

Township of West Milford
ENVIRONMENTAL COMMISSION

MINUTES

JUNE 7, 2010

The regular meeting of the Environmental Commission of the Township of West Milford was called to order at 7:37 p.m. by Chairman Stephen Sangle, followed by a reading of the Legal Notice.

ROLL CALL: Present: Andrew Abdul (7:54), Timothy Metcalf, Douglas Ott, Bernie Stapleton, David Watson-Hallowell, Alternates Gary Oppenheimer, and Chairman Stephen Sangle.

Absent: Gillian Hemstead, Maryellen Gabay.

PRESENTATIONS

New Jersey Water Association – Jay Vouglitois – Protecting Our Drinking Water - – Mr. Vouglitois was present to address the Environmental Commission about the Draft Water Conservation Ordinance that the Township was considering. He offered his services, free of charge to the Township, with regard to a presentation entitled “Protecting Our Drinking Water.” He noted that it had been developed for the 4 – 6 grade level and requires an hour for the presentation. Additional presentations for other grade levels are in the process of being developed. Chairman Sangle commented that the resources he provides could be used to satisfy the Commission’s public outreach and educational responsibility. Mr. Vouglitois also brought to the meeting a *brown water simulator*, as an exhibit, which included aquifers, simulated wells, lakes, and streams. He demonstrated how these water sources are affected by underground storage tanks and septic systems. Gary Oppenheimer inquired whether the exhibit/demonstration could be adapted for interactive use on the web. David Watson-Hallowell suggested that NJ Water provide presentations to the schools in the Township. Chairman Sangle commented that Mr. Vouglitois could possibly do a short presentation with the brown water simulator for the Township Council. Mr. Vouglitois also advised that he has a fractured bedrock aquifer exhibit for use in his presentations. He noted that he did not create the exhibits, but the contact information for the engineering firm that developed these exhibits is available. Mr. Hallowell invited Mr. Vouglitois to provide demonstrations about water contamination at the weekly Farmer’s Market. Mr. Vouglitois advised that additional outreach information would be provided to the Commission’s Secretary from NJ Water for use at Autumn Lights and Green Fest.

APPLICATIONS

1952 UNION VALLEY ROAD, LLC
Preliminary & Final Site Plan #0820-0167AB
Block 3601; Lots 1 & 3
1952 Union Valley Road; CC Zone

Chairman Sangle advised that this application was scheduled for the next Planning Board meeting, and revised plans had been provided to the Commission for review and comment. The Commission reviewed the plans, and ascertained that there was no proposed gas station associated with the proposed deli and two apartments. The review included discussion about stormwater, sedimentation basins, lighting, and septic. Following a review, the Commission declared that they have no objections to the revised plans presented.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

604(b) OWTS Grant and 2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: Chairman Sangle and Gillian Hemstead will contact Fred Lubnow and invite him to the July 12, 2010 Commission meeting so that he can provide an update on the grants and associated projects.

Streetscape Grant: Doug Ott reported that Rich McFadden, Township Engineer, was retiring at the end of June and the status of the project was undetermined at this time.

Recreational Trails Grant: Grant status will be reported at the next meeting on July 12, 2010.

ON GOING BUSINESS

Lakes Committee: Andy Abdul provided a copy of the Lakes Committee minutes for the Commission to review. He noted that the discussion at the Lakes meeting was primarily about assessments.

Open Space Subcommittee: Chairman Sangle reported that there were several parcels offered to the Township, but there had been no decisions to date. Bernie Stapleton noted a property offered in Upper Greenwood Lake, behind the Mt. Laurel complex, and reported that this was not part of the Greenbelt, but was not able to determine the exact location. Mr. Hollowell commented that it fronts on Warwick Turnpike.

Renewable Energy Subcommittee: The Secretary reported that the Wind Turbine Ordinance was sent to Fred Semrau by the Township Planner and it is being prepared into draft ordinance form for review by the Township Council. Doug Ott reported that there was some discussion by the Planning Board about the Environmental Commission's concerns. Chairman Sangle noted that he expressed his displeasure about the turbines being limited to commercial properties in the new ordinance. The Commission discussed the issue and concluded that this ordinance will be referred back to them from the Township Council before adoption and they will provide further comments at that time.

Environmental Contamination Issues: Bernie Stapleton reported that he received an update from the Health Officer. He also noted some concerns about Apple Valley Estates. Mr. Ott inquired if there are septic repairs being proposed for Mr. John Aiello's strip mall on Greenwood Lake Turnpike, and Mr. Stapleton replied that there were no repairs occurring at present.

Chairman Sangle advised that there is a concern that sufficient measures were not taken with regard to runoff at the remediation site on Apple Valley Estates. Gary Oppenheimer advised that the nearby creek had been tested previously, but when the silt from runoff enters the creek, it will settle, adding that weather events will affect the readings. Chairman Sangle noted that the owner was receptive to additional testing. Mr. Ott suggested the owner's and engineer's contact information be provided to the Township Administrator. Mr. Hollowell remarked that we should insist that they test above and below the site. Mr. Oppenheimer advised that he would contact the Township Administrator the following day. The Commission discussed the levels of arsenic and lead present and Mr. Oppenheimer noted that the engineers have results from the year prior, and these were a good benchmark for determining any significant change. He also expressed his concern that the contaminated site and remediation goes up to the property lines, near children's play equipment.

Sustainable Jersey - Sustainable West Milford - Green Fest: Mr. Hollowell reported that the Commission had a table at Greenfest, and the event was well attended with over 2000 visitors. He also urged people to sign up for an energy audit so that the Green Team can get additional credits. He noted that the Township gets 20 points for having the Greenfest. He reported on a project that is funded through a grant from Walmart that will provide funds for a green building on the site of a shed at the Recycling Center, to be utilized as an exhibit. The Secretary noted that the invoice for the EC banner was still outstanding, so those Commissioners present at the meeting contributed to the cost of the banner.

Beaver Dam at Environmental Boardwalk: No update at this time.

NEW BUSINESS

Trails Master Plan Grant: David Watson Hollowell reported that a grant for \$20,000. had been applied for, but conversations with Kerry Miller of ANJEC revealed that only \$5,000. was available. There was some discussion about the information that had been compiled with the previous grant, and Doug Ott commented that the Trails Conference had information that could be utilized. Mr. Hollowell thought that there was information on hiking trails, but was not sure about equestrian trails information. He noted that the purpose was to create a green infrastructure of trails. Chairman Sangle remarked that there had been an inquiry about trails for non-motorized bikes and suggested that they also be included. Mr. Hollowell advised that he needed to contact ANJEC, but that the intent of the plan that was submitted should be adhered to. Chairman Sangle suggested that if there is information existing on the hiking trails, perhaps bike and equestrian trails could be the focus of this grant. Mr. Hollowell commented that George White, the consultant who will be providing the trails plan, has much of the information available that he can use, which is the reason that he may provide his services utilizing the funds that are available with the grant. He will contact him regarding adjustments to the scope of the project. He noted that planning for trails that will connect to the business community and other areas of interest is important. The Commission concurred that the interconnection of the trails should be the focus.

Kodak Greenway Grant: Mr. Hollowell reported on the Kodak Grant and the resolution that was adopted by the Township Council for submission of the grant. He noted that it was referred from ANJEC,

and is similar to the trails grant. He spoke to Kerry Miller about this grant and suggested that it may be combined with the other trails grant, adding that \$2,500. is available. He asked if another Commissioner would be interested in writing the grant. Chairman Sangle suggested that Gillian Hemstead may be interested in pursuing this grant, and that the Administrator may also assist with this.

Noise Pollution - Local Events: Tim Wagner, the Manager from Greenwood Lake Airport, was present to address the Commission about noise concerns expressed at the prior meeting. He distributed photos of the site with the flight pattern outline and explained that during the test runs for the recent air show, the flight paths were adjusted to address the few complaints received from nearby residents. Mr. Wagner noted that the airport is State funded and has to operate like any other business, so events are planned at various times to generate income in order to sustain itself. He also stated that the event in May was not a public sanctioned event, but rather an event run by, and for, the benefit of an air club. He remarked that the airport has brought in more jobs to the area, and a Commissioner suggested that announcements be made to the public about increased air traffic on certain days. Following discussion, the Commission agreed that better public relations and cooperation would help to alleviate some of the issues with the aerial events. Chairman Sangle suggested that Mr. Wagner provide an aerial map to local newspapers in advance, and also announce events at Township Council meetings so that the public may be prepared and can make alternate plans during the event to avoid the associated noise.

Passaic County Grant Schedule: Chairman Sangle reported that this matter would not be discussed at this time.

Annual Report to Township Council: Nothing to report at this time.

MINUTES

The minutes for the May 3, 2010 Regular Meeting of the Environmental Commission would be available at the next Commission meeting on July 12, 2010.

CORRESPONDENCE

The correspondence was reviewed by the Environmental Commission and filed following comments regarding:

#8 Awosting Sewer Treatment Plan Expansion – the Commission suggested sending a memo to the MUA regarding this. The Secretary advised that this has been an ongoing project.

#10 was duplicated in the listing.

#5 AECOM's request for a list of environmentally sensitive areas was discussed. Mr. Ott commented that the most obvious site was the Wallisch Estate. Following discussion, the Secretary was directed to provide a memo to the Township Administrator advising that this engineering company (AECOM) had been hired to provide information for the Tennessee Gas Pipeline, and the Commission was of the opinion that AECOM should be notifying us of their report and findings about environmental sensitivity within the vicinity of the project. The Commissioners concurred that they did not have the resources or expertise to be giving AECOM written notification regarding this matter.

Mr. Oppenheimer reported that there were complaints about the recent Passaic County Hazardous Waste Collection day, and that residents were being turned away earlier than the 2:00pm deadline. It was noted that the traffic was backed up for quite a distance.

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Highlands Applicability and Water Quality Management Plan – Notice of Administrative Completeness received for Harold Smith, Cefes Financial, Block 16504; Lot 4, Apple Tree Lane for a proposed single family dwelling.
2. Notice of an application dated May 17, 2010 to the NJDEP regarding a Highlands Exemption #4 for Peter and Marilyn Anoll and AT & T Mobility, Greenwood Lake Turnpike and East Shore Road regarding an addendum to the existing cell tower at the site.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. No Further Action and Covenant Not To Sue notice received from the NJDEP, dated May 11, 2010, for Laurie Chiuchiolo, Block 12901; Lot 68, 207 High Crest Drive, regarding removal of a 550 gallon #2 heating oil underground storage tank.

2. No Further Action and Covenant Not To Sue notice received from the NJDEP, dated May 17, 2010, for Stacey Caropreso, 72 Larsen Road, Block 11201; Lot 1, regarding remediation of the site and monitoring well decommissioning.
3. No Further Action and Covenant Not To Sue notice received from NJDEP regarding Edgar Van Horn, 10 North Glenwood Road, Block 12106; Lot 4 regarding removal of a 550 gallon #2 heating oil underground storage tank.
4. Authorization for a Freshwater Wetlands General Permit, Water Quality Certification, and Waiver of Transition Area For Access for Mr. & Mrs. Robert Michaud, Block 7005; Lot 4, 6 Glencross Road, dated May 19, 2010, regarding a septic alteration.
5. NJDEP Child Care Facility Approval Letter–Revised, dated May 19, 2010, for Children’s Castle, 1614 Union Valley Road, Block 7006; Lot 2.
6. Notice from Cherry, Weber & Associates received May 17, 2010 of applications to be made to the NJDEP for a Flood Hazard Area Individual Permit and Freshwater Wetlands Permits #GP-10A and GP-11 with regard to replacement of Bridge #1400-323 – Cozy Lake Road over the Pequannock River.
7. No Further Action and Covenant Not To Sue notice dated May 25, 2010 received for Edward Steadman, Block 13906; Lot 6, 83 Mount Springs Road for removal of one 550 gallon #2 underground heating oil storage tank.
8. Adoption Revision acknowledgement received from the NJDEP dated May 25, 2010 regarding the Awosting Sewage Treatment Plan Expansion Revision.
9. Authorization for a Freshwater Wetlands Statewide G.P. #8 and Waiver of Transition Area for Access and Water Quality Certification received for Richard Wirth, Block 207; Lot 11 regarding proposed expansion to a single family house on Lookover Drive and Clinton Road.
10. No Further Action and Covenant Not To Sue notice dated May 17, 2010 received for Edgar Van Horn, 10 North Glenwood Road, Block 12106; Lot 4 regarding removal of a 550 gallon #2 Heating Oil underground storage tank.

CORRESPONDENCE

1. Notice from Orange and Rockland Utilities, Spring Valley, NY regarding easements that include the electric utilities, and advising that only “RECO” workers and equipment are permitted in the easement areas, and requesting notification at 845-577-2204 if the Planning Board becomes aware of any work to be performed in RECO’s easements, and also to remind applicants to call 811 (Call Before You Dig).
2. Mayors Fax Advisory regarding New Jersey’s Special Needs Registry for Disasters, advising of the free, voluntary registration program to assist people with special needs who may find it difficult to get to safety in the event of an emergency, including hurricane’s, floods. Registration is available by calling 2-1-1, or by accessing <http://www.ready.nj.gov/about/association.html>.
3. Shop Rite Earth 2010 Newsletter.
4. The Pequannock Post – Volume 15, Issue 3, June 2010.
5. Information request from AECOM for Tennessee Gas Pipeline – Northeast Upgrade Project – Loop 325, requesting a review of the Commission’s records to determine if the proposed location will be within 0.25 miles of any environmentally sensitive areas, and also requesting written notification of such proximity.
6. Resolution No. 2010-175 dated May 19, 2010 of the Township of West Milford authorizing the submission and acceptance of a Kodak Grant through the Environmental Commission.
7. Copy of a letter from Passaic River Coalition dated May 14, 2010 to the Township Council commenting on the merits of the water conservation ordinance and urging the Council to adopt the ordinance.
8. Mayor’s Fax Advisory regarding Sustainable Jersey Free Capacity Building Workshops held on June 1 (Bordentown), 5 (Ewing), 9 (Livingston). For more information or to register go to www.SustainableJersey.com.

PUBLIC COMMENTS

No one from the public was present to address the Commission.

ADJOURNMENT

With no further business to come before the Commission, the meeting was adjourned at 9:31 p.m. on a **motion** by Douglas Ott and a **second** by Chairman Stephen Sangle.

Approved: August 2, 2010

Respectfully Submitted,
Tonya E. Cubby, Secretary