

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

May 4, 2015

The May 4, 2015 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:36 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Andrew Abdul, Gary Oppenheimer, Thomas Tamayne, Douglas Ott, Alternate #1 Jennifer Easterbrook, Chairman Stephen Sangle.

Absent: Tim Dalton, Don Weise, Alternate #2 Lucas Slott

Also Present: Clint Smith GWL Commission, Dave Ofshinsky-M.U.A.

Alternate Member Jennifer Easterbrook was requested to sit in for one of the absent Commissioners. Chairman Sangle advised that a quorum was present to conduct this meeting.

PRESENTATIONS - None.

APPLICATIONS FOR REVIEW

NYSMSA LP DBA VERIZON WIRELESS

Use and Bulk Variances #ZB-04-15-03

Block 3101; Lots 7, 8, 9

325 Lakeside Road; R-4 Zone

Seeking: Use and Bulk Variances from the Zoning Board of Adjustment for the proposed construction of a 136 ft monopole telecommunications tower in an R-4 Zone, with Use Variances required in a zone where the use is not permitted, and for height based on the proposed principal structure exceeding 10% of the maximum height permitted, and Bulk Variances for side yard setback where 300 feet is required and 1 foot is proposed, for maximum height where 86.7 feet is required and 136 feet is proposed, and for tower height where 10 feet above the average tree line is required, and 130 feet is proposed.

The West Milford Environmental Commission reviewed the plans for NYSMSA LP DBA VERIZON WIRELESS prepared by NB+C Engineering Services, LLC, revised dated 03-19-15, for Block 3101; Lots 7, 8, 9, 325 Lakeside Road, Hewitt, NJ, and the application that was filed with the Zoning Board of Adjustment. Following their review for environmental issues, the Commission approved a unanimous motion that a memo be sent to the Zoning Board of Adjustment, Township Administrator and Township Council advising the following:

- The Environmental Commission and Planning Board invested numerous hours into drafting the original cell tower ordinance, and one of the main issues they addressed was tower height. The current ordinance permits cell towers to be a maximum of 10 feet above the average tree line to avoid visual negatives, and encourages smaller towers with several collocations rather than tall single monopoles.
- The Commission inquired about adjacent properties that may be more suitable for a cell tower site that would not require numerous variances for approval, and suggested that the applicant consider other sites to situate the tower that would conform more to the ordinance.
- The Commission concurred that there may be other properties in the vicinity that could be just as effective with lower poles, or perhaps there were existing poles that Verizon could collocate on. Chairman Sangle expressed that the Commission had assisted in the preparation of, what they felt, was a fair ordinance.
- The Commission concurred that the height was too extreme for that location, and it was their main concern from an environmental aspect. It was noted that nothing attached to the pole could make it visually appealing at the height proposed.
- The Commission acknowledged that it would require additional time to review all the plans that were submitted, but there may be other properties in the area that the applicant could assess for locating a tower.

- The Commission concurred that situating the cell tower in the proposed location could interfere with vistas from various trails near the site, hindering ecotourism in and around Greenwood Lake.
- The Commission expressed concerns about the service/utility compounds that would be required near the cell tower, and that potential expansions would further impede the site.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP NNL Reforestation Grant - \$620,197.00: Ron Farr, Certified Forester and consultant for the Reforestation Project, was not present to provide an update. Chairman Sangle advised that at a recent Township Council meeting there was a presentation proposing to plant native Chestnut trees in West Milford. It was reported that there were biological efforts that have been successful in producing disease resistant chestnut trees. Commissioner Gary Oppenheimer commented that the method includes cross breeding with the Chinese chestnut tree. The Commission suggested that a memo be sent to the Township Administrator and Ron Farr to request that chestnut trees be planted wherever possible. Chairman Sangle requested that a memo or email be sent to Mr. Farr to inquire about the status of the reforestation grant since he has not been at recent meetings to provide updates.

2015 319(h) Grant for Greenwood Lake Watershed: No update was available.

ON GOING BUSINESS

Lakes Committee: Andy Abdul advised that he was out of town and did not attend the Lakes Committee meeting.

Greenwood Lake Bi-State Commission: Mr. Abdul advised that he was unavailable to attend the recent Greenwood Lake Commission meeting and had no update. With regard to the Belcher's Creek testing project, he reported that he attended the all day stream testing training at the Raritan Headwaters and he learned methods to differentiate the creatures that exist in the mud along the banks of a water body. He reported that training also involved separating into groups to focus on various stream monitoring methods including examining the foliage and different environments of a stream, as well as gathering soil from the stream bottoms with sieves. Mr. Abdul noted that it was "incredible" to learn what was in the soil at the base of a stream, which can be indicative of a healthy or poor stream environment. Stream testing will be conducted in late May, and a stream will be assigned in June for monitoring. While there is no formal certification for this course, Mr. Abdul will acquire training to assist in coordinating the proposed Belcher's Creek testing for nitrogen and phosphates.

Open Space Committee: Chairman Stephen Sangle advised that he has not received any update from the Land Conservancy regarding the Weaver Road property.

Environmental Contamination Issues: Tom Tamayne reported that he received six NJDEP No Further Action notifications from the Health Dept. Chairman Sangle referred to #4 on the Correspondence list and commented that it appears to be related to an ongoing issue with the Adelo Corporation from property on Greenwood Lake Tpk.

Green Team-Sustainable Subcommittee: Jennifer Easterbrook reported that she attended the Volunteer Night in April and presented the Sustainable Jersey Certification plaque to the Township. The Commission's Secretary was requested to send a memo to the Township Administrator and Clerk to inquire the location of the plaque since this is a replacement for the first plaque that was misplaced. Ms. Easterbrook reported that a recent meeting was held for the Green Team/Sustainability Subcommittee, and noted that the members are using Google Drive as a device to assist in Sustainable Jersey data coordination. She also advised that she reached out to the Autumn Lights Festival coordinator - May 1, 2015 was the deadline. The Secretary advised that the Environmental Commission should already be reserved and she made a note to send Rocky Hazelman's email address to Ms. Easterbrook. Ms. Easterbrook must confirm with him the Autumn Lights Festival location for the collaboration of the Green Fest-Environmental Commission-Green Team-Sustainable West Milford, and she noted that there are several DIY projects that they would like to showcase, as well as having a small farmers market with local businesses for the event.

Beaver Dam at Environmental Boardwalk: Chairman Sangle advised the Commission that Bob Jonas was away and had no report, but he drove by the Environmental Boardwalk and the water level appears to

be remaining low and not affecting the boardwalk. Tom Tamayne advised that he would be checking the Environmental Boardwalk once a week to check on the status. Gary Oppenheimer advised that there was a beaver dam on Gould Road and it was creating a low water level and somewhat of a meadow where wetlands had existed.

NEW OR CURRENT BUSINESS

Belchers Creek Testing Equipment: Andy Abdul advised that he received a phone call from the Township Health Officer regarding the testing equipment quote that was submitted. He noted that the testing equipment was supposed to be portable for use on the testing site – the quote submitted was for office equipment. Chairman Sangle advised that the Township Council had requested approximately \$2500. be set aside for the purchase of the testing equipment. Mr. Abdul said that if the equipment was in stock that it would only be a few days to get it delivered. The Secretary and Chairman will contact the Administrator's office regarding the account that this should be charged to.

ANJEC Renewal - Chairman Sangle advised that the 2015 dues for ANJEC that included the Workshop Plan and Alternate Members, was being delayed, so he sent an email to the Township Administrator regarding the importance of ANJEC to the Commission with regard to support and grants that they have provided, as well as the workshops and seminars that the Commissioners have attended.

MINUTES

The Minutes for the November 3, 2014 Regular Meeting of the West Milford Environmental Commission were approved on a motion by Douglas Ott with a second by Jennifer Easterbrook. The Minutes for the December 8, 2014 Regular Meeting of the West Milford Environmental Commission were approved on a motion by Chairman Stephen Sangle and a second by Jennifer Easterbrook, with a correction in the minutes noting that the original Sustainable Jersey plaque was mailed to Renee Alessio, the former Green Team Chair, and presented to the Township.

CORRESPONDENCE RECEIVED:

Highlands Water Protection And Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. Residual General Permit Authorization Renewal received from the NJDEP, dated April 1, 2015, for R-D Trucking, 1874 route 23, West Milford regarding a Residuals Transfer Facility.
2. No Further Action letter received from the NJDEP, dated April 2, 2015, for Block 13203; Lot 26, 391 Macopin Road, regarding the removal of a 1000 gal #2 Heating Oil UGST.
3. Notice from the NJDEP, dated April 2, 2015, regarding the publishing of the Centennial Update of the State Geologic Map. Visit <http://njgeology.org/enviroed/newsletter/v10n2.pdf>. Copies are also available for \$20.00.
4. Copies of correspondence from Hydrotechnology Consultants, Inc. (HCI), dated March 30, 2015, to various residents on Ringwood Lane, regarding Adelo Corporation, 2019 Greenwood Lake Turnpike, NJDEP Preferred ID # 227453, with respect to elevated levels of contaminants of concern (COC's) detected in the groundwater. HCI is requesting permission to collect water samples from potable wells in the vicinity to determine if the wells have been impacted.
5. No Further Action letter, dated April 14, 2015, received from the NJDEP regarding removal of a 550 gallon #2 Heating Oil UGST for Debbie O'Brien, 30 Glen Ridge Road, Block 1802; Lot 23.

Miscellaneous Correspondence Received/Sent

1. Invitation from Passaic County Planning Dept. - Open Space and City Green, Inc., dated April 10, 2015 regarding the Annual Community Garden Conference on May 16, 2015 at 171 Grove Street, Clifton, NJ at 10am. Reservations required – visit <http://gardenconference.eventbrite.com>.

2. Correspondence from Orange and Rockland, dated April 10, 2015, requesting that the Township advise them of any work planned or being performed in RECO's easements, and also to advise residents who plan to dig to call 811 before they begin any work.
3. HEPSCD certification of a Soil Erosion and Sediment Control Plan, dated 03-02-15, for Jennifer Hass, 176 Long Pond Road, Block 4004; Lot 2, regarding demolition and rebuilding of a single family dwelling.
4. Adoption of Ordinance #2015-003 by the Township of West Milford, renaming a portion of Dockerty Hollow Road (3900 feet) to Arnold Road.

PUBLIC COMMENTS – A resident of West Milford (no name provided) addressed the Commission regarding the proposed Jungle Habitat ATV Park. Chairman Sangle commented that he hopes the proposed ATV park will help to keep users of the vehicles off of the other trails in the Township, and that the Commission receives a copy of the plans for review to assess for any potential environmental issues. He noted that he agreed with one Councilmember that the Township should not pay for plans for the park, but rather the plans should be prepared by a vendor who would lease the site. The resident addressing the Commission commented that in Massachusetts, part of the vehicle licensing fees help to pay for a state run ATV park. Mr. Oppenheimer remarked that ATV's have ruined many of the roads in Newark Watershed. Dave Ofshinsky, M.U.A. representative, commented that there is much erosion behind Crescent Park from ATV users. Clint Smith, GWL Commission representative, remarked that there will be damage to the trails and terrain, and the trails will not be usable in a few years. Several Commissioners expressed that the ATV users will not pay to go to a specific park when they can continue to ride for free in the woods or on their own properties. Chairman Sangle advised that it is not an environmental issue at this point, but if it gets to the engineering stage, he hopes that the Environmental Commission has an opportunity to review the plans, and he encouraged the Commissioners and residents to attend Council and ATV Committee meetings when this matter will be discussed. Tom Tamyane commented that it made sense for the Township to do a Feasibility Study on this. Ann Genader, local journalist, noted that the Council had changed the resolution to include payment for a feasibility study, but not plans. The Commissioners concurred that it is an attempt to attract businesses to the Township, but that the Township was also getting pressure from the local ATV community.

ADJOURNMENT

With no further business to come before the Environmental Commission, the May 4, 2015 meeting was **adjourned** at **8:40p.m.** on a **motion** by Doug Ott and a **second** by Andy Abdul.

Approved: October 5, 2015

Respectfully submitted,

Tonya E. Cubby, Secretary