

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

March 5, 2018

The March 5, 2018 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:36p.m. with a reading of the Legal Notice.

ROLL CALL

Present: David Ofshinsky, Douglas Ott, Thomas Tamayne, Tim Dalton, James Rogers, Clinton Smith (Alt #1), Chairman Stephen Sangle.

Absent: Don Weise, Douglas Trainor (Alt #2).

Also Present: Ron Farr, Forestry Consultant

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

PRESENTATIONS: None.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP NNL \$620,197.00 Reforestation Grant Project: Forestry Consultant Ron Farr advised the Commission that the NJDEP approved the revised and amended Forestry Plan, but their comments indicated that the contractor will have to remove the deer wrap, caging and burlap. He is concerned that the bark will be damaged if the flexible spiral deer wrap is ripped off. Chairman Sangle inquired if he contacted the contractor and Mr. Farr confirmed that he had spoken to them and they advised that they will do what is required. Chairman Sangle stressed that time was of the essence. Mr. Farr noted that there may be rodent damage to the trees from moles and other animals. Tim Dalton commented that Susan Seyboldt from the NJDEP may make some accommodation on the trees, and he also noted that some trees may not have to be measured. Mr. Farr further reported that there are provisions for multi branch trees such as river birch and dogwood that are required to be a certain height but not caliper. He noted that the NJDEP indicated that they would not approve payment for the apple trees that were planted, as well as the trees that were removed by or from other sources. Chairman Sangle inquired if this was the responsibility of the contractor and Mr. Farr did not think so. With regard to accounting for all the trees and species, Chairman Sangle observed that it would be a large undertaking, and Mr. Dalton advised that he was working to compile all the information with the contractor. As for the 28 fruit trees, it was noted that they were specifically requested by the Wallisch Homestead for their sustainable farm site. Chairman Sangle commented that the weather was not the best at this time and wondered if there was any tentative schedule with the State and contractor. Mr. Farr advised that the NJDEP wants the corrections made prior to their site visit, and Mr. Dalton stated that the contractor agreed to come to the site to address the issues and he will hold them to this. All the issues were being mapped and all the trees verified and identified. Mr. Farr reported that most of the elms are dead and the contractor will follow up on this with the nursery supplier. Chairman Sangle suggested that a meeting be scheduled with the Administrator and Treasurer after the contractor repairs or completes his work on the trees. He doubted whether all the issues would be settled in the next 30 days, especially due to the weather and the number of items that must be addressed.

APPLICATIONS FOR REVIEW

JOSEPH FONTANA

Preliminary & Final Site Plan ZB #11-17-15

Block 3401, 3406; Lots 21, 23

165 Lakeside Road; R-2 Zone

Seeking: Preliminary & Final Site Plan approval for the expansion of a pre-existing non-conforming use to construct residential units at a former motel.

The Environmental Commission reviewed the above referenced application and copy of the Preliminary

and Final Site Plan prepared by Schwanewede/Hals Engineering with a revised date of 01/08/18. Following their review, the Commission made the following comments:

- The Commission noted that the impervious surface will decrease with the proposed site plan.
- The Commission did not see evidence on the site plans demonstrating that the onsite wastewater systems located on both properties are adequate for the proposed 18+ bedrooms.
- The Commission inquired if the grey water will be separated from the black water for the proposed wastewater system.
- The Commission expressed concern about the wastewater system's close proximity to Greenwood Lake and recommended that the applicant obtain all necessary approvals from the local or state authorities with regard to the proposed system.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan: Tim Dalton reported that he is working on completing the 2017 Annual Accomplishment Report for submission and noted that the training hours that he acquired with the forestry program he attended in October 2017 will qualify for the Township's Community Forestry Management Plan for 2017, as well as the Roadside Tree Management training that the Commission received in March 2017 with Ron Farr. Mr. Dalton noted that the Community Forestry staff is thoroughly vested in the Tree City Program since it promotes community involvement. He suggested that the Commission host a small presentation and publish some press releases about the Shade Tree program. Jim Rogers offered to prepare the press releases. There have been several articles in the local newspaper about the reforestation grant project, and Mr. Dalton will contact a representative with the Community Forestry program to determine if the articles are sufficient. With regard to the Tree City program, municipalities are encouraged to have their Public Works department involved in the effort since it involves liability protection. Commissioner Tom Tamayne noted that there were a number of people that were killed by trees in the past several months from the storms that we had. Chairman Sangle commented that the Township Administrator would have to approve the Public Works Dept. being involved in a roadside tree maintenance program. The Commission directed the Secretary to send a memo to the Township Administrator to advise that we are completing the CFMP AAR and Tim Dalton must be in contact with the DPW Director so that he can complete the report and also arrange to do a survey on hazardous trees in the Township. Chairman Sangle suggested that the Commission document possible hazardous trees that they see when they are traveling through the Township, and Mr. Dalton recommended that Ron Farr be contacted on this since he has the expertise on storm damage assessment for downed trees, as well as tree maintenance and insect and disease management. Chairman Sangle will contact his arborist, Rich Buchtman, to inquire if he can do a presentation on the emerald ash borer for the Commission. Commissioner Clint Smith commented about all the trees felled by Hurricane Sandy on the Newark Watershed property and expressed concern there is an increased risk for fires if Newark is leaving them to decay naturally. Mr. Dalton noted that fires that start from decaying trees are more prevalent in the Pinelands.

Lakes Committee/Greenwood Lake Bi-State Commission: Clinton Smith reported that Belchers Creek was getting more popular with kayakers and boaters and he reviewed a working map with the Commission that he had prepared of the Belcher Creek corridor. The map indicated the areas that were owned by the State and Township and those that were owned by private residents. He advised that he was planning to meet with the Mayor the following week about a proposed project to clean up the Belcher's Creek corridor. He noted that this would be a work in progress, perhaps a 4-5 year project, and he would try to keep it as simple as possible. Mr. Smith has secured a list of the property owners' addresses and lots. He further reported that there was a new member, Jonathan Brett, on the Greenwood Lake Commission who is willing to become involved with this project, as well as Eric Paine, a staff member from the State Parks Dept. The intent, Mr. Smith stated, is to clear out overgrown trees and brush which are acting as a barrier and preventing clear access along the Creek. Tim Dalton advised that "riparian restoration" is included in the Township's approved Community Forestry Management Plan. Don Weise remarked that approval would have to be obtained from the private land owners along the Creek, and Mr. Smith responded that they are reaching out to the private

landowners, but there weren't a large number involved. Mr. Smith observed that they may not need the private landowners to get involved since there was a substantial amount of public land along the corridor. He noted that some of the people interested in the project are suggesting de-silting, but he feels that it is best for the Township to work closely with the State Parks Dept. and the NJDEP. Chairman Sangle questioned if it would be necessary for a property owner to provide permission if the work was being conducted on the water, and the Commissioners felt that a property owners permission would still have to be obtained. Tom Tamayne inquired about the size of the trees that needed to be removed or pruned, and Mr. Smith responded that they were about 8-10 inches in diameter and there were about 50-75 trees that should be removed. Commissioner Jim Rogers inquired what the Environmental Commission can do with regard to this proposed project, and Mr. Smith requested verbal support from the Commission. The Commissioners subsequently expressed their unanimous support for the proposal. With regard to contact information for this project, Mr. Smith suggested that Mr. Paine from the State Parks Dept. would be a good resource and may be able to assist since he is assigned to the area and may be able to use his expertise and contacts to help move this project along. The Commissioners suggested that Mr. Paine be asked to attend one of the upcoming meetings, and Mr. Smith advised that they would be invited to attend the meeting in April. Before concluding his report, Mr. Smith advised that there is another contract pending for stump removal at Greenwood Lake for the coming year.

Open Space Committee: No update was available at this time. Chairman Sangle commented that Mr. Smith may want to propose to the Mayor that some of the open space funds be used for the Belchers Creek cleanup project.

Environmental Contamination Issues: Commissioner Tom Tamayne reported that he received two notices of potential contamination issues and reviewed them with the Commission.

Belchers Creek Testing Project: The Commission concurred that further testing of Belcher's Creek should be postponed until the snow melts and there is better access to the testing locations. Dave Ofshinsky commented that the MUA sale will likely get finalized in the summer, so there is time to conduct tests prior to Suez taking over the systems. Tom Tamayne suggested that the boat that is at the disposal at the Commission be used for the water testing.

Green Team–Sustainability Committee-Sustainable Jersey Re-Certification: Tim Dalton advised that he had spoken with Alt #2 Commissioner Doug Trainor and he expressed interest in working on the Sustainable Jersey program for certification for next year.

NEW OR CURRENT BUSINESS

2009 Belchers Creek Report from WPU – The Commission discussed the report from a study conducted in 2009 by several William Paterson University staff and students. Commissioner Tom Tamayne noted that it was a somewhat nebulous report and did not really have a general conclusion, but the report contained a lot of data and information that may be useful. Commissioner Clint Smith observed that there have been many changes since 2009, with some houses removed around the lake and a number of new septic systems installed. He suggested that the Health Dept. might be able to provide the number of septic systems that have been installed around the lake since 2009. The Commission noted that septic systems were required to be pumped every three years, but there is no active enforcement at this time. Commissioner Dave Ofshinsky commented that he reviewed the report for relevant data, and he identified several discrepancies for street names.

2017 Volunteer of the Year Program – The Commissioners unanimously approved the nomination of Tim Dalton for Volunteer of the Year for volunteering so much of his time on the Reforestation Project. The Secretary was requested to send the nomination to the Clerk's Office and Township Council. Dave Ofshinsky advised that he would speak on behalf of the Commission.

MINUTES

The minutes from the February 5, 2018 regular meeting of the West Milford Environmental Commission were not available for approval and would be placed on the following month's agenda.

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

Highlands Water Protection and Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. Notification dated February 2018 from D'Amico Engineering LLC of an application being made to the NJDEP regarding an L.O.I. and Transition Area Waiver Averaging Plan for property located on Canistear Road, Block 16901; Lot 4 for the purpose of placement of a proposed dwelling.
2. Suspected Hazardous Spill notification received from the NJDEP, dated March 5, 2018, regarding Block 10204; Lot 5.07, 1060 Macopin Road, advising that 10 gallons of transformer oil discharged as a result of a tree damaging a utility pole.
3. Suspected Hazardous Spill notification received from the NJDEP, dated February 23, 2018, regarding Block 8201; Lot 16, 1895 Macopin Road, regarding the removal of one 1000 gallon #2 H.O. UST with remediation pending.
4. Suspected Hazardous Spill notification received from the NJDEP, dated February 24, 2018, regarding Block 8201; Lot 16, 1895 Macopin Road, regarding the removal of one 550 gallon and two 1000 gallon UST's containing #2 H.O. and gasoline; clean-up is pending.

Miscellaneous

1. County of Passaic correspondence dated January 5, 2018 regarding site plan review for a proposed Wireless Telecommunication Facility to be located at 1946 Union Valley Road, Block 6701; Lot 13, advising that conditional approval was granted pending receipt of the proposed existing one way traffic pattern, including all signing, to be indicated on the plans, reconfiguration of the Do Not Enter sign, installation of a stop bar at the exit, and submission of the Corridor Enhancement Fee of \$250. to Passaic County.
2. ANJEC News.
3. Princeton Hydro Seminars notification.
4. Sustainable Jersey Updates.
5. Roots for Rivers program information under the Nature Conservancy.
6. NJ Woodlands Newsletter Winter 2018.
7. Right Tree Right Place Seminar, April 6, 2018, 8 AM, Gallo Community Center, Jersey City, NJ.
8. Return to Regional Greenhouse Gas Initiative at NJDEP in Trenton, March 29, 2018.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the March 5, 2018 regular meeting was **adjourned** at 9:20 p.m. on a **motion** by Chairman Stephen Sangle and a second by David Ofshinsky.

Approved: May 7, 2018

Respectfully submitted by

Tonya E. Cubby, Secretary