

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

May 6, 2019

The May 6, 2019 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:02 pm with a reading of the Legal Notice.

ROLL CALL

Present: David Ofshinsky, James Rogers, Thomas Tamayne, Chairman Stephen Sangle, Douglas Trainor (Alt #2), Don Weise.

Absent: Tim Dalton, Douglas Ott, Clinton Smith (Alt #1).

Chairman Sangle requested Doug Trainor to sit in for Tim Dalton and advised that there was a quorum for this meeting.

PRESENTATIONS/GUESTS – None.

APPLICATIONS FOR REVIEW

Environmental Impact Statement - Review

KINGWOOD FLEX LLC

Preliminary & Final Site Plan W Bulk Variance #PB 03-18-03

Block 6401; Lots 1 & 3
1592 Union Valley Road

Seeking: Preliminary & Final Site Plan with Bulk Variance approval for the redevelopment of an existing mixed use commercial building including the partial demolition of a commercial building and construction a 5,449 SF building addition to house a Dollar Tree retail store. Associated site improvements include parking areas, grading, landscaping, lighting and utilities.

The Environmental Commission was requested to review the Environmental Impact Statement and provide comments for the Planning Board regarding the Kingwood Flex LLC Site Plan. Commissioner Thomas Tamayne reviewed the plans that were submitted and reported that the applicant was proposing a number of improvements to the existing site. The following recommendations were made with respect to the proposed plans:

- The applicant should consider installing photo voltaic array solar panels.
- The applicant should consider an electric charging station for electric cars.
- The applicant should consider installing oil separators to collect petroleum residue from the cars in the parking lot.

LINDA DEWAR

Bulk Variance #ZB-01-19-03

Block 7618; Lot 4
7 Washington Lane; LR Zone

Seeking: Bulk Variance approval for the addition of a 10 x 10 ft bathroom on an existing single family dwelling, with variances requested for a rear yard setback where 60' is required, 41.3' exists, and 31.3' is proposed, and maximum building coverage for principal structure where 750 s.f. is required, 935 s.f. exists, and 1.035 s.f. is proposed.

Following a review of the bulk variance application for Linda Dewar, Block 7618; Lot 4, 7 Washington Lane, the Commission recommended the following:

- No exterior lighting should be installed which could adversely affect neighboring property owners.

- The Commission suggested that the applicant consider installing rain barrels to address the additional stormwater runoff from the increased building coverage.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan: Tim Dalton was absent but sent an update via email:

“As to the Community Forestry, I met with Steve, the Mayor and Roger Cox from the DPW last week. The CFMP Annual Accomplishment report was reviewed and signed by the Mayor, with one correction. I submitted the report on Thursday and received confirmation from Brian McDonald that it was approved and we are current and our program is currently accredited. At the meeting with the Mayor, we decided to not apply for grants in the current round for several reasons, but we are going to start work on the plan for the next 5 years, move forward to find a Forester/Arborist to work with us and to seek Tree City USA status this year. I’ll be bringing information about all those to future meetings after I do a little more research.

Belcher Creek cleanup isn’t moving very much now, but should pick up soon. I met with Chris Garcia to discuss combining efforts with his proposed Greenway project. We agreed that a meeting of interested parties would be in order, but I haven’t done anything with that yet.

Haven’t had any luck getting together with the High School Green Team advisors.”

Chairman Sangle advised that when he and Tim Dalton met with the Mayor and the DPW, it was noted that some of the trees planted as part of the reforestation project might be in the way of a proposed ballfield at the former Apple Acres site on Union Valley Road, so they may have to be re-located to another location.

Chairman Sangle also advised that Tim Dalton would be in contact with the NJDEP – Forestry Division to determine the process for final sign off of the NNL Grant Reforestation Project and the distribution of the final funds. The Commission may need the services of a certified forester to assist with the close out procedures of the grant project. Several names were discussed, and the Secretary would also provide the Commissioners with a list of certified foresters from the NJDEP website.

Greenwood Lake Bi-State Commission: Clint Smith was not present to provide a report, but Chairman Sangle advised that the GWLC had obtained the services of an organization to attempt non-lethal methods for geese control around GWL. Mr. Rogers observed that one method was to locate the eggs and shake them so that they aren’t able to hatch. Tom Tamayne reported that certain areas of NY State use solar panels to power sprinklers that are set to go off at various times to discourage the geese, and it has been an effective deterrent.

Lakes Committee / Lake Management Planning: Commissioner James Rogers reported on a recent Lakes Committee meeting, advising that the Township Health Inspector was at the meeting and reviewed requirements for lake permits for 2019. She had advised the Lake Committee representatives that if they apply for special status, they may be exempt from providing a lifeguard, if approved. Mr. Rogers advised that Keri Green from the NJ Highlands Council was working with the Lakes Committee in a fact finding process so that surveys can be completed on the lakes as part of a planning grant that the lakes will be eligible for.

Open Space Committee: Don Weise reported that he had reached out to Linda Glosinski of the Land Conservancy regarding the properties on the Belcher Creek corridor for possible open space acquisition. She noted that many of the sites are located in wetlands. Mr. Weise observed that the NY-NJ Trail Conference had a contract with the Land Conservancy in prior years. Chairman Sangle expressed that hiring a company like the Land Conservancy to oversee the Open Space matters and locate properties for the Township was a prudent expenditure. He noted that the Open Space Greenway and Prioritization Plan that the Township adopted as part of the Open Space Plan in 2008 included properties that should be considered.

Environmental Contamination Issues: Thomas Tamayne reported on the contamination issues that he received notification on as well as those listed on the agenda.

Belchers Creek Testing Project: Testing continued on the Belchers Creek corridor and the readings were reviewed by the Commission. Commissioner Dave Ofshinsky would add the latest readings to the chart and forward it to the Commission's Secretary. The Commission requested that a copy of the chart be forwarded to Princeton Hydro for their planning project with the GWL Commission. Jim Rogers noted that the temperature readings should be taken during the testing session. Tom Tamayne observed that the rainfall amounts should be listed on the web.

ANJEC 2019 OSS Grant - Belchers Creek Clean Up and Recreational Enhancement Project – Jim Rogers reported that ANJEC will be announcing the recipients of the 2019 OSS Grant on May 10, 2019. If awarded to the Commission, he observed that the areas most in need of brush and debris clean-up should be identified. He added that volunteers will be needed for various tasks, and the hours will be logged in to the grant. Mr. Rogers noted that he could reach out to Chris Garcia to try to coordinate this project with his proposed "Greenway" project. Chairman Sangle remarked that Mr. Garcia's project was not under the auspices of the Township, nor any official entity, and we should be cautious about combining it with an official Township project.

Green Team–Sustainability Committee: Commissioners Don Weise and Doug Trainor advised that they would be willing to assist Tim Dalton and reach out to the High School Green Team leaders and advisors to try to coordinate our efforts with regard to Sustainable Jersey certification.

NEW OR CURRENT BUSINESS

Belchers Creek – Debris at Rear of Tractor Supply on Union Valley Road: Chairman Sangle reported that most of the pallets had been cleared away from the site behind the [West Milford Shopping Plaza] Tractor Supply, but the soil was still there as well as one drum, but overall, the site appeared to be generally clean.

Highlands Trail – Don Weise reported that the NY/NJ Trail Conference has submitted an application to the Highlands Council for a grant for signage and trail work on the Highlands Trail.

Autumn Lights Festival – The Commission concurred that they wish to participate in the 2019 ALF event, but commitments from several of the Commissioners are required to work the one day event. The Secretary was requested to complete and submit the registration form. Chairman Sangle suggested that the Watershed Ambassador might be interested in assisting, but the Commission observed that a new ambassador is usually appointed in September, so there is no guarantee that we can rely on their participation.

MINUTES

The minutes from the April 1, 2019 regular meeting of the West Milford Environmental Commission were **approved** on a **motion** by Dave Ofshinsky with a **second** by Thomas Tamayne.

CORRESPONDENCE RECEIVED

The following correspondence items were reviewed:

Highlands Water Protection and Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. NJDEP No Further Action correspondence, PI#802341, dated April 5, 2019, received for 84 Circle Drive, Block 16307; Lot 14, regarding the removal of one 550 gallon #2 HO UST.

2. NJDEP No Further Action correspondence, PI#751397, dated April 2, 2019, received for 31 Board Road, Block 4005; Lot 3, regarding the removal of one 1,000 gallon #2 HO UST.
3. Suspected Hazardous Substance Discharge Notification, dated April 5, 2019, NJDEP Case #19-04-04-1113-55, PI# 007803, for 2899 Route 23, Block 15505; Lot 1, regarding soil contamination (lead) found during remedial investigation.
4. NJDEP Freshwater Wetlands General Permit #8, dated April 4, 2019, received for Michael Darmstatter, 151 Lincoln Avenue, Block 6403; Lot 1.01, for an after-the-fact permit authorization for the permanent disturbance of 0.010 acres (454 SF) of freshwater wetlands transition area for the construction of a garage; expiration date April 3, 2024.
5. NJDEP Dam Safety and Flood Control Permit #1569, dated April 3, 2019, received for City of Newark, Dept. of Water and Sewer Utilities, regarding repairs that will be made to the Cedar Pond Dam located across a tributary to Clinton Brook within the Township of West Milford.
6. NJDEP Dam Safety and Flood Control Permit #1568, dated March 26, 2019, received for City of Newark, Dept. of Water and Sewer Utilities, regarding repairs that will be made to the Hanks Pond Dam located across a tributary to Clinton Brook within the Township of West Milford.
7. NJDEP Dam Safety and Flood Control correspondence, dated April 12, 2019, received for Hands In 4 Youth, regarding the Henion Pond Dam, NJ Dam File #22-18, advising that the Division will allow the lake level to be raised provided the excavation of the dam crest is staged to minimize the duration of vulnerability and should not begin until the proposed work on the downstream slope is completed. All conditions of Dam permit #1469 remain in effect and no modifications to the approved plans may be undertaken unless submitted and approved by the Dept.
8. NJDEP FHA IP and FW GP #13-Dredging, Water Quality Certificate received for Carolyn Gagas for 40 Sanders Court, Block 10603; Lot 1 for the disturbance of 0.07 acres of palustrine emergent wetlands, 0.16 acres of State Open Water, and 0.10 acres of wetland transition area for dredging of a man-made residential pond, with dredging up to a depth of 3 ft and 500 c.y. of material dredged and disposed of offsite.
9. Suspected Hazardous Substance Discharge Notice from the NJDEP, dated April 27, 2019, NJDEP Case # 19-04-26-1051-56, regarding the removal of one 550 #2 HO Gal UST, with clean up pending.
10. Notice from John Moyle, NJDEP Division of Dam Safety & Flood Control, dated April 24, 2019, referencing the City of Newark Dams, Comprehensive Compliance Schedule, advising that the schedule for the recommended immediate repairs and proposed dates must be included in the CCS, including removal of trees and vegetation, resetting displaced riprap, repairing ruts and filling in depressed areas, gatehouse maintenance/repair items, repair outlet valves, etc. In addition, some of the recommended immediate repairs that were included in the CCS were not proposed to be addressed in a sufficiently expedited timeframe. A revised comprehensive compliance schedule or supplemental documents are required to be submitted.

Miscellaneous Correspondence

1. HEPSCD certification of a soil erosion and sediment control plan, dated March 5, 2019, received for Carolyn Gagas, 40 Sanders Court, Block 10603; Lot 1, regarding a pond dredging project on the subject property.
2. HEPSCD certification of a soil erosion and sediment control plan, dated March 13, 2019, received for Kenneth LaPlaca, 859 Macopin Road, Block 14301; Lot 24 for a garage and dwelling addition.
3. HEPSCD certification of a soil erosion and sediment control plan, dated March 13, 2019, received for Frank Guiliano, 33 Reidy Place, Block 3503, Lot 8.

4. ANJEC Environmental Commission Training, 05-18-19, Ridgefield, NJ 9–1:30.
5. Application for a NJDEP Flood Hazard Area and Freshwater Wetlands Individual Permit from PSE&G, dated March 14, 2019, regarding the vegetative maintenance program (forested wetlands and forested riparian zone tree removal) along the PSE&G electric transmission line ROWs.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the May 6, 2019 regular meeting was **adjourned** at 7:50 p.m. on a **motion** by Douglas Ott and a **second** by Thomas Tamayne.

Approved: June 3, 2019

Respectfully submitted by

Tonya E. Cubby, Secretary