

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

June 3, 2019

The June 3, 2019 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:04 pm with a reading of the Legal Notice.

ROLL CALL

Present: James Rogers, Douglas Ott, Thomas Tamayne, Chairman Stephen Sangle, Clinton Smith (Alt#1), Douglas Trainor (Alt #2).

Absent: Tim Dalton, David Ofshinsky, Don Weise.

Also Present: Mayor Michele Dale, Councilman Lou Signorino, Paul Zarrillo (GWLC)

Chairman Sangle requested Doug Trainor and Clinton Smith to sit in for two of the absent Commissioners and then advised that there was a quorum for this meeting.

PRESENTATIONS – ANJEC 2019 OSS Grant–Belchers Creek Clean-up and Recreational Enhancement Project Kick-off Session

Chairman Stephen Sangle welcomed Mayor Michele Dale, Councilman Lou Signorino, and Paul Zarrillo from the Greenwood Lake Commission. He introduced Environmental Commissioner Jim Rogers who is coordinating the Belchers Creek Clean-up and Recreational Enhancement Grant Project. Mr. Rogers reviewed the 2019 Open Space & Stewardship grant that the Environmental Commission received from ANJEC in the amount of \$1492, advising that the grant will be used for the purchase of new nitrate and phosphorous testing equipment, a Jon boat and battery/motor to allow access to various areas along the Belchers Creek. He noted that current limited access is only from the shoreline. Mr. Rogers reviewed the publically owned access points to the creek and advised that no work will be undertaken on private property. Paul Zarrillo of the GWLC had provided a map of the creek and pinpointed the accessible areas. Mr. Rogers emphasized that this project will not involve dredging or desilting, but mainly removing overgrowth to enhance the creek and make it more accessible for canoeing, fishing, and walking paths. He noted that fellow Commissioner Don Weise will use his resources and expertise to assist with creating walking paths on the public properties along Belchers Creek. Mr. Rogers reviewed the location of Belchers Creek, indicating that it originates off of Stephens Road and winds down until it reaches the mouth of Greenwood Lake at Brown's Point. Greenwood Lake supplies drinking water to over 2 million, and this project will result in an improvement in the water for those who use this valuable resource.

Paul Zarrillo of the GWLC (Greenwood Lake Commission) reported that he and Commissioner Clint Smith went along Belchers Creek to determine the access areas, and noted that almost all of the streets have access to the creek, with some more accessible than others. The map he prepared indicates the areas that have good access. Mr. Zarrillo observed that the locations of public land that need to be cleared for a public path are being researched, but there are a large amount of public lands along the creek, some that are contiguous and some that are not. Photos were taken of many of the locations. Mayor Michele Dale commented that Councilwoman Marilyn Lichtenberg has a map of all the public properties, including all the blocks and lots that the Township owns along Belchers Creek, and this information can be provided to the Commission. Chairman Sangle remarked that any parcels that have low assessments for taxes might be considered for open space acquisition. Mr. Zarrillo noted that there is a dangerous tree at Wallisch Estates that is across power lines and needs to be removed. Councilman Signorino requested that Mr. Zarrillo send him a copy of the photos of Belchers Creek. Mayor Dale requested that Mr. Zarrillo send the photos to Cathy Shanahan in the Administrator's Office. Mr. Zarrillo reported that there was a tremendous amount of

overgrowth along the shores of the creek, but only a few large trees that may have to be removed. If the brush is removed, it would widen the access for boats, canoes and kayaks. He reported that the grant from the Highlands for a study to be completed by Princeton Hydro will provide more information on what needs to be done, as well as possible sources for more grant funding. Clint Smith commented that even if this project is concentrated solely on public lands, the impact would be significant. With regard to the presence of weeds along the creek, Mr. Zarrillo noted that water lilies and weeds have overtaken some of the areas in the creek. Chairman Sangle observed that with the grant that the Environmental Commission received, the assessment process can begin, which will pave the way for more opportunities and more possible grant funding. The Commission discussed water lily and weed control, and whether the use of herbicides would be appropriate in this situation. Councilman Signorino commented about the project and having a town center that connects to various locations, and felt that with the combined resources of numerous groups of volunteers, that the project will succeed.

Chairman Sangle inquired of Mayor Dale and Councilman Signorino whether the Commission can anticipate assistance from the DPW to remove the debris that is recovered in the clean-up project. Councilman Signorino commented that he felt the weed harvesting should be under control of the DPW. Mayor Dale advised that this matter had been discussed and the Commission can count on cooperation from the Township for this project. Mr. Zarrillo noted that the DPW assisted in removing tree stumps during the removal process on Greenwood Lake and they have been very cooperative.

Mr. Rogers remarked that this was a great kick-off meeting and felt that even after the grant expires, this can be an ongoing project. He suggested that we may consider a grand opening event when much of the work has been accomplished, and noted that this was a fantastic recreational opportunity, as well as an environmental achievement by addressing the nitrates and phosphates that are affecting the quality of the lake. With regard to an inquiry from a resident, Mr. Rogers advised that the intent is to create a more passive recreation area and open up the creek for canoes and kayaks, but not water skis and power boats. Mr. Rogers stressed that this was the first stage, and the project will have to be completed in stages. Mayor Dale commented that there are open space funds available, and they should be used to make this a viable resource as well as promote the Highlands region. The Commission considered several options for funding sources, including open space funds to be used for clean-up and rehabilitation. Mayor Dale advised that this dual purpose under open space funds (acquisition and rehabilitation) would have to be accomplished through an ordinance. Chairman Sangle noted that when this grant project is completed by next June, we will have a better idea of how we can progress further. With regard to open space funds, he suggested that the funds may be able to be utilized for a contract for the Land Conservancy. Mayor Dale advised that she created a grant portal to simplify and summarize the grant process, providing information on what grants are available.

Clint Smith inquired when a meeting with the Board of Education should be held, and Chairman Sangle suggested that we should wait until the first stage of the project is completed. With regard to the open space funds, the Commission requested the secretary to send a memo to the Mayor, Council and Administrator to request an amendment to the open space ordinance to change it to acquisition and rehabilitation of open space from 2019 going forward. On a motion by Chairman Stephen Sangle, with a second by Thomas Tamayne, the Commission voted unanimously to request the amendment to the open space ordinance. Chairman Sangle thanked those members of the public and Governing Body for attending this meeting.

APPLICATIONS FOR REVIEW

JOHN MOORE

Bulk Variance ZB-04-19-07

Block 15302; Lot 21.02

70 Charcoal Rd; R-4 Zone

Seeking: Bulk Variance approval for a side yard setback, where 50' is required and 35' is proposed, for the construction of a 30' x 30' detached garage.

Following their review, the Commission recommended that the applicant provide some accommodation for the additional impervious coverage by installing rain barrels or utilizing the existing drywell for roof drainage and stormwater runoff.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan – No update.

Greenwood Lake Bi-State Commission: Clint Smith and Paul Zarrillo reported on behalf of the Greenwood Lake Commission and advised that mailings were sent to residents to request support for annual State funding in the amount of \$500,000. They suggested that residents telephone the various government entities to urge support for funding. Commissioner Jim Rogers inquired whether the funding would be considered for approval in the next session if it isn't voted on during the current session. Mr. Zarrillo noted that it could be considered, but with elections coming up, the backing they have now could be lost, so it was important for residents to voice support at this time.

Lakes Committee / Lake Management Planning: Commissioner James Rogers advised that 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: Chairman Sangle reported that he had received a quote for approximately \$12,000. from The Land Conservancy regarding a contract for their services for open space matters. He noted that we may be able to use the available open space funds for a contract. This matter will be further reviewed by the Commission, Administration and the Governing Body.

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: Belchers Creek corridor testing continued, with samples taken by Jim Rogers and Doug Trainor. Commissioner Tom Tamayne inquired if we are reporting the levels to the Health Dept., and wondered what levels of nitrates would indicate fecal coliform. He suggested that we acquire a base level and we should report if it exceeds that level. Jim Rogers was concerned that our equipment and testing procedures may not be that accurate and was concerned that we would be held accountable. Mr. Tamayne responded that there was no down side to reporting the levels. Chairman Sangle observed that the State level for treatment plants was 3.0 when he was on the M.U.A., but there were many factors involved with the readings. He suggested that Mr. Tamayne contact the Health Dept. regarding this matter. The Commission considered the option of reporting to the Health Dept. if three readings over 3.0 are obtained.

Green Team–Sustainability Committee: Commissioner Doug Trainor advised he reached out to the High School Green Team and spoke to Dave Stires who will assist in getting recertification. He was willing to discuss Green Team recycling projects that may be used for certification.

NEW OR CURRENT BUSINESS

Chairman Sangle asked the Commission to discuss the Land Conservancy proposal at the next meeting, so that we can move forward with their services if the Township approves a contract.

MINUTES

The minutes from the May 6, 2019 regular meeting of the West Milford Environmental Commission were **approved** on a **motion** by Thomas Tamayne with a **second** by Douglas Ott.

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 Groundwater Remedial Action Permit, SRP Program Interest (PI) #001649, RAP #190001, dated April 24, 2019, received for Getty Properties Corp. and Frank Kasabri, Dena Car LLC, 2048 Route 23, Block 14104; Lot 2, requiring the permittee to conduct monitoring, maintenance and evaluation for compliance and effectiveness of the on-going ground water remediation. A classification Exception Area/Well Restriction Area has been established for the site and is consistent with the attached CEA/WRA Fact sheet. Ground Water Monitoring and Reporting Requirement outlined in the correspondence.
2. NJDEP Suspected Hazardous Substance Discharge Notification dated April 30, 2019 received for 16 Greenbrook, Block 6703; Lot 4 regarding the removal of one 1000 gallon UST with clean-up pending.
3. Flood Hazard Area Individual Permit and Freshwater Wetlands Permit #13-Correction on Condition 9, File # 1615-19-0006.1 regarding Block 10603; Lot 1, 40 Sanders Court, for the dredging of a residential pond. “The wetlands affected by this permit authorization are of intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet respectively.” The permit expiration date remains at April 14, 2024.
4. Correspondence from EcolSciences, Inc. dated May 3, 2019, advising of a NJDEP Letter of Interpretation Line Verification and Transition Area Waiver application being submitted for Environmental Construction Co., Block 4106; Lot 1, to verify the delineated limits of wetlands adjacent to the referenced site which is proposed for two single family residences.
5. NJDEP Flood Hazard Area Extension, File #1615-11-0003.1 FHA 190001, dated May 2, 2019, regarding a FHA Verification for a riparian zone along an unnamed tributary to Belchers Creek within Lot 4.02, Block 5306. All conditions of the original permit will remain and the permit will expire on March 10, 2024.

6. Notification from McKittrick Engineering , dated May 5, 2019, regarding a Statewide General Permit for Sokoly Residence, Block 8201; Lot 16, regarding the installation of a new septic system in a wetlands transition area.
7. NJDEP No Further Action dated May 8, 2019 received for 62 Wayside Rd, Block 806; Lot 16, regarding the removal of one 550 gallon #2 HO UST.
8. NJDEP No Further Action dated May 8, 2019 received for 754 Warwick Tpk., Block 1802; Lot 1, regarding the removal of a 275 gallon #2 HO AST.
9. Application to the NJDEP for extension of a LOI, GP and TAW for the cutting and clearing of trees, placement of pavement or other impervious surface, and placement of one or more buildings for Antonucci, 270 Cherry Ridge Rd., Block 101; Lot 29.

Miscellaneous Correspondence

1. New Jersey Forestry Association Upcoming Programs listing.
2. Request for environmental programs to be offered at Camp Hope, Union Valley Road.

PUBLIC COMMENTS – Nicolette Munier, Greenbrook Estates, inquired about the Commission's plans for Belchers Creek. The Commissioners invited her to get involved when the Belchers Creek project gets underway.

Paul Zarrillo reported that the GWLC is attempting to address the geese issue on Greenwood Lake with a company that uses a geese spray that is EPA approved. The spray lasts about 6 weeks and is being used by Bergen County.

ADJOURNMENT

With no further business to come before the Environmental Commission, the June 3, 2019 regular meeting was **adjourned** at 8:25 p.m. on a **motion** by Douglas Ott and a **second** by Chairman Stephen Sangle.

Approved: August 5, 2019

Respectfully submitted by

Tonya E. Cubby, Secretary