

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

JULY 11, 2011

The regular meeting of July 11, 2011 of the Environmental Commission of the Township of West Milford was called to order at 7:30 p.m. by Chairman Stephen Sangle, followed by the reading of the Legal Notice.

ROLL CALL:

Present: Doug Ott, Tim Metcalf, Lucas Slott, Thomas Tamayne, Steven Sangle, Andrew Abdul (7:50)

Absent: Gary Oppenheimer, Maryellen Gabay, Gillian Hemstead

PRESENTATIONS – None.

APPLICATIONS

FRANK HLAVATY

Bulk Variance #ZB-04-11-07

Block 5904; Lot 7

450 Morsetown Road; R-3

Seeking: Bulk Variance for the construction of a 12' x 16' shed; chicken coop and chickens in area totaling .615 acres where 1 acre is required.

The commission had few concerns other than the noise pollution suffered by neighbors and Chairman Sangle questioned whether flood lights would be installed around or in the coop. Luke Slott commented that the neighbors should have received letters notifying them of the application and they have the opportunity to comment before the Board of Adjustment.

DAN & DANA PREZIOZI

Bulk Variance #ZB-05-11-10

Block 12901; Lot 33

371 Highcrest Drive; LR

Seeking: Bulk Variances for the construction of an addition to an existing residence with additional bedroom and bathrooms, with variance requested for side yard setback, where 18'2" is existing, 16'2" is proposed and 30' is required; and front yard setback where 25'6" exists, 21'6" is proposed and 40' is required.

The major concern held by the commission was where rainwater would runoff after being displaced by the 160 sq ft. additional roof area. Mr. Preziozi was present and explained that most runoff will make its way down towards High Crest Lake and noted that the entire property is sloped down toward the lake. Chairman Sangle advised the applicant not to direct any runoff on to the leech field and Mr. Preziozi explained that they are in the permitting process to get a new septic. Luke Slott advised it would be best to filter as much water as possible rather than having it flow directly into the lake and also to avoid erosion caused by excessive runoff.

TELECOMMUNICATION APPLICATIONS – None

GRANT MANAGEMENT AND STATUS REVIEW

604(b) OWTS Grant: Status report:

Dr. Fred Lubnow was present to explain the progress of the grant. The wells were installed two weeks ago. (Mid-June) Chairman Sangle questioned whether Princeton Hydro (PH) can monitor how much water gets used and goes back to recharge the aquifer. Fred responded a reasonable estimate is possible, and it will be done by the end of the year after data sampling. There is also an education component of the grant, which was discussed briefly. The commissioners suggested Fred come to the Autumn Lights Festival this fall to share with the public the projects that have been ongoing, their aims, and the benefit to our township. Fred will bring a table. Fred said he will attend either the August or September meeting to plan out what will need to be set-up, etc.

2004 Greenwood Lake & 2007 Stormwater Implementation 319H Grants:

Dr. Fred Lubnow attended the meeting to give the commission a status update on the current projects. He said four projects were installed last month and there was a meeting today with township officials to decide what will be done with the left over grant money, approximately \$500,000 in total. PH will put together a list of 8 or 9 projects with budgets to be forwarded to the township and the DEP for their review. PH's idea is to use the 2004 grant, which has approximately \$40,000 left for projects that do not require permits from the DEP or the county. By doing so time will not be wasted waiting for permits to be approved while worrying about whether the grants will expire. Their goal is to get the projects done and close out the grant – that way no no-cost time extensions will be needed. The money must be spent on storm water management with a focus on Phosphorus. One possible option is a filterra; which is a combination of vegetation and a standard sump clean. It requires minor maintenance, only to be filled with mulch in the spring and pumped a couple times a year. Fred explained filterras are eye-appealing and can contain native vegetation. Luke Slott asked what the average cost is for these and Fred responded less than \$10,000. Filterras work by taking dissolved phosphorus out of the storm water runoff that would normally flow into lakes and streams. These would be placed in priority subwatersheds – the ones that drain into Belcher's Creek. Fred said we cannot install a structure on private property because of the numerous obstacles involved but the commissioners felt it couldn't hurt to ask and see if the landowner would participate, wanting to increase the water quality of Belcher's Creek and Greenwood Lake. Fred commented that the native plants require low maintenance. There are about 25 projects in mind for the three subwatersheds, Fred explained. Chairman Sangle mentioned the Streetscape project and that could possibly go together with one of the projects but Fred was weary of dealing with the county. He said it was an extremely long process trying to get permits from the county and that there are too many obstacles involved. Fred explained the county did not want to have to use personnel to maintain more sophisticated storm water management technology because of the employee costs involved. Luke Slott questioned whether Fred had more hope that the township would be more willing to work with more sophisticated technology. Fred responded that after meeting with Township Engineer Eric Miller he was in fact confident in the township's willingness to maintain any systems. Slott asked if there were any possible projects on the Wallish Property, noting the need to restore the eroded streambank where the pipeline crosses Belcher's Creek. Fred responded that although the location, being mostly wetland is ideal for restoration projects the state made it difficult trying to do so last time. Thomas Tamayne questioned when the list would be ready and Fred responded ASAP. Fred said he will most likely attend the next meeting to discuss the possible projects with the commission.

Streetscape Grant: Status report: No update.

Recreational Trails Signage Grant: No update.

2010 Smart Growth Planning Grant - Trails Master Plan: Status report. No update – Doug Ott has been trying to get in touch with consultant Dan White and he has not returned Doug's e-mails. Luke Slott brought up the fact that the consultant is getting paid thousands of dollars so it shouldn't matter if he lives in Pennsylvania, he needs to meet with the subcommittee to get things started.

ON GOING BUSINESS

Lakes Committee: Chairman Sangle will send an e-mail to Kevin Boyle to ask if at the end of Phil Weisbecker's term will there be a council liaison to that committee.

Open Space Subcommittee: Chairman Sangle will contact Mayor Bieri, Council President Smolinski, and Councilman Ramaglia regarding the Open Space Subcommittee.

Environmental Contamination Issues: A new status bar will allow the sites to be sorted by last updated. Doug Ott and Tim Metcalf received an e-mail a few weeks ago about the OSS – with no date. It was discussed that the EC has been left out of any open space discussions and that the council's focus is on recreation only.

Green Team – Sustainable Jersey: The subcommittee is waiting to hear back from Sustainable Jersey that their application was complete. In the meantime, committee members are looking at other

projects to improve sustainability in the town. Tim invited the commissioners along with him, as long as they sign a non-disclosure agreement, to Kean University to view and receive a tour of the Food Composter there. Tim would like to incorporate one to serve the school district.
Environmental Boardwalk: Update.

NEW BUSINESS

TGPC – Luke Slott wanted to ask Gary Oppenheimer if he knew where or if there was a mitigation project for the pipeline.

PUBLIC COMMENTS

Bob Nicholson was present to share his thoughts with the commission. He explained that our can serve as a model for other towns. He really believes in the complete streets concept and he expressed his support for a resolution to be passed by the township council similar to one recently passed in Ridgewood which indicate the council's support for complete streets. Nicholson went on to express his support for a boardwalk at Browns Point. He acknowledged the fact that sidewalks are expensive and sought to bypass the need for sidewalks by simply constructing shared bikepaths to save costs and still encourage people to walk or bike ride to where they're going. Nicholson expressed his satisfaction with the open dialogue and thanked the commission for their support of the Pump Track. Nicholson shared that he was unhappy about two model homes being left unused off Wooley Road and said he received up to date information about town happenings at northjersey.com/westmilford.

The following correspondence items were reviewed by the Commission and filed:

COMMUNICATIONS

1. Mayor's Fax Advisory, dated June 6, 2011, advising of Sustainable Jersey Funding in the amount of \$175,000. for Municipal Projects (3-\$25,000., 8-\$10,000., 20-\$1,000.), with a deadline of 07-22-11. Also advising that 335 municipalities are registered for the Sustainable Jersey certification.
2. Notice received on June 10, 2011 of the Morris Canal Greenway Feasibility Study presentation at the Passaic County Planning Office, Totowa, June 16, 2011 at 5:30, and public outreach at various locations planned for the summer of 2011.
3. Notice dated June 27, 2011 from Passaic County Planning regarding a public hearing on September 13, 2011 on proposed amendments to the Passaic County Subdivision and Site Plan applications in order to align the PC regulations with the policies, goals and provisions of the Highlands Regional Master Plan as applicable to the Highlands Preservation Area.
4. Redevelopment Law Update received June 23, 2011 from Maraziti, Falcon and Healy regarding challenges to redevelopment in Bloomfield and Wildwood.

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Highlands Act – Exemption #2 and Water Quality Management Plan – Consistent, dated June 21, 2011 received for Cefes Financial Single Family Dwelling, Block 16504; Lot 4, Apple Tree Lane.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Copy of letter dated May 25, 2011 from the NJDEP Site Remediation Program regarding notification of owners in the area of the A to Z Automotive Potable Wells Contamination Site, advising that well sampling has been scheduled as part of the continuing ground water investigation.
2. No Further Action - Covenant Not to Sue Letter, dated May 27, 2011, received from the NJDEP for Kathleen Miller, 34 Edgecumb Road, Block 7002; Lot 6, regarding removal of one 550 gallon #2 Heating Oil Underground Storage Tank System.
3. Notice of Deficiency to Mariam Azadalli, dated June 9, 2011, received from the NJDEP regarding Pazak Service Station, 3021 Rt. 23, for failure to provide documentation, data, and fees required in this matter, and listing the corrective actions required with a specific timeframe.
4. Notice to the Lake Arcadia Association, LLC regarding the Lake Arcadia Dams No. 1 & 2 and Saddle Dikes, NJDEP Dam File Nos. 22-45 & 22-46, advising that the submitted compliance schedules are

unacceptable, that repair/replacement should take place before the end of 2012, and requiring the owner to provide an analysis to the DEP by June 30, 2011.

5. Request for Water Supply Information, dated June 6, 2011 received from GES Services regarding the former Exxon Service Station at 2 Marshall Hill Road as part of a Classification Exception Area and groundwater quality investigation for the NJDEP.
6. Application for a GP-25 received on June 7, 2011 from Gerald Gardner & Associates, for John Valent, 6 Ferndale Road, Block 12304; Lot 11 for the repair of a malfunctioning septic system.
7. Application for a GP 25 received on June 21, 2011 from MAP Engineering for Block 806; Lot 8, 36 Shadyside Road, regarding a proposed septic alteration.
8. Notice dated June 15, 2011 received from the Salvation Army regarding a proposed application for a General Permit #18 for the rehabilitation of Upper Star Lake Dam, Block 5; Lot 2, 268 Macopin Road, Bloomingdale, NJ.
9. Correspondence from the NJDEP Bureau of Dam Safety & Flood Control regarding Camp Vacamas – Henion Pond Dam, NJ file No. 22-18, finding the compliance schedule to be acceptable, and advising that the owner should proceed to implement the recommendations as presented by his engineer, Civil Dynamics. Also advising that An Emergency Action Plan is due by July 31, 2011 and a Dam Safety Permit application is due by December 31, 2011. General maintenance such as grass mowing, etc. may be undertaken without further approval.
10. Correspondence from the NJDEP Bureau of Dam Safety & Flood Control regarding Lindy’s Lake Dam NJ File No. 22-54, advising that the emergency repair documents entitled “Restoration of the Lake Retaining Wall at Lindy’s Lake Dam, Block 10808; Lot 1...” have been approved with several conditions, that all work shall performed under supervision of a professional engineer, the work shall be inspected by representatives of the DEP, and no changes can be made in the approved procedures without written consent of the Bureau.
11. Authorization for a Freshwater Wetlands GP 25 regarding Chris Gruber, Block 5001; Lot 2, 119 Morsetown Road, for the repair or alteration of a malfunctioning septic system.
12. No Further Action and Covenant Not to Sue notice, dated June 22, 2011, regarding Else Pettinato, 309 Lakeshore Drive, Block 2402; Lot 39, with regard to a spill of approximately 200 gallons of #2 heating oil from the above ground storage tank.

ADJOURNMENT

With no further business to come before the Environmental Commission, the meeting was **adjourned** at **9:34 p.m.** on a **motion** by Doug Ott and a **second** by Timothy Metcalf.

Approved: August 1, 2011