

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

February 4, 2019

The February 4, 2019 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:00 pm with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton (7:07), David Ofshinsky, Douglas Ott, Jim Rogers, Thomas Tamayne, Chairman Stephen Sangle, Clinton Smith (Alt #1), Douglas Trainor (Alt #2).

Absent: Don Weise.

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

PRESENTATIONS/GUESTS – Dr. Michael Sebetich – Belcher’s Creek Studies –

Chairman Sangle welcomed Dr. Sebetich to the Commission’s meeting and noted that the Commission was interested in the study that he performed in 2009 as a result of testing on the Belcher’s Creek corridor. The Commission apprised him of a macroinvertebrate study completed in 2001 – 2003 and it was suggested by Dr. Sebetich that this study would assist Princeton Hydro with their Watershed Implementation Plan for GWL. Dr. Sebetich proceeded with a review of some of the findings of his studies, and discussed the lake’s eutrophication, which has increased along with development since the original dam was built in 1836. In addition, he noted that more phosphorous has entered the water from septic systems, fertilizers and detergents. He proposed that the eutrophication should be decreased, with the sewers/septics eliminating the excess phosphorous, although as long as there are septic systems, there will be seepage into the water. Commissioner Doug Trainor advised Dr. Sebetich that the Commission had been testing along the Belcher Creek corridor to determine if there were any hot spots that could be identified. He noted the ongoing issues that were occurring in Bald Eagle Village, and Dr. Sebetich was doubtful that the “self-maintained” system that was proposed for the Bald Eagle Village more than 20 years ago would be effective. One of the Commissioners noted that some of the streams have a high water quality, and Dr. Sebetich observed that the streams that flow through the woods are filtered, although there may be a lot of nitrogen and phosphorous present. With regard to the upcoming study by Princeton Hydro on the GWL Watershed Implementation Plan (WIP), he surmised that they will determine that the phosphorous load must be decreased. Chairman Sangle advised that Phase I will include completion of the studies, and it is anticipated that Phase II will incorporate funding of \$500,000. to implement the corrective measures that will be identified in the studies. The Commission updated Dr. Sebetich on the funding/grants that the GWLC has received for GWL. Dr. Sebetich reviewed some of the methodology that he would recommend including leaching of the sewer systems and sediment traps in the storm sewers to filter the phosphorous. He also suggested removal of several feet of muck and vegetation debris that has accumulated along Belchers Creek. He advised that dredging and clearing vegetation from the stream may be counterproductive since the vegetation helps to filter the water heading down to GWL and helps with the health of the stream, although removal of sediment near the mouth of the lake may not be detrimental. He suggested that this [Belchers Creek Cleanup and Recreation] project be brought up with Princeton Hydro so that they can include the Commission’s perspective in their assessment. With regard to the upcoming study by Princeton Hydro, he suggested that

the Commission request the scope of work, and that they identify who will do the analysis and conduct the measurements. The Commission continued their discussion with Dr. Sebetich and prior to leaving the meeting, he was requested to attend the March 4, 2019 Commission meeting which will include representatives from Princeton Hydro, the GWLC, and the Highlands Council.

APPLICATIONS FOR REVIEW

PATRICIA MAYO

Bulk Variance # ZB-12-18-13

Block 1807; Lot 10

19 Magnolia Road; LR Zone

Seeking: Bulk Variance approval for a detached garage, with variance approval requested for maximum building coverage, where 3% (260.67 sf) is required for a detached garage, and 5.52% (480 sf) is proposed.

Following a review of the application for a Bulk Variance for Patricia Mayo, Block 1807; Lot 10, on 19 Magnolia Rd., the Commission suggested that the applicant consider installing rain barrels to address the additional stormwater runoff from the increased building coverage.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan: Tim Dalton reported that he has been unable to coordinate the information with the DPW Director and is concerned about the February 15, 2019 annual report due date. He will contact Brian McDonald at the NJDEP to inquire about an extension, but stressed that the information that needs to be addressed in the CFMP annual report will be in preparation for the Township's participation in the Tree City USA program. The Secretary will confirm that the Shade Tree Commission annual dues are paid.

Greenwood Lake Bi-State Commission: Clint Smith reported that the GWL Commission is anticipating receipt of \$500,000. In funding for GWL, but no one that he has contacted on the State level has been able to provide an answer with regard to how the funds will be disbursed. The Commission briefly discussed the matter. Chairman Sangle commented on the method that he assumed the monies would be dispensed, and Commissioner Tom Tamayne remarked that the items that must be addressed will be prioritized for funding.

Lakes Committee / Lake Management Planning: Commissioner Jim Rogers reported that the next Lakes Committee meeting will be held on March 18, 2019. He advised the Commission that the Lakes Committee plans to move forward on the Lake Management Plan and anticipate receiving funds from the Highlands Council for a planning study. The data that is required will be compiled in the next several months. Mr. Rogers will advise the Lakes Committee about the GWL Commission anticipated receipt of the \$500,000. funding. Commissioner Tim Dalton noted that there is a national lake association for private lakes, and Mr. Rogers remarked that the Lakes Committee is aware of a State private lakes organization.

Open Space Committee: Chairman Sangle discussed a recent news article that reported on a 44 acre open space acquisition acquired for preservation with Highlands Council funds, and expressed dismay that the Highlands representatives did not inform the Commission of this when they were at an Environmental Commission meeting in the Fall. Commissioner Tom Tamayne suggested that the preservation intent may be for the protection of the water quality for a trout stream on the site.

Environmental Contamination Issues: Commissioner Tom Tamayne reported on the environmental contamination notices that he received from the Planning Office, as well as from the Health Dept.

Belchers Creek Testing Project: The Commissioners concurred that the Belchers Creek testing is suspended due to the winter weather conditions.

Green Team–Sustainability Committee: Commissioner Tim Dalton reported that he has made a call to the High School Green Team in an attempt to arrange coordination of efforts for Sustainable Jersey certification. He will report back to the Commission once contact has been made.

NEW OR CURRENT BUSINESS

Open Space Acquisition by Highlands Council – See above under Open Space Committee.

Amphibian Crossing – The Commissioners were apprised of the upcoming Amphibian Crossing and were provided the link for access - allegra.mitchell@conservewildlifenj.org - from the Passaic County Watershed Ambassador Hannah Wolfe.

Greenways Concept – Commissioner Dave Ofshinsky briefly commented on a “greenways concept” that was discussed by Chris Garcia with the Economic Development Committee, and noted that the proposal was focused more on tourism. He suggested that Mr. Garcia be invited to attend the Commission meeting in April.

MINUTES

The minutes from the January 7, 2019 regular meeting of the West Milford Environmental Commission were **approved** by the Commissioners who were present at the meeting on a **motion** by Jim Rogers with a **second** by Tim Dalton.

CORRESPONDENCE RECEIVED

The following correspondence items were reviewed:

Highlands Water Protection and Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. Public Notification & Outreach correspondence, dated 12/26/18, received from Sunbeam Consultant, regarding Happy Landing Marina, 871 East Shore Road, Block 4401; Lot 1, PI#260825 advising of an environmental investigation/remediation at the subject site.

2. Freshwater Wetlands Warning Notice received from the NJDEP, dated November 2, 2018, regarding 151 Lincoln Avenue, Block 6403; Lot 1.01, advising of unauthorized activities within a freshwater wetlands transition area, specifically the placement of 400 s.f of impervious cover within a wetlands transition area for a foundation for a garage, and the placement of fill material within 600 s.f. of a wetlands transition area in the form of quarry process for a temporary road; necessary permits are required.

3. No Further Action letter received from the NJDEP, dated January 4, 2019, regarding the removal of one 550 gal #2 H.O. UST for 2 Lakeside Road, Block 3509; Lot 16.

4. Correspondence from the NJDEP – Division of Parks & Forestry, dated December 14, 2018, advising that the NNL Reforestation Grant #FS14-019 has expired and the grant agreement has been cancelled. Any unused funds remaining from the reforestation grant

may be available for future reforestation projects through the NJ Urban & Community Forestry Stewardship Program.

5. Suspected Hazardous Discharge notice received from the NJDEP, dated December 27, 2018, regarding Block 5901; Lot 9, 31 Mountain Circle North, with respect to removal of one 550 gallon UST, with clean up pending.
6. Suspected Hazardous Discharge notice received from the NJDEP, dated January 4, 2019, regarding Block 9302; Lot 1, Starlight Road, with respect to unknown green liquid material coating the bottom surface of the Nosenzo Pond.
7. Notification of a Remedial Action Report and Groundwater Remedial Action Permit Application, dated December 26, 2018, received from Envirotrac regarding the Former Getty Station #56009, 2048 Rt. 23 N, Block 14104; Lot 2.
8. Notice of a 30 Day Extension to Pending Application for a Flood Hazard Area Individual Permit #FHA180001 received from the NJDEP, dated December 21, 2018, regarding Upper Greenwood Lake Property Owners Association, Block 2901; Lot 1.
9. Public Notification & Outreach correspondence, dated 12/26/18, received from Sunbeam Consultant, regarding Happy Landing Marina, 871 East Shore Road, Block 4401; Lot 1, PI#260825 advising of an environmental investigation/remediation at the subject site.
10. Freshwater Wetlands Warning Notice received from the NJDEP, dated November 2, 2018, regarding 151 Lincoln Avenue, Block 6403; Lot 1.01, advising of unauthorized activities within a freshwater wetlands transition area, specifically the placement of 400 s.f of impervious cover within a wetlands transition area for a foundation for a garage, and the placement of fill material within 600 s.f. of a wetlands transition area in the form of quarry process for a temporary road; necessary permits are required.
11. No Further Action letter received from the NJDEP, dated January 4, 2019, regarding the removal of one 550 gal #2 H.O. UST for 2 Lakeside Road, Block 3509; Lot 16.
12. Copy of an application for a General Permit #8 to the NJDEP from Eastern States Environmental Associates Inc., dated December 21, 2018, regarding the construction of a detached garage for Michael Darmstatter, 151 Lincoln Avenue, Block 6403; Lot 1.01.
13. Correspondence from Synergy Environmental Inc., dated January 21, 2019, requesting information regarding West Milford's current and potential groundwater use with regard to Lakeside Amoco, 2 Lakeside Drive, Block 3509; Lot 16, NJDEP PI#012599.
14. No Further Action correspondence received from the NJDEP, dated January 24, 2019, regarding the removal of one 1000 gal #2 H.O. UST for 1038 Westbrook Road, Block 5009; Lot 17.
15. Notification from PSE&G, dated January 10, 2019, advising of an application to be submitted to NJDEP for a flood Hazard Area Individual Permit for the Maintenance of Existing Natural Gas Transmission Mains within the PSE&G Natural Gas Transmission System.
16. Correspondence from the NJDEP Division of Dam Safety & Flood Control, dated January 23, 2019, advising that the Dam Safety Report for Gordon Lakes Dam, NJ Dam File # 22-74, finds the dam in satisfactory condition with recommended maintenance to be undertaken without further approval of the division.
17. NJDEP FHA Individual Permit, FHA Verification, and FW Transition Area Reduction Waiver, dated January 9, 2019, received for Lakeland Bank, 250 Oak Ridge Road, Block 16502; Lot 3 regarding the proposed disturbance of 850 f of transition area for the reconfiguration and expansion of an existing parking area.

18. Freshwater Wetlands Letter of Interpretation: Line Verification, dated January 4, 2019, received for Lakeland Bank, 250 Oak Ridge Road, Block 16502; Lot 3, regarding the state open waters and/or freshwater wetlands on the referenced property.

19. NJDEP Dam Permit No. 1560, dated December 13, 2018, received for Bald Eagle Village, 1 Beacon Hill Road, Block 7801, granting permission to repair the Pettet Pond Dam including clearing the dam embankment of trees and woody vegetation, re-grading the downstream embankment, raising the concrete spillway wingwalls, repairing deteriorated portions of the concrete spillway structure and replacing the low level outlet

Miscellaneous Correspondence

1. Copy of Messenger news article regarding Highlands Council purchase of 44 acres in West Milford Township for preservation.
2. ANJEC Newsletter.
3. New Jersey Forestry Association Annual Meeting & Member Program, New Jersey's Aging Forests: Consequences & Remedies, March 16, 2019, 8:30 am, Rutgers Cook Campus, registration required.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the February 4, 2019 regular meeting was **adjourned** at 9:30 p.m. on a **motion** by Jim Rogers and a **second** by Dave Ofshinsky.

Approved: March 4, 2019

Respectfully submitted by

Tonya E. Cubby, Secretary