with the B.O.E. to discuss cleaning products used in the schools, and they were advised that the school district uses all “green” products. During the meeting, they also discussed the disposal of paint cans and cleaning products. He suggested that their environmentally conscious procedures might help with getting additional Sustainable Jersey points.

A resident at the meeting inquired whether someone was monitoring the phosphate levels at the end of Stainsby Road, and Chairman Sangle responded that the Environmental Commission and the Greenwood Lake Commission were trying to get funding for another round of testing on Belchers Creek to compare the test results that were obtained 7 years prior during a baseline testing initiative. The resident noted that the levels were high in one area and a silt collection unit was installed. He wondered who was monitoring the unit. Chairman Sangle noted that the unit was installed under a grant project with Princeton Hydro, and he requested that an email be sent to Dr. Fred Lubnow to inquire if they received any results from the unit. The resident also inquired about a spill by Schoolhouse Deli in the Upper Greenwood Lake section of the Township, and the Chairman noted that the NJDEP is required to provide the Township with information on environmental issues, permits and applications. The resident then inquired about recent bear killings since bears are part of the environment, and Chairman Sangle advised that the Commission has no information on this matter, and the resident was advised to check with the police for further information.

Green Team–Sustainable Subcommittee - Jennifer Easterbrook reported that the pamphlet printing would be completed by September 11, 2014, and she reviewed the draft with the Commission. She showed an ad about the “Buy Fresh Buy Local” campaign that she intends to display as a poster at the Autumn Lights Festival (ALF). Ms. Easterbrook noted that another submission was due to Sustainable Jersey in September, adding that the Township currently has 255 points, but 350 are needed for Silver level certification. She will review the revisions and comments when she receives them from Sustainable Jersey. Tim Dalton and Tom Tamayne requested itemized copies of the utility invoices from the West

Milford Museum for the recent energy efficient renovations that were completed at the site. The Commission's Secretary will obtain them from the Finance Office.

NEW OR CURRENT BUSINESS

Annual Report to the Township Council - Chairman Sangle advised that he and Jennifer Easterbrook provided the Annual Report to the Township Council on August 20, 2015. They discussed planting trees at Town Hall, Veterans Park, and other municipal buildings. He noted that Doris Aaronson had wanted the "Emerald Forest" to be included in the planting scheme, but the ownership of the tract is not clear at this time. Ron Farr commented that the tract off Union Valley Road was listed as being owned by the Passaic River Coalition – he will check with the NJDEP on this. Chairman Sangle noted that the CFMP has to be approved and submitted prior to the NNL Reforestation project actually getting under way based on the requirements outlined by the NJDEP Forestry Division.

2015 Environmental Commission Meeting Dates - Following a review, **motion** by Chairman Steven Sangle, with a **second** by Tom Tamayne, to approve the meeting dates for 2015. The motion was approved by unanimous consent.

Beaver Dam at Environmental Boardwalk - Bob Jonas reported that the beavers had rebuilt the dam, and the water is slightly over the flashboard that he installed. He noted that we have not had much rain and there is still an issue. Mr. Jonas suggested that he would contact the D.P.W. about hiring a trapper to trap the beavers in December, although it was not a good option. The alternative would be to continue to clear the dam area daily, or construct a baffle composed of a cylindrical cage with piping. Tom Tamayne commented about a trapezoid that the Chairman had suggested, but beavers might burrow under it, and it may be a problem to install. The Commission discussed various methods for constructing a device to inhibit the beavers and keep the water levels from flooding the environmental boardwalk. Various pipe lengths and wire gauges were debated, and costs for materials were requested. Chairman Sangle suggested that the Commissioners could assist with contributions for the materials. With regard to aesthetics, he noted that it was secondary to constructing a device that is effective.

Bear Education Presentation – Chairman Sangle reported that a Bear Education program was scheduled for September 22, 2015 at the West Milford Town Hall. The program will include a video and a representative from the NJDEP. This event was to be coordinated by Doris Aaronson and several others. Andy Abdul noted that he would be attending the presentation.

2014 Governor's Environmental Excellence Award Nominations - The Township Council requested that the Environmental Commission and Chairman Stephen Sangle be nominated for the 2014 Governor's Environmental Excellence Award. The Commission's Secretary must complete the detailed nomination application and will meet with Tim Dalton and Chairman Stephen Sangle the following day to compile the information required for the nomination.

NJ Shade Tree Conference – October 24 & 25, 2014 - With regard to the upcoming Shade Tree Conference, Tim Dalton has offered to attend with one of the DPW personnel. The Secretary was requested to send a memo to the Township Administrator for approval. It was noted that Kirk Bakker from Public Works, had offered to attend, and was available on October 24, 2014. Mr. Dalton suggested that one of the Commissioners should attend the ANJEC Conference on Friday, October 24th, if he is attending the Shade Tree Conference.

Request for completion of "Environmental Survey" - The Commissioners reviewed the request and determined that this was not a research project that they could be involved with at this time.

Chairman Sangle requested that the Secretary contact Dr. Fred Lubnow of Princeton Hydro for a completed copy of the 319H and the 604b grant projects.

Autumn Lights Festival - Tim Dalton reported that the organizer for Autumn Lights would like the Commission to use the grassy farm across from Pinecliff Lake for a Green Fest in 2015. He noted that all the plans are moving along for the event. Jennifer Easterbrook commented that she has invasive species literature to distribute at Autumn Lights.

MINUTES

The Minutes for May 5, 2014 Environmental Commission meeting were **unanimously approved** on a **motion** by Tim Dalton, with a **second** by Chairman Stephen Sangle.

CORRESPONDENCE RECEIVED:

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

1. Highlands Exemption #4, WQMP–Not Addressed, dated August 5, 2014, received for the West Milford Salt Storage Project, Lycosky Drive, Block 6002; Lot 28.

NJ Department Of Environmental Protection Correspondence

1. No Further Action - Covenant Not To Sue notice received from the NJDEP, dated August 12, 2014, regarding the removal of a 550 gallon #2 Heating Oil UGST at 61 Cherry Ridge Road, Block 17201; Lot 19.

2. Application for a Freshwater Wetlands GP#25, dated August 12, 2014, received from Houser Engineering regarding 28 Louis Avenue, Block 6604; Lot 21, for the repair of an existing septic system.

3. Flood Hazard Area Applicability Determination, dated August 5, 2014, received from the NJDEP for the Living Word Alliance Church, 93 Lake Shore Drive, Block 2701; Lot 25 and Block 2705; Lot 4, regarding a septic alteration and building renovation, indicating that a general permit and flood hazard area individual permit are not required.

4. Draft Surface Water Renewal Permit Action for Sanitary Wastewater, dated July 23, 2014, received from the NJDEP for the Reflection Lakes Garden Apartments STP, 1177 Union Valley Road, Block 7702, Lot 9.

5. Notice dated September 2, 2014 from McKittrick Engineering advising of a re-application for a Treatment Works Approval regarding World For Christ Crusade (Bethel Ranch), located at 1005 Union Valley Road, Block 7701; Lots 11 & 12, for the construction of a septic system for a facility that generate more than 2000 gallons of effluent per day to service the kitchen and dining facility, as well as a residential structure.

6. Notice dated September 2, 2014 from McKittrick Engineering advising of a re-application for a Treatment Works Approval regarding 60 Lake Park Terrace, Block 4202; Lots 7 & 8, for the construction of a septic system to service a re-constructed dwelling, with no expansion or change in use, but which will not be in conformance with N.J.A.C. 7:9A et seq., specifically the site water table is less than two feet from the surface.

Miscellaneous Correspondence Received/Sent

1. NJ Shade Tree Foundation Seminar – Planting the Right Tree in the Right Place Post Superstorm Sandy, 09/26/14, Passaic County Public Safety Academy, 300 Ham Road, Wayne, NJ, 8:30-11 a.m., RSVP required.

2. Memo dated August 11, 2014 from the WM Environmental Commission, advising that the Trails Master Plan has been approved by the Commission following a public meeting on August 4, 2014, and requesting that the document be forwarded to the Township Council for review and approval.

3. Notice from the NJDOT, dated August 1, 2014, regarding the proposed replacement of the Route 23 Bridge over the Pequannock River, and advising that the Township is entitled to participate in the Section 106 Process with regard to historic resources in the area that may be affected by the project.

4. HEPSCD certification of the soil erosion and sediment control plan, dated July 7, 2014, regarding Battle Creek Paintball, 625 Macopin Road, Block 13501; Lot 2.

5. Resolution No. 2014 – 273 of the Township of West Milford authorizing the release of a cash bond posted by Sun Young Joo as a performance bond for Major Soil Removal/Fill Permit #PB-05-12-05-A at 55 Green Terrace Way, Block 10402; Lot 12.

6. Resolution No. 2014 – 266 of the Township of West Milford authorizing the reduction of a cash performance bond for Oak Ridge Associates, LLC at 209 Oak Ridge Road, Block 15901; Lot 1, retaining \$15,000. to complete required landscaping, and subject to the posting of a \$10,164.23 maintenance bond.
7. 2014 Woodland Stewards Program, October 16 – 19, 2014 at YMCA Camp, Sandyston, NJ. Limited space - registration required by October 6, 2014.
8. Correspondence from the County of Passaic Planning Board, dated August 26, 2014, regarding the proposed West Milford Public Library, 1470 Union Valley Road, Block 7903; Lot 13, advising that a deed for road widening (for 33 feet from the centerline of Union Valley Road), a Title Policy, Affidavit of Consideration, and NJ GIT3 form must be received before the plan will be considered for unconditional approval.

PUBLIC COMMENTS

Dave Ofshinsky, member of the M.U.A. and resident with a home on Belcher's Creek near the M.U.A. plant, commented to the Commission that the M.U.A. was trying to address any problems or issues that may be related to their sewer plants and are willing to work together with the Environmental Commission with any concerns that may exist, adding that he would like to see further testing of Belcher's Creek. He noted that the M.U.A.'s issues are also Township issues. Chairman Sangle advised that if the Commission received funding for testing, they would share the results with the M.U.A. Mr. Ofshinsky offered to share any results they may have with regard to monitoring reports. Chairman Sangle acknowledged that the community does not live in a vacuum, and when things break down, they have to be fixed. He did not feel that problems were from just one source, but a combination of factors including septic, geese, stormwater, etc. Commissioner Tom Tamayne requested that the M.U.A. share any testing results with the Commission. Mr. Ofshinsky said that he had spoken to Dave Hollowell regarding the Crescent Park plant because his readings were higher than the M.U.A.'s results. Mr. Ofshinsky observed that after Hurricane Irene there were issues, and higher readings were prevalent. Chairman Sangle stated that he had advised Dave Hollowell to contact the M.U.A. He stressed that "cooperation and education is the way to go." Luke Slott inquired about the high ammonia levels discovered in the streams near the Community Garden and down from the Crescent Park treatment plant, and Mr. Ofshinsky responded that they were high on July 1, 2014, but a second testing did not have levels that exceeded the acceptable standard. He noted that the NJDEP monitors the waterways surrounding the treatment plants and there are certain daily limits, monthly limits, etc. Chairman Sangle suggested that weather events should be documented, including rainfall, etc. Mr. Ofshinsky was not sure if they include weather events in the testing analysis, but said that they use AGRA Lab.

Chairman Sangle thanked Mr. Ofshinsky for attending this meeting and sharing the information with the Commission. He observed that there has been a lot of cooperation between the various volunteer groups in the Township. He also commented that he was glad to see a committee being formed for exploring a possible site for a privately owned ATV park in the Township and hoped there were solutions on the horizon.

Mr. Slott commented that there was a student at Ramapo College doing research on the impact of trees downed by Hurricane Sandy.

ADJOURNMENT

With no further business to come before the Environmental Commission, the August 4, 2014 meeting was **adjourned** at **8:57 p.m.** on a **motion** by Douglas Ott and a **second** by Tim Dalton.

Approved: March 9, 2015

Respectfully submitted,

Tonya E. Cubby, Secretary