

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**May 1, 2017**

The May 1, 2017 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:30 p.m. with a reading of the Legal Notice.

Prior to the Roll Call, Kathleen Fitzgerald, newly appointed Alternate #2, was administered her Oath of Public Office.

**ROLL CALL**

**Present:** Alt. #2 Kathleen Fitzgerald, David Ofshinsky, Douglas Ott, James Rogers, Alt. #1 Clinton Smith, Thomas Tamayne, Don Weise, Chairman Stephen Sangle.

**Absent:** Tim Dalton.

**Also Present:** Ron Farr.

Chairman Sangle advised that there was a quorum for this meeting.

**APPLICATIONS FOR REVIEW**

**BUDDY FOREST**

**Bulk Variance #ZB-09-16-19**

Block 411; Lot 1

Larchmont Drive; LR Zone

**Seeking:** Bulk Variance approval and a DeMinimis Exception From Residential Site Improvement Standards for Lot Frontage for the construction of a driveway, walkway, and septic system for a new 5 bedroom single family dwelling on a lot that has no frontage on an improved public road.

Chairman Sangle advised that the Commission had previously reviewed this application, but a revised plan was submitted that included seepage pits and other drainage. The Commission concurred that this revised plan seems to adequately address stormwater runoff. There were no other concerns noted.

**RICHARD BONUCELLI**

**Bulk Variance #ZB-03-17-02**

Block 2007; Lot 1

7 Oaklyn Court; LR Zone

**Seeking:** Bulk Variance approval for side yard setbacks where 30' is required, 12.3' & 50.4' exists, and 10.5' & 34.2' is proposed; for rear yard setback where 60' is required, 44.5' exists, and 37.9' is proposed; and for primary building coverage where 954.7 s.f. is permitted, 783.4 s.f. exists, and 1,336.6 s.f. is proposed for additions to an existing single family dwelling which include a garage, rear addition, and deck.

The Environmental Commission reviewed the plans submitted for the Bonucelli Board of Adjustment bulk variance. The Commission noted that there was little detail on the plans with regard to stormwater runoff, but it appeared that it would drain down to the lake, which may create some soil erosion issues and mud going into the lake. The Commission recommended that the applicant should provide details on how the drainage will be addressed other than the use of gutters and leaders, and suggested that a proper seepage pit be considered for the size structure proposed. The applicant may also consider installing rain barrels to help with stormwater runoff.

## **GRANT MANAGEMENT AND STATUS REVIEW**

### **NJDEP NNL \$620,197.00 Reforestation Grant Project:**

To begin his update, Ron Farr reported that the NJDEP Division of Forestry has a new staff member who is requiring a “sign off” from site administrators on all the sites that are included on the tree planting scheme. Mr. Farr stated that several invoices have been submitted, but the contractor, Fullerton Grounds Maintenance, is charging \$3.26 per tree on the invoice, although they bid \$2.61 per tree plus 10% retainage. He will speak to the estimator and request to see the numbers. Chairman Sangle advised that revised invoices should be submitted prior to review for approval and processing for payment. Mr. Farr advised that 539 trees had been planted on 7 sites, to date, and he reviewed the numbers for each site. Mr. Farr reported that he has been conducting random site and tree inspections and everything appears to be in order. There was a problem with the elm trees and leaves turning brown, but the contractor is addressing this. He noted that the Town Hall complex will be planted within the week. Chairman Sangle questioned the submission of the invoices by the contractor on a weekly basis rather than monthly as outlined in the contract and suggested that the contractor be advised of the procedures agreed to in the contract. Mr. Farr commented that he wanted to submit his invoices for forester and project manager services, but needs to speak to the Finance Dept. to clarify the procedure. Clint Smith observed that the trees planted at the Hillcrest Center seemed too close to the parking lot. The Commission discussed the various tree planting sites and tree types. Mr. Farr reported that the State Forestry representative informed him that the NJDEP will release all the grant money at one time once they see the approved bills. He further reported that the contractor has been compliant with any requests or issues that arise. Following the conclusion of his report, Mr. Farr left the meeting.

**2017 ANJEC Open Space Stewardship Grant:** Don Weise reported that a submission had been made for the Environmental Commission grant that includes a collaborative project with the NY-NJ Trail Conference. He advised that trail work has actually begun on the project in anticipation of the grant funds. Tim Dalton had reported that he attended a workshop at the ANJEC headquarters and one of the staff advised him of a concern by a neighboring property owner who thought that clearing the trails on the northern end of Norvin Green State Forest would invite more ATV users to the area. Mr. Weise contacted ANJEC and advised them that in his experience with the NY/NJ Trail conference, ATV use is discouraged by well-maintained and well-populated trails that are used continuously. He advised that ANJEC seemed satisfied with his explanation, and he hoped that the negative comments regarding ATV use would not hurt the Commission’s chances for the grant award. A decision on the grant projects would be made shortly and the Commission should hear something from ANJEC by Friday.

The Commissioners discussed the issue of ATV use, and it was noted that it is permitted to drive ATV’s on private property, but it is not permitted on public lands. The Commissioners considered various options to discourage ATV use on public lands. Chairman Sangle suggested that the soil conservation district could be contacted, but it would be difficult for them to follow up on it. Don Weise commented that he tries to engage the ATV users in a conversation to educate them about the trails. He suggested that a public education campaign or an outreach meeting might be considered by the Commission, promoting the trails and the negative effects from destroying public property. He further noted that the Trail Conference has spent time and money to assist ATV users in locating better places to ride their vehicles, but unfortunately New Jersey does not have large parcels of land conducive for this. Jim Rogers commented that many of the trails are maintained by Jorba (Jersey Off Road Bike Association), volunteer hikers, and the Trail Conference, but the ATV’s are destroying the trails. The Commission continued their discussion, and Chairman Sangle suggested a monthly local news article about the damage that is occurring to the environment from the ATV’s. He will make a request to Ann Genader to assist with getting the information out to the public. Don Weise volunteered to draft an article to be published for the Commission. Kathleen Fitzgerald advised the Commission that she attended a workshop and

they suggested that the ATV users be advised to avoid using any of the trails that have markers. Mr. Weise noted that he may be able to offer a speaking event at the new library that would promote hiking or mountain biking on the trails and caution against ATV use on marked trails. Chairman Sangle made a request of the Commissioners to draft several articles for review and publication in the local newspapers.

### **ON GOING BUSINESS**

**Shade Tree Committee / Community Forestry Mgt. Plan:** Tim Dalton was not present, so no update was provided at this time.

**Lakes Committee/Greenwood Lake Bi-State Commission:** Clinton Smith advised that there was no time limit for use of the NJDEP grant money for the tree stump removal on Greenwood Lake. Mr. Smith reported that he met the contractor who will be removing the stumps with a stump removing machine that was custom built, and the contractor estimates that it may take 3 weeks to complete the work, with all debris to be removed from the lake. August seems to be the better month for the stump removal, and he noted that the weather and lake drawdown this past winter seemed to work to our advantage.

Mr. Smith reported on a legislative bill S2926 regarding an inventory of the water losses, advising that he and GWL Commissioner Paul Zarillo met with an assemblyman in Lodi recently on this matter. Mr. Smith also observed that more water may be available from Greenwood Lake if the silt is removed from the bottom of the lake.

*[“This bill would amend and supplement the "Water Supply Management Act" to require the State's water purveyors (i.e., public and private water providers) who regularly serve at least 3,300 individuals to conduct annual water loss audits.*

*All water systems experience some amount of water loss; it may be from leakage in old infrastructure or metering errors. Validated water losses are a key step towards achieving cost-effective reductions in water loss. "Water Loss," as defined in the bill, refers to the difference between the annual volume of water entering a water distribution system and the annual volume of metered and unmetered water taken by registered customers, the water purveyor, and others who are implicitly or explicitly authorized to do so pursuant to a permit, and includes the annual volume lost through breaks, leaks, and overflows on mains, service reservoirs, and service connections, up to the point of customer metering, in addition to unauthorized consumption, metering inaccuracies, and systemic data handling errors. A water loss audit helps to identify water loss control measures that can conserve water and save money.”]*

**Open Space Committee:** Don Weise reported that the trail going to Terrace Pond on Warwick Turnpike has preservation status and the trail is in good condition. Chairman Sangle inquired if he has been in contact with Linda Glosinski from the Land Conservancy, and Mr. Weise advised that the NY-NJ Trail Conference has a contract with them for the next three years, so he will reach out to her.

On another matter, he reported that Apple Acres was supposed to be preserved and possible used for recreation, but it is slowly being reforested; Chairman Sangle suggested that he contact the Recreation Director. Dave Ofshinsky commented that Passaic County had some open space funds available and he thought they were going to use the site for recreation fields. Chairman Sangle observed that once the site is overgrown, it falls into a different category. The Commission requested that a memo be sent to the Recreation Dept. to inquire if there were any plans to keep the vegetation under control at the site and any future plans with regard to recreation use.

**Environmental Contamination Issues:** Tom Tamayne reported on several No Further Action letters received from the NJDEP. Chairman Sangle inquired whether any updates were received on the Adelo site on Greenwood Lake Tpk. and suggested that the Health Dept. can be

requested to look into the matter (vapor intrusion testing at various residences behind the strip mall).

**Belchers Creek Testing Project:** The Commissioners were notified that the equipment was not available to conduct the tests on the samples taken from Belchers Creek. Chairman Sangle advised that the equipment should remain at Town Hall so that the Commissioners can have access to it. Kathleen Fitzgerald noted that she needed vials to collect the samples, and she would be testing behind Rockport and across from Bald Eagle Village for macroinvertebrates in the next week or two.

**Green Team–Sustainability Committee-S.J. Re-Certification:** Jim Rogers reported on the Sustainable Jersey program and advised that the Health and Wellness portion of the program originally had assistance from the Health Director, but he was advised by Administration that this was a function of the Green Team and he was not to be involved with the program. Chairman Sangle observed that Township staff members were discouraged from being involved or assisting with the program. Mr. Rogers commented that unless Tim Dalton was making some real progress with coordinating the documentation for the recertification, he did not seem hopeful that the Commission would meet the deadline of June 4. He reported that the Green Team/Sustainable Committee met several times to review the action items and requirements needed for submission, but the deadline was rapidly approaching, and 150 points required a large amount of documentation and meetings that may not be possible. Mr. Rogers attempted to include a new certification action item under Arts and Creative Culture by preparing a spread sheet containing an inventory of cultural institutions and activities in the community, but it required meeting with different organizations and providing minutes, which would be difficult at this point in time. He stated that he did not want to be negative about the possibility of meeting the program deadline, but was not confident that it could be met. Chairman Sangle acknowledged the obstacles that exist and commented that he has become aware of other volunteer organizations and the reluctance of the Township to permit staff to assist with programs that ultimately benefit the entire community. The Commission discussed the possibility of applying to Sustainable Jersey next year for re-certification. It needs to be determined if the Commission can skip a year or must wait for another cycle to begin.

### **NEW OR CURRENT BUSINESS**

Kathleen Fitzgerald advised that she would be conducting a Rain Barrel Workshop on Tuesday, May 16 from 6-8 for \$20. per person, with a 12 person limit at the Passaic County Extension Office in Wayne.

### **MINUTES**

The minutes from the April 3, 2017 regular meeting of the West Milford Environmental Commission were **approved** on a **motion** by Jim Rogers and a **second** by Don Weise.

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

### **CORRESPONDENCE RECEIVED:**

**Highlands Water Protection and Planning Act Correspondence** – None.

### **NJ Department of Environmental Protection Correspondence**

1. NJDEP No Further Action correspondence received, dated April 3, 2017, regarding the removal of a 2,000 gal #2 H.O. UGST at 174 Lakeside Road, Block 3406; Lot 26.
2. NJDEP No Further Action correspondence received, dated April 7, 2017, regarding the removal of a 550 gal #2 H.O. UGST at 290 High Crest Drive, Block 13103; Lot 1.

3. Suspected Hazardous Substance Discharge Notice – NJDEP Case # 17-04-09-1318-03, dated April 10, 2017, received for 35 Broadway, Block 11301; Lot 2, regarding the odor of heating oil in the area of the property.
4. Suspected Hazardous Substance Discharge Notice – NJDEP Case #17-04-17-1129-22, dated April 18, 2017, received for 21 Greendale Drive, Block 16802; Lot 5, regarding parked landscape equipment leaking fluids.
5. Amendment and Supplement to correct administrative errors on the 11-23-16 Response Action Outcome received from Lan Associates regarding Otterhole Weaver Corporation - Village Garage, 101 Otterhole Rd., Block 12403; Lot 1, with respect to remediation from two 6,000 gal. gasoline UST's, noting that "Ground Water Contamination Not Yet Investigated."
6. NJDEP No Further Action correspondence received, dated April 21, 2017, regarding the removal of one 275 g #2 H.O. AST at 707 Warwick Tpk., Block 1001; Lot 40.
7. NJDEP No Further Action correspondence received, dated April 21, 2017, regarding the removal of one 550 g #2 H.O.UST at 32 Upper High Crest Drive, Block 13103; Lot 12.

#### **Miscellaneous Correspondence Received/Sent**

1. Passaic County Div. of Economic Development & West Milford Economic Development Commission – Ensuring Environmental Compliance Seminar – Monday, June 12, 2017, 9 – 11 am, West Milford Twp. Municipal Building, RSVP to [ecodev@passaiccountynj.org](mailto:ecodev@passaiccountynj.org) or 973-569-4720.
2. Passaic County and North Jersey Transportation Planning Authority Green Infrastructure Plan to outline specific strategies to implement green infrastructure and low impact design improvements through all County processes and provide resource guide to municipalities - Meeting on 04-24-17 – Passaic County Dept. of Planning, 6:30 – 8:30 pm.
3. ANJEC Lunch & Learn Webinar – Green Infrastructure and Stream Daylighting – April 27, 2017, 12:30 – 1:30 pm.
4. Hudson Essex Passaic Soil Conservation District certification of a soil erosion and sediment control plan, dated March 9, 2017, for a single family dwelling for William Stanton, 5 Chimney Ridge Road, Block 13002; Lot 13.

**PUBLIC COMMENTS** – None.

#### **ADJOURNMENT**

With no further business to come before the Environmental Commission, the May 1, 2017 meeting was **adjourned** at **9:20 p.m.** on a **motion** by Don Weise and a second by Douglas Ott.

Approved: June 5, 2017

Respectfully submitted,

Tonya E. Cubby, Secretary