

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**November 7, 2016**

The November 7, 2016 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:31 p.m. with a reading of the Legal Notice.

**ROLL CALL**

**Present:** Andrew Abdul (7:46), Tim Dalton, Douglas Ott, Jim Rogers, Thomas Tamayne, Alt. #1 Dave Ofshinsky (7:43), Alt. #2 Clinton Smith, Chairman Stephen Sangle.

**Absent:** Don Weise.

Chairman Sangle requested Clinton Smith to sit in for Don Weise and advised that there was a quorum for this meeting.

**GRANT MANAGEMENT AND STATUS REVIEW**

**NJDEP NNL \$620,197.00 Reforestation Grant Project:** An update on the recent bids was provided by Ron Farr, Forestry Consultant. Mr. Farr advised that he had been in contact with members of the Forestry Committee and the contractor who was awarded the bid for the reforestation project, Fullerton Grounds Maintenance, to revise the planting schedule. He reported that the school plantings will occur next Fall 2017, and the Town Hall complex, Library and Museum were tentatively scheduled for the Spring 2017. The ownership for Brown's Point (Passaic County) needed to be confirmed, as well as Hillcrest (Board of Education). Commissioner Clint Smith inquired if clear cutting of vines and brush was permitted under the grant, and Mr. Farr advised that clearing is not part of the budget nor the grant. Mr. Farr reviewed some of the additional sites that are part of the planting scheme including Mt. Laurel, PAL Center, Wallisch Farmstead, SandCap, Westbrook Teen Center, Greenwood Lake Tpk., Warwicks Tpk., Farrel Field, CYO Field, Nosenzo Pond Park, Bubbling Springs, Camp Hope and Apple Acres. For the Spring planting, Mr. Farr reported that the cut-off is May, and anything remaining will have to wait until the Fall. Chairman Sangle inquired about the irrigation for the plantings, and Mr. Farr explained the various methods for irrigating landscaping, including "tree gator" bags that are attached to the trees and are filled with sufficient water for a week. Chairman Sangle inquired if monthly meetings were required with the contractor, and the Mr. Farr advised that he would have a meeting with the contractor prior to his ordering the planting material, but another should not be required before the Spring. Commissioner Tim Dalton suggested that the contractor and the people in charge of the sites should work together. Mr. Farr observed that one of the main concerns was the underground power lines at the Town Hall site, but they have since been installed. He noted that the project is approximately 20 trees short, but they will continue to work on getting all the trees located. Chairman Sangle suggested that the contractor be invited to one of the Environmental Commission meetings over the winter. He inquired whether the NJDEP will count the trees once they have been planted, and Mr. Farr responded that a map will have to be used to indicate all the sites and the NJDEP will inspect the trees after 2 years to determine how many survived. Mr. Dalton commented that the Forestry Committee may want to meet and photograph the sites while the weather is still good. Following the update on the Reforestation project, Mr. Farr left the meeting.

**PRESENTATIONS** - None.

**APPLICATIONS FOR REVIEW**

**JAMES & MARY DYKES**

**Bulk Variance #ZB-10-16-20**

Block 4003; Lot 2

200 Long Pond Road; LR Zone

**Seeking:** Bulk Variance approval from the Board of Adjustment for the construction of second story additions to an existing single family residence with bulk variances required for lot coverage where 10% is required, 18% exists, and 25% is proposed, rear yard setback where 60 ft is required, 34.5 ft exists, and 31.31 and 11.5 ft is proposed.

The applicant was present at the meeting to discuss their application with the Environmental Commission. The Commission noted that there were no provisions for containing stormwater run-off. Mr. Dykes advised that every area that they have proposed for the additions have already been paved and are impervious. He noted that most of the runoff appears to go into the ground and into the lake. Commissioner Tom Tamayne inquired if the drainage is being changed since the plans indicate a drop curb and Mr. Dykes advised that the drainage had to be addressed due to water issues during past storms. The Commission reviewed the plans with the applicant and suggested that he consider rain barrels or seepage pits for the stormwater run-off. Mr. Dykes noted that there was not much run-off from their house and that the water doesn't drain down the way it appears on the plans. He stated that he had installed railroad ties to prevent water draining unto other Awosting properties. The Commission inquired if there would be any additional lighting, and Mr. Dykes replied that no new lighting was proposed other than that which currently existed, adding that there were no neighbors between his property and the lake. Chairman Sangle advised Mr. Dykes that the Commission's main concern was that no stormwater runoff was created that would affect adjacent properties. The Commission reiterated their suggestion that rain barrels be installed for capturing the rain water and to be used for irrigation of landscaping.

### **LOUIS & DENISE PALMINTERI**

#### **Bulk Variance #ZB-08-16-17**

Block 9710; Lot 15

98 Morris Avenue, R-1 Zone

**Seeking:** Bulk Variance approval from the Board of Adjustment for the construction of a 2.5 story 846 s.f. addition to an existing single family residence to include new garages, master bedroom & bath, laundry room, and playroom. Bulk variances required for side yard setback where 25 feet is required, 44.6 feet is existing, and 15.8 feet is proposed, as well as building coverage where 10% is required, 9.1% exists, and 14.2% is proposed.

The Commission commented that a site plan and topographical map was not included with the proposed variance map for review. Following a review of the proposed addition, the Commission advised that the information on the architectural plans, survey and application with regard to calculations do not appear to agree. The Commission inquired where the run-off would be directed to and they suggested that the applicant consider installing rain barrels for stormwater run-off that can be utilized for landscaping irrigation.

### **ON GOING BUSINESS**

**Shade Tree Commission:** Tim Dalton advised that he had nothing new to report at this time.

**Lakes Committee:** Commissioner Andy Abdul reported that he could not attend the recent Lakes Committee meeting.

**Greenwood Lake Bi-State Commission:** Mr. Abdul reported that the Bi-State Commission had a nice presentation by the WMMUA, and Belchers Creek was discussed as well. Commissioner Clint Smith advised that the GWL drawdown was the main topic at the meeting, and it may be stopped due to the unusually dry weather. With regard to stump removal and floating island removal, Mr. Smith advised that a number of the floating islands were removed. He noted that they rise up in the heat of the day and go below the water surface in the evening, making them dangerous similar to an iceberg. He observed that the floating islands were more of a concern than the tree stumps since the stumps are stationary. The Commission discussed various issues with regard to Greenwood Lake, and Mr. Smith noted that a lot of progress has been made on the lake with regard to its overall health. He opined that the catch basins that were installed with filters have helped a lot in this regard. One of the drawbacks is that the GWL Commission has not been funded and must rely on grants for funds. The Commission requested Mr. Smith to attend the Lakes Committee meetings each month and report back to the Commission.

**Open Space Committee:** Chairman Sangle read correspondence from Linda Glosinski of the Land Conservancy regarding a proposed subdivision of property by the NJ Conservation Foundation. Tim Dalton explained the proposal to connect trails off of White Road and Warwick Tpk. in which it appears that a minor subdivision may be required.

**Environmental Contamination Issues:** Tom Tamayne reported that he received three notices for Highcrest properties for UST removals, as well as a notice for Shop Rite for improper removal of a UST.

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

**Autumn Lights:** Chairman Sangle thanked all those who represented the Environmental Commission at the recent Autumn Lights Festival.

**Belchers Creek Testing Project:** Andy Abdul brought control solution to the meeting to be used for the testing of samples from Belchers Creek. He reported that it is a higher concentration and it should reveal results from the samples taken. Commissioner Jim Rogers reported that he and Commissioner Doug Ott went to Belchers Creek at the same location they tested previously, and there was no water at the site due to the GWL drawdown. Mr. Ott observed that he and Mr. Roger would go out again in a few weeks and attempt another sampling. Chairman Sangle reviewed the sites that should be tested including GWL, Crescent Park, and Pinecliff Lake. He noted that Don Weise should be requested to take samples at Stowaway, before Pinecliff Lake Dam, and after the Pinecliff Lake Dam. He observed that the samples should be more concentrated with the drought that was in effect.

### **NEW OR CURRENT BUSINESS**

**Environmental Boardwalk – Return of the Beavers:** The Commission discussed the return of the beavers at the Environmental Boardwalk. Chairman Sangle reported that Bob Jonas tried to remove the dam away from the boardwalk, but it has become too large of a project for him to maintain. The Commission discussed leaving the beavers alone, but they agreed that the boardwalk would be destroyed. The Commission discussed various options including trapping the beavers, building another boardwalk over the existing, and putting the existing boardwalk on floats. Following discussion, the Commission suggested that a memo be sent to the Administrator and copy the DPW to request assistance with maintaining the boardwalk and addressing the beaver issue.

**Highlands Greenway:** Jim Rogers reported that he attended a meeting in Wanaque on the proposed Rail Trail and there were maps on display with aerial views of the proposed trails. Tim Dalton also attended and noted that there would be 5 stages of the trail which will conclude in Greenwood Lake. The Commission discussed various issues with the project, and it was noted that it was in the early planning stages, and 5 years was not unreasonable for it to come to fruition.

### **MINUTES**

The Environmental Commission Minutes of October 3, 2016 were **unanimously approved** on a motion by Tom Tamayne and a **second** by Jim Rogers.

**CORRESPONDENCE RECEIVED:** *The following correspondence items were reviewed by the Commission and filed:*

**Highlands Water Protection and Planning Act Correspondence** – None.

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

1. Response Action Outcome notification received from Viridian Environmental Consultants regarding the West Milford Shop Rite, 23 Marshall Hill Road, Block 6303; Lot 15, ID # 162692, with reference to the Area of Concern#1 – Soil impacted by discharge from transformers and no other area, advising that the remediation has been completed in compliance with Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C).
2. Suspected Hazardous Substance Discharge Notice – NJDEP Case # 16-10-17-1819-18 received from the NJDEP, dated October 18, 2016, regarding Selling Precision, 264 Marshall Hill Road, Block 6002; Lot 27, for improper removal of an underground storage tank from the site approximately 20 years ago, with soil contamination suspected.
3. Suspected Hazardous Substance Discharge Notice – NJDEP Case # 16-10-14-1440-45 received from the NJDEP, dated October 15, 2016, regarding 366 High Crest Drive, Block 13102; Lot 12, for the removal of one 330 gallon #2 heating oil above ground tank, with weeping, removal and clean up pending.

4. Suspected Hazardous Substance Discharge Notice – NJDEP Case # 16-10-14-0941-04 received from the NJDEP, dated October 15, 2016, regarding 370 High Crest Drive, Block 13102; Lot 13, for the removal of one 550 gallon #2 heating oil underground tank, with clean up pending.
5. Suspected Hazardous Substance Discharge Notice – NJDEP Case # 16-10-06-1015-54 received from the NJDEP, dated October 7, 2016, regarding 8 Upper High Crest Drive, Block 13103; Lot 6, for the removal of one 550 gallon #2 heating oil underground tank, with clean up pending.
6. Warning Letter from the NJDEP Bureau of Coastal and Land Use Compliance and Enforcement, dated September 29, 2016, to the New Jersey Conservation Foundation, regarding Tranquility Ridge County Park, Block 4502; Lot 4, advising that activities have taken place at the site that require a Highlands Preservation Area approval or Forest Management Plan approval. Activities included chemical or mechanical tree girdling with a disturbance of 15 acres of upland forest, with 1 acre in the Highlands open water buffer, conducted in connection with the golden winged warbler and timber rattlesnake enhancement project. Since the activities involve more than one-quarter acre of disturbance in the Highlands Preservation Area, application is to be made to the Division of Land Use Regulation for a Highlands Preservation Area Approval and/or Forest Management Plan from the Division of Parks & Forestry.
7. NJDEP Dam Permit, dated September 27, 2016 (Permit #1521) for Kerry Green, 267 Wooley Road, Block 9901; Lot 27.01 regarding the decommissioning of the Green Valley Front Lake Dam including, but not limited to a permanent breach opening structure; subject dam is located on an unnamed tributary to Belcher Creek.
8. Correspondence from the NJDEP Office of Dam Safety and Flood Control, dated October 17, 2016, to Passaic County Engineering regarding the Apshawa Main Dam (File #22-1) and Apshawa Auxilliary Dam (File #22-314) advising that the inspection report found the dams to be in Satisfactory Condition with no repairs or maintenance necessary, with the next inspection to be performed by August 16, 2018, and a recommendation that low level outlet valves should be operated two to four times a year to prevent siltation of the inlet and to ensure operability of the valves.
9. Treatment Works Approval Notification received from Houser Engineering, dated October 28, 2016, regarding Brown's Point Lake Services LLC, 1975 Greenwood Lake Tpk., Block 3610; Lot 26 for the construction of an on-site Wastewater Treatment and Disposal System alteration at the site.

#### **Miscellaneous Correspondence Received/Sent**

1. HEPSCD certification, dated September 1, 2016, received for Coppola West Brook Single Family Dwelling, 939 West Brook Road, Block 4801; Lot 32.
2. HEPSCD certification, dated September 14, 2016, received for Passaic County Hewitt State Forest Parking Area & Demolition of 1753 House at 22 Warwick Tpk, Block 2902; Lot 3.
3. HEPSCD certification, dated October 6, 2016, received for Grace Fellowship Church – Maintenance Garage for property at 37 Stephens Road, Block 9801; Lot 1.
4. HEPSCD certification, dated October 4, 2016, received for Twins Realty Group - Northeast Concrete – Revised per Planning Board Resolution Compliance, for property at 937 Burnt Meadow Road, Block 6002; Lot 39.01, and Block 3906; Lots 9 & 10.
5. HEPSCD certification, dated October 7, 2016, received for Battle Creek Paintball Site Restoration for property at 625 Macopin Road, Block 13501; Lots 2 & 3.

**PUBLIC COMMENTS** – None.

#### **ADJOURNMENT**

With no further business to come before the Environmental Commission, the November 7, 2016 meeting was **adjourned** at **9:05 p.m.** on a **motion** by Tim Dalton and a **second** by Dave Ofshinsky.

Approved: December 12, 2016

Respectfully submitted,

Tonya E. Cubby, Secretary