

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

FEBRUARY 7, 2011

The regular meeting of February 7, 2011 of the Environmental Commission of the Township of West Milford was called to order at 7:34p.m. by Chairman Stephen Sangle, following the reading of the Legal Notice.

ROLL CALL: Present: Andrew Abdul, Gary Oppenheimer, Douglas Ott, Thomas Tamayne, Alternates Maryellen Gabay, Lucas Slott, and Chairman Stephen Sangle.
Absent: Timothy Metcalf, Gillian Hemstead.

PRESENTATIONS

Tennessee Gas Pipeline – 300 Line and Northeast Upgrade Projects - Dan Gredvig, Tom Sullivan, Jerry Creole, Michael Lennon

Dan Gredvig from the Permitting Office with Tennessee Gas Pipeline addressed the Environmental Commission regarding their request for reviews and updates on the 300 Line Project and the Northeast Upgrade Project. With regard to the NE Project, he advised that it is in the pre-filing stage and upon completion of the certificate process, the construction will begin. He provided some history on the pipeline, noting that the original pipeline had been installed in 1955, and stated that as more customers were added, more loops were constructed, parallel to the existing pipeline. He noted that there were some gaps in the loops and the 300 Line Project closed some of the gaps in the looping system. He provided copies of maps for the Commission to review. Mr. Gredvig explained that the Northeast Expansion consisted of 147 miles, with 37.1 miles in New Jersey. With regard to why the TGP company did the project in segments, he said that it basically came down to customers and TGP can only supply for the customers that exist. More customers meant more space needed on the pipeline to service them. He advised that the original pipeline crosses Monksville Reservoir now, and the NE Project was separated from the 300 Line Project due to the extensive permitting that is necessary to go through the reservoir. A Commissioner inquired how close to the bottom of the reservoir is the existing pipeline and Jerry Creole, Project Manager, replied that it is underground, and he provided a detailed explanation of the drilling process that is planned for the NE Upgrade construction. Gary Oppenheimer inquired whether additional customers in a few years will necessitate TGP returning for more construction, and Mr. Gredvig replied that he could not answer that, but TGP could only service customers that have contracted with them, adding that at this time, there are no new customers looking for increased capacity. He also explained why a larger pipeline could not be built and detailed the compression system that is employed, with molecules being compressed initially at stations along the pipeline and then expanded in the pipeline. Mr. Creole advised that there are two pipelines, 30 inch and 24 inch, from Pennsylvania to Mahwah, New Jersey. He observed that compression is a better solution than construction of another pipeline, and less costly for all involved. With regard to the total pipeline length, Mr. Gredvig advised that it consisted of 40,000 miles of pipeline.

Tom Tamayne inquired about the existing pipeline capacity compared to the capacity available with compression. Mr. Gredvig and Mr. Creole advised that there are complex hydraulic calculations involved and attempted to explain the use of compression. They both agreed that the impact on the environment will be lessened by the use of compression than by installation of new pipeline. Mr. Gredvig and Mr. Sullivan advised that they would attempt to get answers to Mr. Tamayne's inquiries. The TGP officials reviewed several other matters with the Commission, including safety measures, monitoring and maintenance, repair procedures, drilling process, and removal of trees for construction. They also discussed the plan that had been approved for tree removal and the reclamation plan approved by FERC. Luke Slott inquired about the wetlands in the Jungle Habitat property, and Mr. Gredvig explained that through the regulations and permitting process, there cannot be a net loss of wetlands and the site must be returned to the original state following construction.

The Commission also expressed concern about adverse effects on Greenwood Lake, and requested that when crossing Belchers Creek that TGP contractors try to keep silt from entering the creek. Mr. Creole suggested that they may create a dry crossing, but may also install silt fencing. With regard to the

odorant that is used to detect gas leaks, it was noted that the substation at the Marshall Hill site has been a problem, and that the scent is very apparent when driving past the site. The TGP officials will notify the operator of the site.

In closing their review of the projects, Mr. Creole advised that they hoped to begin work next year on the NE Upgrade Project, with filing expected in March 2011. A draft Environmental Assessment may be ready in September 2011. After the TGP has formally filed, there will be a review. Chairman Sangle inquired about the possible purchase of "Greenbelt" property for wetlands mitigation exchange, and Mr. Gredvig noted that he would consider the properties. Jerry Creole reviewed the list with the Commission of the items that he needs to provide answers on, including the construction schedule, possible leaks at the Marshall Hill Substation, enhanced filtration for Belchers Creek, the tree replanting plan along the construction route, how much capacity is supplied with compressed gas, and consideration of "greenbelt" properties for mitigation sites. The TGP officials thanked the Commission for their time and interest before leaving the meeting.

APPLICATIONS

TARA & BRIAN FROMMELT

Bulk Variance ZB-11-10-13

Block 7001; Lot 5

41 Edgecomb Road; R-2 Zone

Seeking: A Bulk Variance for a front yard setback, where required is 75ft., existing is 46ft., and proposed is 44ft. for installation of a covered porch.

The Commission reviewed the Frommelt Bulk Variance application and advised that they had no environmental concerns regarding the plan.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

604(b) OWTS Grant; 2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: Chairman Sangle reported that it was his understanding that the Engineer (Princeton Hydro) and contractor were waiting until the Spring to complete the projects.

Streetscape Grant: Chairman Sangle reported that there may be some movement in this project and the Commission concurred that the Township should concentrate on specific areas including a sidewalk from Shop Rite to Lincoln Hill Village, Presbyterian Church to Walgreens. They also agreed that it would be optimal to have one continuous flow of sidewalks and streetscape improvements. Doug Ott reported that the Shop Rite officials attended a Planning Board meeting the week prior to this and were granted a one-year extension for site plan approval.

Recreational Trails Signage Grant: Doug Ott advised that he had not spoken recently to Bob Jonas of the New York/New Jersey Trails Conference, but understood that there were additional kiosks to be installed as part of this grant project.

2010 Smart Growth Planning Grant - Trails Master Plan: Mr. Ott reported that George White was the consultant hired for the project and the Township Administrator was coordinating this as part of the grant administration. Luke Slott volunteered for the Trails Master Plan Committee and said that he would try to contact George White and Kevin Boyle regarding the grant's status. Chairman Sangle expressed concern that there not be any overlapping of work on the plan, and that time is not spent re-creating work that is already available. He was also concerned about deadlines that must be met as part of the grant agreement. Gary Oppenheimer suggested that Luke contact Don Weisse of the Trails Conference.

ON GOING BUSINESS

Lakes Committee: Andy Abdul reported that he was not at the last meeting but provided a copy of the minutes for the Commission to review. Several of the topics that were discussed were amendment of the ordinance for waterfowl feeding and land activities for properties that belong to Lake Associations.

Open Space Subcommittee: Mr. Ott had nothing new to report except that a meeting has been proposed to include the Administrator, Recreation Director, NJ Land Conservancy representative, the Land Use Administrator and Open Space Committee. Chairman Sangle commented about the possibility of TGP purchasing one of the greenbelt properties.

Environmental Contamination Issues: Tom Tamayne reported on the format developed with the Health Officer for reporting contamination issues in the Township. He went through the identified properties to get their status with regard to contamination, and will email a copy of the updates to the Commission periodically. He also reported that he would meet with the Health Officer before each Commission meeting.

With regard to an Apple Valley Estates matter that had been brought to the Commission's attention, Doug Ott reported that he had met with the resident who alleged that dumping of shale and fill had occurred on the site near the Belcher's Creek, and he also investigated the site. He advised that the shale brought to the site was for the purpose of drilling a well, and this occurred approximately 25 years ago. The Secretary was requested to send a memo to the Administrator and Council advising of Mr. Ott's findings.

Green Team – Sustainable Jersey: Gary Oppenheimer had nothing new to report and did not attend the last meeting of the Green Team. Chairman Sangle advised that Renee Alessio had contacted him about the vehicle inventory and energy audit and needed the information from these audits for the Sustainable Jersey certification program. He also commented that Paterson is due to receive their Sustainable Jersey certification in the very near future and with the work that West Milford has done over the years, it is somewhat discouraging that we are still not certified.

Beaver Dam at Environmental Boardwalk: No update at this time.

NEW BUSINESS

Annual Report to Township Council: Chairman Sangle reported that he presented the Annual Report to Governing Body on February 2, 2011 and that it seemed to be well received. Luke Slott commented that he was surprised to learn of one Councilman's interest in having a solar or wind farm on the Jungle Habitat property. The Commission commented about the need for sufficient wind velocity and that West Milford may not meet the requirements.

ANJEC 2011 Smart Growth Planning Grants: Potential Projects – Chairman Sangle had requested the Commission provide some projects that could be used to apply for the ANJEC grant. A Commissioner suggested that the Green Design Building at the Recycling Center was an optimal project as much of the planning and documentation had been completed for the Walmart Grant that the Township did not receive. Among some of the other suggestions include: Natural Resource or Habitat Protection Ordinances; Green Design and Site Plan Standards for Commercial and Residential Bldgs.; Groundwater, Septic Capacity or Build-out Study; Farmland Preservation Plan; Planning For Local Food Protection. Gary Oppenheimer commented that there was a movement to get community gardens in schools to teach environmental and agricultural practices. The Secretary was directed to send a memo to the Township Council listing the Commission's suggestions.

On another matter, Maryellen Gabay advised that one of the local Boy Scouts had been assisting Rob Sparkes with official documentation of the storm drains for the stormwater management plan and inquired whether we had any information on this matter. The Secretary was requested to review the files for information on this project as a letter from the Township is required.

The Commission discussed the need for GIS services. Mr. Oppenheimer commented that ANJEC provides overlays and the Commission can produce its own maps. Doug Ott commented that the Township has their Planner working on the Master Plan and mapping.

Luke Slott reported on an Environmental Commission conference with ANJEC that he, Tom Tamayne and Gary Oppenheimer were planning to attend on March 5, 2011 in Summit. He also reported that he would be attending an ANJEC Workshop on February 10, 2011.

MINUTES

The minutes of the November 1, 2010 Regular Meeting of the West Milford Environmental Commission were approved on a motion by Chairman Stephen Sangle and a second by Gary Oppenheimer.

The Following Documents Were Reviewed By The Environmental Commission And Filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Letter from the Highlands Council dated January 19, 2011 regarding the Township of West Milford's Draft Consistency Review and Recommendation Report - Petition for Plan Conformance, acknowledging that West Milford has waived the formal municipal response period and noting the hearing on February 17, 2011 at the Highlands Office.
2. Highlands Applicability and Water Quality Management Plan Consistency Determination Application - Notice of Administrative Completeness, dated January 10, 2011, received for Shoe Box Storage, LLC, Michael Vander Ploeg, Paul Street, Block 16005; Lot 16.
3. No Further Action – Covenant Not To Sue – dated January 10, 2011, received for Bob Drozd, 48 Belford Drive, Block 2603; Lot 23, regarding removal of a 550 gallon #2 Heating Oil Underground Storage Tank.
4. Copy of a letter from the NJ DEP, dated January 21, 2011, regarding the Pinecliff Lake Dam (NJDEP Dam File No. 22-47) and their receipt of the 2010 Regular Inspection Report, finding that the dam was in satisfactory condition with minor repairs and maintenance items recommended, and maintenance to be completed within six months from the date of the letter following receipt of the appropriate permit, and also advising that the next inspection report was due within two years of the submitted report per N.J.A.C.7:20-1.11 c.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Copy of an Application for a Letter of Interpretation and Line Verification dated January 5, 2011, received for Brookside Development regarding Block 5301; Lots 5 & 6, Union Valley Road.
2. Copy of a Warning Letter from the NJ DEP, dated December 22, 2010, to the Passaic County Freeholder Director, regarding a possible violation of the Flood Hazard Area Control Act and unauthorized land use at the Apshawa Preserve with the installation of a fence across the Apshawa Brook at several locations, and advising that permit information be obtained.
3. Notice from the NJ DEP dated December 20, 2010 regarding the Private Potable Well Water Analysis in the vicinity of the Fredericks Fuel & Heating Service Site, 225 Oak Ridge Road, advising that the results of samples taken on 02-24-10 for Volatile Organics show that no compound/elements exceed Standards, and that the water taken for the wells are acceptable for drinking water purposes.
4. Notice from the NJ DEP dated December 29, 2010 regarding the Forest Hill Park Dam 2010 Dam Safety Inspection Report, advising that a review of the inspection report and records find the dam to be in Satisfactory Condition with minor repairs and maintenance necessary, and noting that the Bureau of Dam Safety & Flood Control concurs with the findings.
5. Notice of an Application for a Freshwater Wetlands GP #25 for Richard Goodman, 315 Wooley Road, Block 9602; Lot 2.03 for the repair of an existing septic system.

CORRESPONDENCE

1. Letter dated January 10, 2011 from the Passaic County Planning Board granting Site Plan Approval for Jack Jaust, Block 16005; Lot 12, 96 Oak Ridge Road, noting that the applicant will require a County ROW Access Permit prior to relocation of the proposed driveway.
2. Notice and application from ANJEC (Association of New Jersey Environmental Commissions) regarding the 2011 Sustainable Land Use Planning Grants for Municipalities in the amount of up to \$15,000. for Matching Grants. Deadline for applications is March 31, 2011.
3. Memo from the Township Administrator, dated January 18, 2011, providing an update of the Streetscape Project, advising that the conceptual plans have been revised and will be reviewed by Passaic County prior to a pre-bid meeting in February, with bids slated to be received in March 2011. In addition, copy of a letter to Passaic County Engineer transmitting the original conceptual plans for re-review on January 7, 2011, with attachments of previous correspondence.

4. Certification of the soil erosion sediment and control plan, dated December 10, 2010, received from the HEPSCD for Wasyluk Morsetown SFD – Demo and Rebuild, Block 4701; Lot 13, 166 Morsetown Road.
5. Certification of the soil erosion sediment and control plan, dated January 6, 2011, received from the HEPSCD for Renzland Residence - Demo and Rebuild at 900 Burnt Meadow Road, Block 4601; Lot 16.
6. Letters from the Passaic County Planning Department, dated January 25, 2011, regarding the Minor Subdivisions for Brookside Development, LLC, Block 14601; Lots 5 and 6 respectively, Union Valley Road, finding that the revised plans submitted to Passaic County on October 20, 2010 are approved in that they will not affect any County facilities, and advising that prior to installation of the driveways being constructed, the applicant will apply for right of way permits.
7. Copy of Resolution of the Township of West Milford #2011-072, adopted January 19, 2011, to enter into an agreement with the Tennessee Gas Pipeline for installation of a 30” outside diameter underground loop pipeline on the Wallisch property.
8. Copy of a Resolution of the Township of West Milford #2011-059, adopted January 19, 2011, seeking State intervention to increase safety and public awareness on State Highway Route 23.
9. Copy of a letter from the Village of Greenwood Lake New York advising of a recently installed lake aeration system (Clean-Flo) to add oxygen and create bottom to top water movement in order to solve low oxygen levels, improve the decomposition of organic material, and resolve nutrient release from sediments and algae growth in the shallow waters of Greenwood Lake. The letter also advises West Milford Township to urge residents to use caution with lake activities in the areas of the northeast, east and west arms of Greenwood Lake that surround the Village of Greenwood Lake.
10. Copy of a letter from the Passaic County Agricultural Development Board with Public Hearing notice, dated January 19, 2011, regarding the Slifer Farm, 62 Schofield Road, advising that a public hearing was held on January 4, 2011 for an application for a Threshold Determination of Site Specific Agriculture Management Practices under the Right to Farm Act on the subject property. A special meeting continuing the public hearing process will continue on February 15, 2011 at 6:30 pm, Passaic County Planning Department, Riverview Drive, Totowa, NJ 07512.
11. Invitation received January 18, 2011 from the Passaic County Board of Chosen Freeholders, the Department of Economic Development, and the Passaic County Planning Department for a Fair Housing Workshop: How To Affirmatively Implement Fair Housing in Your Community – February 10, 2011 – 3:00 to 5:00, 930 Riverview Drive, Suite 250, Totowa, NJ 07512.

PUBLIC COMMENTS

Anthony Patire, owner of West Milford Lake, addressed the Commission regarding the West Milford Lake Dam and surrounding properties. Chairman Sangle commented that he had been invited to the December Commission meeting, and he was not in attendance, nor did he contact us. Mr. Patire advised that he was under contract to purchase property adjacent to the West Milford Lake site that would be used by the Tennessee Gas Pipeline project for mitigation or a riparian buffer. He noted that the dam has to be addressed and changes to the plan now would be expensive. He proposed leaving the beach community structure for a town center facility and referred to the Princeton Hydro concept plans that the Commission had completed as part of a grant project. Mr. Patire suggested that he be included in the meeting between the Township Administrator and the Tennessee Gas Pipeline officials. Chairman Sangle advised the Commission that Mr. Patire had been to a meeting in November, along with Evergreen Environmental, but that we had not received any further communication from either of them.

ADJOURNMENT

With no further business to come before the Commission, the meeting was **adjourned** at 9:46 p.m. on a **motion** by Maryellen Gabay and a **second** by Gary Oppenheimer.

Approved: May 2, 2011

Respectfully Submitted,

Tonya E. Cubby, Secretary