

Township of West Milford
ENVIRONMENTAL COMMISSION

MINUTES

FEBRUARY 8, 2010

The regular meeting of the Environmental Commission of the Township of West Milford was called to order at 7:30 p.m. by Douglas Ott, who was filling in as Chair in Stephen Sangle's absence, followed by a reading of the Legal Notice.

ROLL CALL: Present: Andrew Abdul, Gillian Hemstead, Douglas Ott, Bernie Stapleton, David Watson-Hallowell, Alternates Maryellen Gabay (8:12)
Absent: Timothy Metcalf, Gary Oppenheimer, Chairman Stephen Sangle.

PRESENTATIONS:

319H Grants Status – Dr. Fred Lubnow, Princeton Hydro, LLC, was present to address the Commission with an update on the status of the grant projects he was administering. He reported that the bid specs have been finalized for all but one of the stormwater project sites for the 319H grants. The goal was to have the bids sent out to public bid in February. As for the Greenwood Lake Turnpike site, an alternate site on a county road must be chosen.

604b OWTS Grant Status – Dr. Lubnow reported that he had invited a representative from the DEP to this meeting, but she was unable to attend. He provided an overview of his presentation on the project's goal for the development of an On-Site Wastewater Treatment System Management Plan for the Township. He explained that the TP (total phosphorous) sources of concern include surface runoff and fecal coliform from on-site wastewater treatment systems (septic systems) that affect Belchers Creek and Greenwood Lake. A GIS database had been developed for the New Jersey end of Greenwood Lake. The data was used to identify the Zone of Influence within the watershed (330 feet from any water source.) He explained that any leach field within this zone is a source for phosphorous. The grant focused on three sub watersheds and the Targeted Zones are areas that generate the highest phosphorous. He noted that the plan can be implemented in other areas in the Highlands. Dr. Lubnow reviewed the basic septic system information and noted that public meetings will be held to educate the public. He addressed the Categorization Methodology, noting that the age of the system is a determining factor, and even though Rob Sparkes had an intern research the ages of the various septic systems, many of the ages were not available. Gillian Hemstead commented that the age of the system should be related to the age of the house, if the information is not available in the Health Dept. Dr. Lubnow noted that he has information on soils, wetlands, slopes, part of this presentation to the Commission, and this will be included in the OWTS plan. He referred to our Township septic maintenance ordinance and commented that the areas in the red zones will have recommendations beyond what is required in our ordinance. For example, there may be a recommendation to eliminate garbage disposals, which should not be used with septic systems. Dr. Lubnow advised that the goal is to reduce what goes into the tanks, including black and grey water, adding that the majority of the phosphorous is from waste (black water) not from showers, etc. (grey water). He explained that conventional filters are not effective because phosphorous needs something to bind to. The recommendation from the NJDEP is to use peat biofilters. One type is the size of a small shed and can be installed underground or above ground and can be retrofitted to existing septic system; these are effective in removing up to 50% of the phosphorous. He reviewed various other systems and methods that could be utilized. Dr. Lubnow stressed that maintenance is essential for the systems he reviewed, and the peat system requires the peat to be changed every 8 years. He addressed the septic-based TP load, noting the difference between the 1981 Phase I study and the revised 2009 TP figures. The Phase I TP load from septic systems accounted for 30% of the watershed based load; the revised TP load accounted for 50% of the watershed load going into Greenwood Lake. He advised that monitoring will begin at Town Hall in the spring (April 2010) once the NJDEP approval is received and after he has reviewed the monitoring plan with Township Administration. Dr. Lubnow spoke to the Commission about the possibility of establishing an OWTS Authority to oversee the Plan with regard to water use and maintenance, giving an example of lake communities in other areas of the country that have formed authorities rather than have individual homeowners be responsible for maintenance. He noted that educational outreach with public meetings are a crucial component of the Plan. The schedule was to have a draft submitted to the Township, Greenwood Lake Commission and

the NJDEP by March 15, 2010 for review. He suggested that the plan be presented at a public meeting during Earth Week (April 19–23). Dr. Lubnow will advise the Commission when the draft plan is submitted.

Source Water Protection Plan – James Vouglitois, NJ Water Association, addressed the Commission briefly regarding a Draft Source Water Protection Plan that he is preparing on behalf of the West Milford M.U.A., adding that this study is paid through a grant and is at no cost to the Township. Mr. Vouglitois noted that this was part of a larger effort to protect drinking water through the identification of the source water assessment area and wellhead protection areas over a 12-year period. In addition, potential contaminants would be evaluated for each well and susceptibility for contamination determined, resulting in a report for every public water source. He reviewed the management strategies: regulatory, which would include the master plan and the well and septic ordinances; and non-regulatory strategies which are the natural tensions that result between development and protecting water. He advised that he was seeking a dialogue with the Commission and to get input that he can include in the draft plan, adding that the Environmental Commission has the best knowledge of water sources. He noted that he included the Commission in several areas of the plan and hoped that he would receive their cooperation. Mr. Vouglitois stated that he met with the Science Supervisor at West Milford High School and is hoping to have the students assist in updating the list of contamination sites in the Township. Doug Ott advised that the Township High School has a very active Environmental Club and Green Team.

Mr. Vouglitois further advised that West Milford was chosen because it had unconfined aquifers and fractured bedrock, which made it susceptible to contamination. He noted that he is completing a study like this in Ogdensburg and Franklin. David Watson-Hallowell inquired if Mr. Vouglitois knew of an EPA Cares Grant, which provided monies for assessing possible problems with water sources. Mr. Vouglitois was not familiar with that particular grant and advised that he was new to this area of study; he had previously worked for a nuclear power plant and also processed stormwater permits. He commented that he would look into the grant. Gillian Hemstead asked him to expound upon the assessment of potential contaminants, and Mr. Vouglitois replied that assessment would include the presence of pathogens, pesticides, nutrients, organics or inorganics, etc. The goal of the study is to determine what the factors are that makes wells susceptible to contamination. He noted that West Milford was the only town entirely in the Highlands preservation area to be assessed. He added that the regulatory management strategies that are in place as a result of the Highlands are very stringent, but this plan would be a prevention plan to deter further contamination. He closed by thanking the Commission, and added that he looked forward to working with the High School students on updating the contamination site list. He would be in contact with the Commission.

APPLICATIONS – None.

TELECOMMUNICATION APPLICATIONS

NEW CINGULAR WIRELESS dba AT&T

Use and Bulk Variance #ZB09-09-09

Block 4601; Lot 22

Greenwood Lake Tpk & East Shore Rd.; LMI Zone

The proposed addition to a cell tower near Long Pond Ironworks was reviewed. Doug Ott advised that he would visit the site and would advise the Commission of any concerns.

GRANT MANAGEMENT AND STATUS REVIEW

2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant :
See above.

Streetscape Grant: No report or update.

Urban Forestry Grants: No report or update.

ON GOING BUSINESS

Community Forestry Plan: No report or update.

Lakes Committee: Andy Abdul reported that the Lakes Committee had their first official meeting of the year and Councilman Weisbecker reviewed the process of a public meeting for them. Mr. Abdul noted that the Committee seems to have evolved and has a more serious agenda than previously.

Wetland Mitigation Project: David Watson-Hallowell spoke to George White and the Township must sign off on the project, but there is nothing for the Commission to do on the Wallisch mitigation site. It was determined by the Commission that this item can be removed from the agenda in the future.

Renewable Energy Subcommittee: The Secretary noted that the Planning Board Ordinance Committee met recently to discuss the matter and the Wayne ordinance was used as a template. The Commission requested that a copy of that ordinance be forwarded to them for review.

Environmental Contamination Issues: Bernie Stapleton noted that the contamination issue recently discussed on Greenwood Lake Turnpike was going to court on Feb. 11, 2010.

Sustainable Jersey: David Watson-Hallowell reported that the first meeting to form the Green Team was held on January 11, 2010 at Town Hall. He noted that there was a good response from the public and 15 people signed up for the team. The next date is tentatively set for Feb. 16 at Hillcrest, but he will follow up with an email.

Trails Master Plan: David Watson-Hallowell reported that this trails master plan grant will be re-evaluated and changes will be made to the proposal from last year's submission. He spoke to the Township Administrator to notify him of our intent to redraft the grant and reapply. He noted that the Township is applying for a grant to include an inventory of open space properties.

Recreational Trails Grant: Doug Ott reported that he and Bob Jonas went to several sites to identify the location for the trail sign kiosks. Gillian Hemstead spoke to Rob Sparkes and he corroborated what Ed Goodell of the Trails Commission had stated about the expense of the signs.

Beaver Dams at Environmental Boardwalk: Doug Ott reported that the beavers are gone from the Boardwalk, and wondered whether they were hibernating or had been trapped, adding that the water level was down a significant amount.

NEW BUSINESS

Potential Open Space Acquisition – A site on Union Valley Road was reviewed for potential open space acquisition. Doug reviewed the history of the site that was once planned as a major subdivision, prior to the Highlands legislation. Bernie Stapleton and Doug Ott made a site visit and did not feel the property was too desirable for open space purchase, especially with the loss of tax revenue.

Annual Report to Township Council: Gillian Hemstead reported that the tentative plan is to make a presentation to the Township Council, possibly in April, after the 319h project goes out to bid and after grants are submitted.

MINUTES

The minutes of the December 14, 2009 Regular Meeting of the West Milford Environmental Commission were unanimously approved on a **motion** by David Watson-Hallowell and a **second** by Maryellen Gabay.

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

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Copy of an application for a Highlands Exemption dated 01-15-10 submitted by Frank Schultz, 35 Setting Sun Trail, Block 12307; Lot 32, for demolition of existing dwelling and rebuilding in footprint, relocating footprint 15 feet towards the road, and alteration to existing septic with no expansion or change in use.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. No Further Action And Covenant Not To Sue Letter received from the NJDEP regarding George Steinlein, 165 Maple Road, West Milford, Block 10301; Lot 1, regarding remediation of the site of a 1000 gallon underground heating oil tank.
2. Biennial Certification for Kimber Petroleum-Greenwood Lake (Lakeside Amoco) – 2 Lakeside Road, Hewitt, Block 3509; Lot 16 required per N.J.A.C. 7:26E-8.4-8.7.
3. Copy of an application for NJDEP G.P. 25 for septic alteration with no expansion or change in use submitted by Ken Lundy, 45 Cherry Ridge Road, Block 17201: 20.
4. Letter from NJDEP to the City of Newark regarding inspection reports (IR) by Civil Dynamics for Cotter's Brook Diversion Dam, Macopin Reservoir Dam, Cedar Pond Dam and in Vernon, Farber Brook Diversion Dam, noting that the Bureau of Dam Safety and Flood Control accepts Civil Dynamics conclusion that Macopin Reservoir Dam will have a SATISFACTORY condition rating while Cotter's Brook Dam, Cedar Pond Dam and Farber Brook Dam will have a POOR condition rating. Also requested was a compliance schedule (CS) for bringing the dams into compliance or decommissioning the dams.

CORRESPONDENCE

1. Notice of the 14th Annual Land Conservation Rally held on March 20, 2010 at Montclair State University Conference Center - \$75.00.
2. Rutgers New Jersey Agricultural Experiment Station – Environmental Training – NJDEP Site Remediation Basics – 02-09-10 (\$245); Underground Storage Tanks – 03-02-10 (\$260); Site Remediation Reform Act and LSRP Program – 03-09-10 (\$245)
3. ANJEC – Environmental Commission Training to Protect Natural Resources – March 13, 2010 - Morristown
4. ANJEC Smart Growth Planning Grants for Municipalities – Deadline March 31, 2009
5. ANJEC – Updated Resource Papers – Major State Programs Affecting Land Use and Protecting Our Streams -
6. Community Energy Outreach Training sponsored by Sustainable Jersey, NJ BPU and ANJEC - January 20 – February 17, 2010
7. Pequannock Post – Volume 15 – Issue 1 – February 2010
8. NJ League of Municipalities Notice – FEMA and NJ State Website Resources for Hazard Mitigation Policy Guidance for Local Officials
9. Request for No-Cost One Year Extension of Recreational Trails Grant until August 31, 2010 from Township Administrator Kevin Boyle to Larry Miller, NJDEP Division of Parks & Forestry, dated January 14, 2010.
10. Letter from Kevin Boyle, dated February 1, 2010 to Larry Miller, NJDEP Div of Parks & Forestry transmitting executed State Voucher for \$10,000. to reimburse Township for expenses for Trails Grant.
11. Request for comments on continuing GIS services by the Township with Mapco received January 25, 2010 from the Township Administrator.

PUBLIC COMMENTS - No one was present to address the Commission on any matter of concern.

ADJOURNMENT

With no further business to come before the Commission the meeting was adjourned at 9:12 p.m. on a **motion** by Gillian Hemstead and a **second** by David Watson-Hallowell.

Approved: April 5, 2010

Respectfully Submitted,

Tonya E. Cubby, Secretary