

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

APRIL 4, 2011

The regular meeting of April 4, 2011 of the Environmental Commission of the Township of West Milford was called to order at 7:32 p.m. by Chairman Stephen Sangle, followed by the reading of the Legal Notice.

ROLL CALL: **Present:** Andrew Abdul, Maryellen Gabay, Gillian Hemstead, Douglas Ott, Thomas Tamayne, Alternates Lucas Slott, and Chairman Stephen Sangle.

Absent: Gary Oppenheimer, Timothy Metcalf.

Chairman Sangle requested Luke Slott and Maryellen Gabay to sit in for absent Commissioners Gary Oppenheimer and Tim Metcalf.

PRESENTATION: Passaic County Master Plan - Transportation Element – Bicycle, Pedestrian and River Access

Michael Lysicatos, Senior Planner with the Passaic County Planning Department, was present to provide some insight on the Draft Transportation Element of the Passaic County Master Plan. He reviewed the plans for bike path and noted that more information is needed to determine the locations of county bike paths. Mr. Lysicatos reviewed various draft maps for the county plan including scenic and historic byways, and bicycle and pedestrian priority routes. Mr. Lysicatos listened to the suggestions of the Commission, and noted that he would include ADA information on accessibility on the maps they are preparing. The Commission noted the current Trails Master Plan project that they are formulating, and this information will be provided to Passaic County. Following discussion, Mr. Lysicatos advised that we will be kept apprised of the Passaic County-Transportation Element, and he will be in contact with the Township in the near future after the final draft is prepared.

APPLICATIONS

OLEKSIY LUCHYNSKYI

Bulk Variance #ZB-02-11-02

Block 12001; Lot 36.01

166 Maple Road; R-4 Zone

Seeking: Bulk Variance Approval to construct a 24' x 20'6" pole barn in the front yard.

The applicant, Oleksiy Luchynskyi, was present to address the Commission regarding this application. The plans for this site were reviewed by the Commission. The applicant advised that the proposed shed must be placed in the location depicted on the plan for access purposes. He noted that there was rock ledge in the rear and that would require blasting which would be more destructive to the environment. Chairman Sangle inquired about the purpose of the pole barn and Mr. Luchynskyi replied that it was for his personal use to store tools, ATV, and not for commercial use. Chairman Sangle inquired about the foundation and whether it will be concrete, and Mr. Luchynskyi replied that he preferred to have a 4-inch slab. Luke Slot inquired about drainage on the property and Mr. Luchynskyi replied that he had gutters and 5 catch basins, so he did not expect any drainage issues. He also advised the Commission that a new septic had been installed in the front of his property replacing the one at the rear, and wetlands delineation had been done before the installation. The Commission concurred that they had no environmental concerns with this application providing that the Board of Adjustment had no concerns.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

604(b) OWTS Grant and 2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: Gillian Hemstead reported that she has not received an update on the 604b and 319h projects from Fred Lubnow. Chairman Sangle advised the Commission that he will contact Kevin Boyle, Township Administrator, to determine what the timetable will be for the installation of the devices for the projects. He also suggested that a press release be sent out advising the residents of the grant projects, and commented that he would like to attend the initial construction meeting.

Streetscape Grant: Andy Gargano, Planning Board Chairman, was present at the Commission's meeting and advised that Paul FERREIRO, Planning Board and Township Engineer, would be providing an update on the streetscape at the next Planning Board meeting. He also suggested that the original bikepath be considered for review as a possible grant project. Information about the bike path would be requested from the Engineering Dept.

Recreational Trails Signage Grant: Bob Jonas was present to update the Commission and advised that two of the sign kiosks are in place, P1 and P4, with one unit completed but not installed. He also advised that four finished units are in a facility in Mahwah, and the Trails Conference has secured the assistance of a scout group who will dig most of the post-holes, which is the most difficult part of the installation. There is a need for legal assistance with regard to an encroachment at a site on Passaic County property, but this is progressing. Mr. Jonas informed the Commission that four or five units will be installed during 2011. The commission inquired whether any of their assistance was needed and Mr. Jonas commented that there seemed to be a sufficient number of people to do the installation at this time. He commented that they have called the "811 - Call Before You Dig" number before each excavation and the gas company will flag the areas necessary. As to the exact location of each kiosk, Mr. Jonas cautioned against publicizing the locations in order to deter vandalism.

2010 Smart Growth Planning Grant - Trails Master Plan: Doug Ott reported that he, Luke and Bob Jonas met to review the maps of various trails and he needs to get details for the maps. Chairman Sangle noted that he had contacted Kevin Boyle, Township Administrator, regarding the access to the GIS mapping.

On another matter, Luke Slott inquired about parking at the Westbrook Park and access to the trails. Bob Jonas advised that there was approximately 1100 feet of 4 foot wide for trail and that everything was impervious and the estimated cost was \$15,000. Chairman Sangle commented that black top is currently about \$2.50 to \$3.00 a square foot. Andy Abdul commented about the paving stones that have the grass inside and around, and these could be considered.

ON GOING BUSINESS

Lakes Committee: Andy Abdul reported that the Lakes committee had met and he distributed copies of the March 2011 Lakes Committee minutes for the Commission to review. With regard to the geese problem, the Committee opted not to attempt a change to the local ordinance as the geese control was already under state guidelines. Mr. Abdul reported that the Lakes Committee discussed a requirement that all applicable building permits would be brought to the attention of the Lake Associations prior to approval. At the May meeting the Lakes Committee will host a presentation on newly designed septic systems. Chairman Sangle requested that Tom Tamayne inquire about these systems from the Health Officer. Mr. Ott commented that he had heard from someone installing a septic system that West Milford was considered bog turtle habitat, and Gillian Hemstead replied that she had accessed the DEP website and reviewed the overlays, but did not see bog turtles identified.

On another matter with regard to lakes, Chairman Sangle requested the Secretary to send a memo to the Township Administrator inquiring when the grits would be removed from the streets, and suggesting that the targeted areas should be posted on the Township website. A further suggestion was for this schedule to be included with the recycling schedule that is mailed each year.

Open Space Subcommittee: Tim Metcalf and Doug Ott met with the Township Administrator and a representative from the Land Conservancy regarding open space and another meeting is planned for April 20, 2011. Chairman Sangle requested a list of all the open space acquisitions, thus far, from the Township Administrator. Mr. Ott inquired about the Greenway Plan and the Secretary advised that she would send a copy of the map to the Commission.

Environmental Contamination Issues: Tom Tamayne provided an updated report for the Commission via email, noting that there were updates on three properties. He also commented about the receptor evaluation plans for contaminated sites, noting that they were similar from one site to another. The Secretary commented that the Township Health Dept. and Planning are provided with a copy of these plans

Green Team - Sustainable Jersey: Tom Tamayne reported that the Green Team is still working on getting certification. They have received the information on the energy audit, but are waiting for

information on the vehicle inventory. The energy audit details are required for Sustainable Jersey certification. Renee Alessio from the Green Team has been working on getting the information documented. Chairman Sangle noted that he and Renee have been emailing to keep each other informed about the progress.

Beaver Dam at Environmental Boardwalk: Bob Jonas reported that 4 beavers had been taken by a professional trapper hired by the Township and 2 beavers had been killed on Macopin Road. He noted that the trapper had informed him that 14 beavers had been trapped from Upper Greenwood Lake and Maple Road. Mr. Jonas also advised that the dam has been taken down and as of that date, no activity has been observed.

NEW BUSINESS

Environmental Boardwalk – Discuss Maintenance/Repairs – Bob Jonas reported that the winter inflicted quite a bit of damage to the environmental boardwalk, and he suggested another grant to repair the damaged sections. Chairman Sangle commented that the funds were expended, but there may be some trex boards at the DPW, adding that a professional had to be hired for the past repairs. Chairman Sangle also noted that he would have preferred aluminum floating boardwalk, especially with the dams that resulted from the beavers. The Commission discussed various methods for proper installation of the decking and the pros and cons of the trex material.

Volunteer Night Presentation - The Commission suggested that Gary Oppenheimer speak about some of the Commission's activities on Volunteer Night as he will most likely be present for the Sustainable West Milford, Community Garden and Ample Harvest. The Secretary will contact him.

Autumn Lights Festival – Gillian Hemstead and Maryellen Gabay committed to being present at the Autumn Lights Festival. Luke Slott noted that he would email the Watershed Ambassador and request that she also attend to help educate the public on water conservation, etc. The Secretary will reserve the space for the Commission.

Environmental Commission Website – The Commission discussed some of their suggestions for making the website more accessible and user friendly, while utilizing the site in an effort to educate the Township about environmental issues. More links were suggested, access to ordinances, i.e. fertilizer ordinance, and reporting contamination issues. Gillian Hemstead suggested having a presence on facebook, and the commission agreed that a press release about the value of the website be sent to area newspapers. The Secretary was requested to send a memo to the Township Administrator that the Commission requested changes to the website. Several of the Commissioners will meet to discuss some changes and will report back about their suggestions. The suggested changes will be brought to the attention of the Network Administrator for his guidance in this matter.

Apshawa Preserve - Luke Slott reported that the meeting at the Apshawa Preserve to tour the site and see the fencing that was installed by the New Jersey Conservation Foundation to prevent deer from encroaching on the site has been scheduled for June 6, 2011 prior to the Commission's meeting. Suggested time to meet was 5:45 pm at the preserve off of Macopin and Northwood Roads.

Tennessee Gas Pipeline - Luke Slott reported that he had been hiking recently and noticed that the ATV riders have been using the areas cleared by Tennessee Gas Pipeline. Andy Abdul reported that he had been notified, as an adjacent homeowner, that TGP may be blasting at the project site. Video of the exterior of the house may be done, and he expressed concerns about the recovery well and quality of water as a result of the potential blasting.

MINUTES

The Minutes of the January 3, 2011 Regular Meeting of the West Milford Environmental Commission were unanimously **approved** on a **motion** by Doug Ott with a **second** by Chairman Stephen Sangle.

The following correspondence items were reviewed by the Commission and filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Highlands Exemption – Exemption #2 and Water Quality Management Plan - Consistent, dated March 7, 2011, received for INSERRA/West Milford LLC – Single Family Residence, 47 Marshall Hill

Road; Block 6303; Lot 12, regarding the construction of a four bedroom single family home with an individual subsurface sewage disposal system and private well.

2. Application notice regarding a Highlands Applicability Determination, dated March 7, 2011, from the City of Newark, for the Pequannock Water Treatment Plant Improvements, Route 23, Block 14101; Lot 1 and Block 14102; Lot 1.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. No Further Action Letter dated March 3, 2011 for Block 11002; Lot 21, 85 Broadway, David Lindroth, regarding remedial action taken for the removal of one 550 gallon #2 Fuel Oil underground storage tank.

2. Notice of Deficiency received from the NJDEP, dated March 3, 2011, regarding a Remedial Action Report (RAR) deficiency for 22 Navajo Trail, advising that specific documentation on the soil excavated is required within 60 days.

3. Notice to Camp Vacamas from the NJ DEP regarding the Henion Pond Dam, advising that the Conceptual Design of Rehabilitation received from Civil Dynamics was acceptable. In addition, emergency repairs performed on March 9, 2011 requires a report from their engineer by March 25, 2011 advising of the safe operating level and how it is to be maintained at the specified safe elevation, with a full Emergency Action Plan (EAP) required by April 11, 2011, and permits issued before any modifications are performed.

4. Notice of Violation received from the NJDEP, dated March 4, 2011, regarding David Hyland, 280 Otterhole Road, Block 11601; Lot 9, regarding violations of the Freshwater Wetlands Protection Act for unauthorized regulated activities, specifically placement of a culvert and soil backfill within the channel of Post Brook disturbing a length of approximately 50', and requiring a restoration plan within 30 days.

5. Application copy for a Freshwater Wetlands G.P. #25 received on March 10, 2011 for Royce Knight, 19 Upper Mt. Glen Lake Drive, Block 11302; Lot 5 regarding installation of a subsurface sanitary disposal system.

6. Copy of a Receptor Evaluation Form and attachments received on March 7, 2011 for Kimber Petroleum Corp., 2 Lakeside Drive, Block 3509; Lot 16, regarding a remediation program for the site.

7. Copy of a Receptor Evaluation Form and attachments received on March 7, 2011 for Lukoil Station 57360, 1910 Union Valley Road, Hewitt, regarding a remediation program at the site.

8. Copy of a Treatment Works Approval Permit Application received on March 9, 2011 for Marion Plaza, 16/22 Marshall Hill Road, Block 5701; Lot 6 regarding construction of a proposed treatment system consisting of septic tanks, a grease trap, and a SeptiTech Aerobic Treatment system with an expanded seepage pit.

CORRESPONDENCE

1. Memo dated March 25, 2011, from the Township Administrator, regarding the recent energy audit with a summary and projection of costs.

2. Memo dated March 25, 2011, from the Township Administrator, regarding a recent inquiry by the Commission regarding the availability of funds for the ANJEC 2011 Sustainable Land Use Planning Grant Program, advising that no matching funds were available in the 2011 budget for this grant.

3. Notice from the Township Clerk's Office advising of the Township Volunteer of the Year Program on April 20, 2011, requesting presentation request submissions no later that April 8, 2011.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the meeting was **adjourned** at **9:35 p.m.** on a **motion** by Doug Ott and a **second** by Luke Slott.

Approved: August 1, 2011

Respectfully Submitted,
Tonya E. Cubby, Secretary