

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

FEBRUARY 4, 2013

The February 4, 2013 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 (7:45), Douglas Ott, Thomas Tamayne, Don Weise, *Vacancy*, Alternates Timothy Dalton, Lucas Slott, Chairman Stephen Sangle.
Absent: Gary Oppenheimer.

Chairman Stephen Sangle advised that a quorum was present to conduct this meeting. Alternates Tim Dalton and Luke Slott were requested to sit in for the vacancies.

Chairman Sangle advised that he made a recent recommendation to Mayor Bieri that Ron Farr, a certified forester, be considered for appointment to the Environmental Commission. He noted that Ron was a former member and is a certified forester, and had worked with the Commission and former staff on several projects. Chairman Sangle stated that the goal was to acquire qualified people to fill vacant positions on the Commission.

PRESENTATIONS

Don Weise advised that Ben Burton was scheduled to attend this meeting, but due to a conflict, must re-schedule to another Commission meeting.

APPLICATIONS FOR REVIEW

**NEW YORK SMSA d/b/a VERIZON WIRELESS
Use & Bulk Variances, Preliminary & Final Site Plan, Interpretation – Wireless
Telecommunications - ZB-12-12-12**

Block 4701; Lot 61

750 Westbrook Road; R-4 Zone

Environmental and Community Impact Statement – The Commission reviewed the Environmental Impact Statement and made the following comments:

- The Commission concurred that this project did not seem to represent measurable environmental impact on the large tract of land where it will be situated, additionally noting that there were no bodies of water or wetlands at the location of the proposed tower.
- The Commission discussed the cell phone service that is lost for a large portion of Westbrook Road and noted the tower would help in maintaining service through the valley.
- The Commission requested that the applicant consider using a camouflage material at the top of the tower as indicated in the ECIS Appendix A, Z-5 plan entitled Compound Plan and Monopole Elevation prepared by Dewberry, dated 10/15/12.
- The Commission discussed the location of the tower to the property boundaries and the property owner's residence, and determined that the location would not be a concern as neither were in the vicinity of the tower and equipment shelter.
- Chairman Stephen Sangle requested that the applicant provide information regarding the signal strength with the proposed 120 ft tower and whether it will eliminate the need for numerous smaller cell towers in order to provide adequate service to the area.

McDONALD'S CORPORATION

Use & Bulk Variances, Preliminary & Final Site Plan #ZB-11-11-14

Block 6303; Lot 14 & 15

41 Marshall Hill Road; CC Zone

Landscape Architect Report 01-17-13, Dynamic Engineering Report 01-11-13 – The Commission had no comment regarding the reports. Chairman Sangle requested the Secretary to contact Dr. Fred Lubnow to inquire if the proposed landscaping for the new McDonald's would have any impact on the 319(h) stormwater grant projects.

GRANT MANAGEMENT AND STATUS REVIEW

2007 Stormwater Implementation 319H Grant: There was no update from Dr. Fred Lubnow since his last attendance at the Commission meeting in January and a follow up email report. He will be scheduled to attend the March 4, 2013 meeting.

Recreational Trails Signage Grant: Don Weise reported that we were waiting on the Township's DPW for the sign installation at specific trail crossings, and Chairman Sangle requested that he contact Gerry Storms directly to advise of the locations for the signage and request an update on the installation of the signs. Doug Ott commented that someone should make sure they are installed in the correct locations and have the right footings.

2010 ANJEC Smart Growth Planning Grant-Trails Master Plan: Doug Ott reported that Joanna Slagle of Banisch Associates has the information from former GIS Specialist Rob Sparkes' computer regarding the trails in the Township, and it will be combined with the Trails Conference maps. The contract for her professional services has been approved by the Township Council and she has begun working with the data.

ON GOING BUSINESS

Lakes Committee: Andy Abdul reported that David Sires of the Township's Recycling Center was guest speaker at the Lakes Committee meeting to discuss recycling in the Township. He also noted that the Lakes Committee was in contact with Allied Biological regarding plant removal from the lakes. The Commission discussed recycling of materials and noted that Shop Rite's recycling container for plastic bags is always full, and suggested that Inserra be contacted to provide more or larger containers for plastic bags.

Open Space Subcommittee: Doug Ott reported that the Passaic River Coalition recently purchased property in Rockburn, after it was reviewed by the Land Conservancy and determined to be overpriced for open space acquisition. Chairman Sangle noted that it could still be used for trails, but that it was another property off the tax rolls. There was a discussion regarding the Land Conservancy and a Commissioner inquired why the Township is paying for the services of a land broker when there were no properties that the Township intended to purchase. Mr. Ott noted that the Land Conservancy performs other functions necessary to the Township open space matters, and that there may be properties included for consideration in the near future.

Environmental Contamination Issues: Tom Tamayne reported that he did not have any success in speaking to the new Health officer. Doris Aaronson, resident and Health Board member, commented that she would speak to him, but noted that he was only in the office two days a week, with no set schedule. Chairman Sangle commented that the Commission needed to know whether or not he would be able to assist in this matter.

Green Team–Sustainable Jersey: Tom Tamayne advised that there hasn't been a Green Team meeting for several months, so he had no update at this time.

Tennessee Gas Pipeline: Luke Slott reported that there was a recent protest by several environmental activists regarding the TGP project, but the project will not be re-evaluated by the NJDEP and was scheduled to begin January 28, 2013. The Commission discussed the progression of the pipeline project, and Mr. Slott commented that they might tunnel under the reservoir during the summer. Several Commissioners observed that they want to be there when the drilling under the reservoir occurs, and TGP representatives had advised that training would be necessary prior to their being permitted at the site during the drilling process. Chairman Sangle requested Luke Slott and Gary Oppenheimer to contact TGP representatives to advise that the Commission is still interested in being on site for the reservoir drilling.

NEW BUSINESS

Apple Valley Estates - Green Acres - ROSI – The Commission reviewed the R.O.S.I. (Recreation & Open Space Inventory) that had been provided to them from the Land Conservancy, which had been revised to include the recently acquired Apple Valley Estates site. The Commission commented that the open space properties could be differentiated on the map by using various colors to signify ownership (i.e. County, Township, State). The Secretary noted that she had provided the ROSI to Chuck McGroarty, Planning Board and Township Planner for review and comment.

Braemar at West Milford, LLC – Doug Ott reported that several Commissioners met at the Wooley Road/Virginia Lane site to review the potential for trail connections in the conservation easement of the Braemar at West Milford subdivision. Tim Dalton noted that the subdivision was on the top of the hill and they went on the side near the wetlands, and he observed that there would be no intrusion on the homeowners if the easement was used for access to trails. He commented that he was curious about the conservation easement, but discovered that it was not a formal trail. Doug Ott advised that the owner, Ralph Loveys, was also willing to meet with the Commission to walk the exact easement. Richard Randazzo, Wooley Road, addressed the Commission with a brief explanation of the approved subdivision. He noted that there are steep slope areas and access to the conservation easement would be through his property, which he did not want open to the public. He would permit the Planning Board and Environmental Commission to access through his property only for evaluation purposes. Doug Ott advised Mr. Randazzo that the easement was not supposed to be a hiking trail, but an easement for possible access to trails. Mr. Randazzo responded that a 15-foot wide access area would not be feasible with the swampland that is prevalent in the area. Mr. Ott noted that the easement is on the final subdivision map, but it is not a destination trail, and he explained that the Commission requested trail easements to be included in subdivisions to allow access for the public to travel through neighborhoods. Chairman Sangle commented that he has a conservation easement on the rear of his property, but that it is mainly on paper, and the intent is mainly to allow access through various developed areas.

2011–12 Annual Environmental Commission Report to Township Council: Chairman Stephen Sangle requested that information regarding some of the Commission’s projects be prepared into a brief report that he will present at the February 20, 2013 Township Council meeting. The Commission has the option of providing an annual written report to the governing body or an oral report, and Chairman Sangle preferred to provide a report in person.

Wildlife Guardians Project – Montclair University – The Commission discussed inviting the graduate student involved with this project to the next Commission meeting on March 4, 2013 to discuss the project and provide information on how the Commission can assist in getting volunteers for the surveying. The Commission also suggested that the information be put on the Township Website for the public.

Weis Ecology Center – Don Weise reported that a meeting was held recently to show support for the Weise Ecology Center and to discuss ways that it could remain open to the public. He noted that the meeting was attended by more than 100 people, but ultimately the decision was made to close the center, adding that several groups are investigating the possibility of purchasing it and re-opening it to the public in order to continue the educational programs.

MINUTES

The Minutes of the November 26, 2013 Regular Meeting of the West Milford Environmental Commission were **unanimously approved** on a **motion** by Thomas Tamayne and a **second** by Douglas Ott.

The following correspondence was received and reviewed by the Commission prior to filing:

CORRESPONDENCE RECEIVED

Highlands Water Protection And Planning Act Correspondence

1. Notice of Administrative Completeness dated January 3, 2013 for a Highlands Applicability Determination and Water Quality Management Plan Consistency Determination received for Verizon Wireless–Ringwood 4, regarding a proposed wireless telecommunication facility for property belonging to Jack Levkovitz, Block 4701; Lot 61, 750 Westbrook Road.
2. Notice of Technical Incompleteness dated January 15, 2013 for a Highlands Applicability and Water Quality Management Plan Consistency Determination received for John Vitale of Twins Realty Group, regarding a proposed site plan for Burnt Meadow Road, Block 3906; Lots 9 & 10 and Block 6002; Lot 39.01.
3. Highlands Exemption #2, WQMP – Consistent, dated January 16, 2013 received for Donald and Kathleen Davies, Rockburn Pass, Block 5003; Lot 9 for the construction of a 5-bedroom single family home on 6.84 acres.
4. Notification from the Highlands Council dated January 3, 2013 approving the Township of West Milford’s request for Plan Conformance Grant Agreement Modifications and acknowledging the Township’s decision to take the “checklist –Ordinance” approach to plan conformance.

NJ Department of Environmental Protection Correspondence

1. Notice of an application dated January 4, 2013 for a Treatment Works Approval application received from Houser Engineering LLC regarding World for Christ Crusade Inc., 1005 Union Valley Road, Block 7701; Lot 11 for the construction of an on-site wastewater treatment and disposal system.
2. Private Portable Well Water Analysis dated December 17, 2012 received for GPS Enterprises (Old School Pub) located at 551 Warwick Tpk., Block 703; Lot 3, advising that water from this well is acceptable for drinking and other domestic uses.
3. Copy of an application for a GP 25 received January 28, 2013 for Janel Gallucci, 22 Banker Road, Block 1101; Lot 24 regarding an alteration of a septic disposal system with no change in use.

Miscellaneous Correspondence Received/Sent

1. ANJEC Report Winter 2013 received January 29, 2013.
2. Notice from Rutgers New Jersey Agricultural Experiment Station regarding Continuing Professional Education Courses: Environmental Audits & Assessments - 02-26 & 27-13, Underground Storage Tanks Regulatory Training – 03-05-13, Ecological Risk Assessment – 03-18 & 19-13.
3. Notice of Public Meetings for Passaic County Parks Recreation and Open Space Master Plan received January 11, 2013.
4. Notice from the County of Passaic Department of Economic Development regarding Passaic Brownfields Meeting on January 16, 2013 at 3:00 at the Totowa Business Complex, featuring Anthony Bianchini of CPG regarding “A Sustainable Remedy for the Lower Passaic.”
5. Memo dated January 11, 2013 from the Environmental Commission to the Township Administrator and Township Council requesting consideration of adoption of a resolution supporting sustainable NJ state funding for the preservation and stewardship of open space, parks, farmland and historic sites in New Jersey.

PUBLIC COMMENTS

Doris Aaronson, Bearfort Road, reported on several matters:

1. Weis Ecology Center – she noted that the Passaic River Coalition was forming a transition team with the Trails Conference and several other organizations in an attempt to keep the various educational programs preserved. Ms. Aaronson also reported that she has contacted several college students for assistance in getting volunteers to become involved with the environmental education at the Center.
2. With regard to the recent County Open Space Master Plan meeting, Mr. Aaronson was in attendance and advised them that the County needed to include passive recreation. She reported that Councilwoman Ada Erik, who also attended the County meeting, requested more horse trails. Don Weise noted that he was recently informed that Sussex County is compiling a trails plan for horses.
3. Ms. Aaronson emphasized that the Township must attract ecotourism, and requested that Passaic County make the Tichenor House site, on the bottom of Warwick Tpk., into a senior park.
4. Ms. Aaronson reported that the Passaic River Coalition did not receive the grant that they applied for regarding the Emerald Trail off of Union Valley Road on the former “Stanford Village” Tract. They may apply for an NJDEP grant for the project.
5. Ms. Aaronson invited members of the Commission to an upcoming Democratic Party meeting to speak with Representatives Betty DeCroce and Jay Webber, and suggested that the Newark Watershed water tax should be a topic of discussion.

ADJOURNMENT

With no further business to come before the Commission, the meeting was adjourned at **9:22 p.m.** on a motion by Lucas Slott and a second by Timothy Dalton.

Approved: May 6, 2013

Respectfully submitted,

Tonya E. Cubby, Secretary