

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

JULY 6, 2009

The regular meeting of the Environmental Commission of the Township of West Milford was called to order at 7:35 p.m. by Chairman Stephen Sangle followed by a reading of the Legal Notice.

ROLL CALL Present: Andrew Abdul, Gillian Hemstead, David Watson Hallowell, Douglas Ott, Bernie Stapleton, Chairman Stephen Sangle, Alternate Gary Oppenheimer.
Absent: Gillian Hemstead, Timothy Metcalf, Alternate Maryellen Gabay

Chairman Sangle requested that Gary Oppenheimer sit in for absent Environmental Commission member Timothy Metcalf.

APPLICATIONS

PASSAIC VALLEY WATER COMMISSION

Minor Site Plan #PB-05-09-02

Block 13102; Lot 31.02

Pawnee Terrace & High Crest Drive; LR and R-4

Seeking: Minor Site Plan Approval for the replacement of two High Crest Water Storage Tank, including demolition of two existing tanks and their replacement with two larger tanks, plus revised piping and valves. Tanks will be demolished and replaced at separate intervals.

The Environmental Commission reviewed the application for Passaic Valley Water Commission for the replacement of two water tanks on Pawnee Terrace at High Crest Lake. The Chairman noted that the application indicated the tanks had deteriorated and were in need of replacement. Gary Oppenheimer inquired about the removal of the sludge that settled on the bottom of the water tanks. The Commission discussed the minerals that would remain following the tanks being drained. Chairman Sangle suggested that the applicant advise the Environmental Commission when the tanks were being replaced so some of the Commission members can be present to observe the removal of the old tanks.

LEEANN & ED DE ROBERTIS

Bulk Variance #0930-0825

Block 14113; Lot 34

24 Cross Oak Lane; LR Zone

After review of the application, the plans, and the letter from PK Environmental dated April 27, 2009, the Commission expressed concerns about the disturbance in the buffer area and the minimal distance from the property line with the proposed two-story addition, and recommended that a memo be sent to the Board of Adjustment requesting that this application be carefully considered by all the reviewing agencies.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: Chairman Sangle reported that an email was received from Fred Lubnow dated July 3, 2009. The timeframe he outlined for this project included having issues resolved by September 9, and completion of the project by March 2010. The Township Attorney needs to review and approve the bid specs before they are released.

604(b) OTWS Grant: – Chairman Sangle advised that there was no update at this time, but Fred Lubnow has continued to be in touch with him, Gillian Hemsted, and the Township Administrator.

Streetscape Grant: None.

Urban Forestry Grants: None.

ON GOING BUSINESS

Community Forestry Plan: None.

Lakes Committee: Andy Abdul advised that he missed the Lakes Committee meeting. Advised that the Lakes Committee meets on the third Monday of the month at 7:30 at Town Hall, the Secretary was requested to send the Lake Committee meeting dates list to Mr. Abdul.

Wetland Mitigation Project: Nothing to report at this time.

Miscellaneous:

It was reported that the Environmental Boardwalk is under water. Steve Sangle left a message with Jerry Storms, Public Works Director, and the area had not been repaired, to date. The Chairman also left a message with the Township Engineer.

On another matter, David Watson Hallowell reported that he went to Wallisch Estates and the ticks were very prevalent. Chairman Sangle advised the Commission that there is a new tick device and he would email the information to the members.

Open Space Subcommittee: Doug Ott reported on property that the Township is acquiring for open space that will be used for recreation (CYO property.) Bernie Stapleton commented that taxpayer money is being used to purchase the property and maintain ballfields, and that the tax for open space should be eliminated if it is not used exclusively for open space. Chairman Sangle replied that the Commission had fulfilled their responsibility by giving their recommendations. He felt that the presentation to the Township Council was favorably received, and that the greenbelt plan was still valid. But, he added, he could see the positive side of purchasing property that can also be used for recreation. He added that after this purchase, future purchases should be for open space, but, ultimately it was at the discretion of the Council to make the decisions for purchases, and they are the ones who will have to answer to the taxpayers. He also noted that he had not heard much public dissention about the purchase of property that would also serve for recreational use. The Chairman and Commission expressed their hope that they would be kept apprised of information regarding future open space purchases.

Renewable Energy Subcommittee: Bernie Stapleton advised that the wind turbine ordinance was in draft form only. Chairman Sangle advised that the language should be flexible. Doug Ott stated that the ordinance should go to the Planning Board ordinance subcommittee. Chairman Sangle directed the draft to be provided to the Planning Board with the understanding that the Environmental Commission will work with them on it.

David Hallowell advised of a Wind Symposium on July 23, 2009. Gary Oppenheimer commented about the design of the new wind turbines by Honeywell and the Commission discussed the new technology that is developing with regard to wind energy.

Sustainable Jersey: David W. Hallowell reported that he spoke to several representatives of Sustainable Jersey. He advised the commission that resident Renee Alessio will help to form the Green Team. The Commission discussed the various groups that will be represented in the Green Team including schools, recycling, health, recreation, Chamber of Commerce, etc. Mr. Hallowell will have a list by the end of the month. He noted that he wanted a manageable number on the Green Team, possibly 6 to 8 positions.

Trails Master Plan: Doug Ott reported that Don Weisse is working on the trailhead signage with the NJ/NY Trails conference. A map that Doug Ott and Rob Sparkes had compiled was being used for reference. Chairman Sangle reported that a letter was received from ANJEC advising that the Commission's grant proposal was a good project, but that, unfortunately, there was a limited amount of funds to be awarded. David W. Hallowell requested to see a copy of the letter. It was the opinion of the Commission that the trails should be marked.

On another matter, the Commission again discussed the Environmental Boardwalk being submerged under water, and noted that it had been repaired once before. It was agreed that the water level needs to be lowered, and the boards replaced using the boards that were in storage. Chairman Sangle advised that he would visit the site and assess the situation.

NEW BUSINESS

David W. Hallowell reported on a greenhouse gas reduction grant that totaled 3.5 million dollars, noting that it did not require a match, and commented that this would be a great opportunity for the Commission. He advised that the letter of intent was due July 31, 2009 through the NJDEP – Office of Sustainable Communities. Doug Ott commented that the proposal had to go before the Council for approval. Mr. Hallowell was advised that all grants had to go before the Council for approval, and that the Environmental Commission was merely an arm of the Township. Mr. Hallowell said that he would clarify this with the Township Administrator. The Commission discussed possibly having the Township vehicles' emission reduced through one of the green house gas reduction programs. Mr. Hallowell also suggested creating a larger community garden at Wallisch Estates with Sustainable West Milford that would help to reduce greenhouse gases and create jobs. Chairman Sangle advised Mr. Hallowell to compose a letter, but that grant matters needed to go before the Mayor and Council. He again noted that the Environmental Commission is a commission, not a government agency. As for the vehicle emissions, saving fuel, and idling regulations, he advised Mr. Hallowell to address the matter with the Township Administrator and also inquire whether the D.P.W. and Engineering Departments wanted to be involved in retrofitting Township vehicles. Mr. Hallowell advised that he could compose the information necessary for the letter of intent. Chairman Sangle also recommended that the data from the energy audit be used.

MINUTES

The Minutes of the Regular meeting of May 4, 2009 were approved by unanimous consent with the amendment noted (David Watson Hallowell was not in attendance.) A **motion** was made by Douglas Ott and **second** by Chairman Stephen Sangle.

The following documents were reviewed by the Environmental Commission and filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Additional information sent to NJ DEP on May 20, 2009 regarding Technical Incompleteness for a Highlands Applicability Determination for Shoebox Storage, Block 16006; Lot 1.01.
2. Highlands Exemption #4 and Water Quality Management Plan Consistency received from the NJ DEP dated June 17, 2009 for Vincent Lanza (Vreeland Store), Block 9501; Lot 12, 1385 Macopin Rd., subject to receipt of all required permits and approvals by Federal, State, County and local entities, and subject to the approval being nullified if there is a change in use or scope of the project, a change in the method of wastewater treatment, or if the information submitted is later deemed inaccurate.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Memo from the Township Health Officer to Land Use Administrator dated June 1, 2009 advising that the Health Department has no issues with regard to adoption of a water conservation ordinance following discussion with NJDEP Water Allocation.
2. Revised Stormwater Pollution Prevention Plan, dated May 29, 2009, received from the Township Engineer.
3. Notice of Violation from the NJ DEP Bureau of Coastal and Land Use Compliance & Enforcement received on May 22, 2009 for Gregg & Loree Rodriguez, Block 14901; Lot 35, 50 Oxbow Lane, regarding placement of soil and grading within 2000 sq. ft. of a riparian buffer without permits. *(Bernie Stapleton requested a copy of this document be emailed to him for review.)*
4. Approved Freshwater Wetlands Transition Area Redevelopment Waiver dated May 19, 2009 for the WM M.U.A. Awosting Wastewater Treatment Plant, with conditions.
5. No further Action and Covenant Not To Sue received from the NJ DEP dated May 26, 2009 for Gregory Wright, 181 High Crest Drive with regard to a 550 gallon UST remediation.
6. Applicability Determination regarding Flood Hazard Area for Block 4106; Lot 1 – No approval necessary as the proposed project is not a major development.

7. Application for a Treatment Works Approval received on May 28, 2009 for Shiloh Bible Camp regarding a septic system replacement for Block 6002; Lot 47.
8. NJ Site Remediation and Reform Act and NJ EDA Clean Energy Solutions Grants & Loans Program – June 29, 2009 – Public Safety Academy, Wayne, NJ.
9. Administrative Order and Notice of Civil Administrative Penalty Assessment for Ernie and Barbara Suto, Block 11001; Lot 58, 24 Dudley Street, regarding unauthorized activities within the stream channel, State open waters, and the delineated flood hazard area of West Brook by regarding.
10. No Further Action and Covenant Not to Sue letter received from the NJ DEP dated June 11, 2009 for Andrezej Krempaski, 59 Sugar Maple Avenue, Block 15301; Lot 1, regarding removal of a 1,000 gallon #2 Heating Oil Underground Storage Tank System.
11. Notice of a General Permit Application received for Louis & Lorraine Ponce, 28 Vreeland Road, regarding the cutting or clearing of trees and the removal and replacement of an existing subsurface sanitary disposal system.
12. Notice of a General Permit Application received for Mark Terpsta and Tracey Timothy, 63 Oxbow Lane, regarding the cutting or clearing of trees and the removal and replacement of an existing septic field.
13. Notice from Cherry, Weber & Associates regarding anticipated replacement of the Bi-County Bridge 1400 – 323 Cozy Lake Road over the Pequannock River, Jefferson Township, Morris County and West Milford Township, Passaic County.
14. Letter from the NJ DEP regarding the West Milford Lake Dam, dated June 10, 2009, advising the Township that they would be responsible and financially liable for the breaching of the dam if ownership was transferred to the Township.
15. Recertification of a soil erosion and sediment plan for Fieldstone at Highcrest Lake received on June 15, 2009 from Hudson Essex Passaic Soil Conservation District.
16. Approval notice from the NJ DEP to Camp Vacamas, 256 Macopin Road, regarding the Henion Pond Dam interim repairs to address subsidence problems on the crest, and outlining the conditions necessary for the interim repairs that must be completed by July 15, 2009.
17. Notice from the NJ DEP to Joan Krause, 7 Madelyn Avenue, accepting the Remedial Action Report, but referring any concerns about well water should be addressed with an analysis from a NJ certified laboratory.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the meeting was adjourned at 8:56 p.m. on a **motion** by Stephen Sangle with a **second** by Bernie Stapleton.

Approved: September 14, 2009

Respectfully submitted by,

Tonya E. Cubby, Secretary