

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

AUGUST 3, 2009

The regular meeting of the Environmental Commission of the Township of West Milford was called to order at 7:34 p.m. by Chairman Stephen Sangle followed by a reading of the Legal Notice.

ROLL CALL: Present: Andrew Abdul, Timothy Metcalf, Douglas Ott, Bernie Stapleton,
Chairman Stephen Sangle, Alternate Gary Oppenheimer.

Absent: Gillian Hemstead, David Watson Hollowell, Alternate Maryellen Gabay

Chairman Sangle requested that Gary Oppenheimer sit in for absent Environmental Commission member David Watson Hollowell.

APPLICATIONS

HECTOR ROJAS

Use Variance, #0840-0818

Block 11102; Lot 6.03

850 Westbrook Road, R-4 Zone

Convert former storage building to a two-bedroom apartment.

The Environmental Commission reviewed the Use Variance application for Hector Rojas, 850 Westbrook Road. The Commission noted that no topographical information was provided, nor information on slope and area of disturbance. Chairman Sangle observed that the application was for a Use Variance, and if the use were approved, other factors would follow. Following discussion, the Chairman advised that there was insufficient information to make a judgment with respect to environmental issues.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: No update at this time.

604(b) OTWS Grant: No update at this time.

Streetscape Grant: No update at this time.

Urban Forestry Grants: Nothing to report.

ON GOING BUSINESS

Community Forestry Plan: Nothing to report.

Lakes Committee: Andy Abdul advised that he was not able to attend the last Lakes Committee meeting. It was noted that the meetings are held on the third Monday of the month at Town Hall.

Wetland Mitigation Project: It was reported that David Watson Hollowell was to contact the trails conference for suggestions about signage to keep motorized vehicles off the wetlands mitigation site at Wallisch Estates. Bernie reported that he contacted DPW about having signs made, but did not hear back from anyone yet.

Open Space Subcommittee: Doug Ott advised that the newspaper reported on property that the Township might be acquiring for open space located on the Apple Valley Estates tract. Gary Oppenheimer noted that he had been informed lead and arsenic had been discovered on the property from the apple orchard operations and the pesticides used in the past. The community garden was tested and is fine and, he also noted, it was formerly a pasture, so the soil was not contaminated from the pesticides. It was observed by the Commission that arsenic and lead are elements and do not dissipate; they must be removed from a site. Andrew Abdul inquired if Apple Valley Estates is part of the greenbelt plan, and the Chairman confirmed that it is. Mr. Ott suggested that a report may be available from the Health Department. Mr.

Oppenheimer reported that he had been advised by the DEP that the usual process in lead and arsenic abatement was removal of all vegetation and four feet of soil at the affected site.

Renewable Energy Subcommittee: It was reported that the draft wind turbine ordinance was sent to the Planning Board for review.

Sustainable Jersey: No update at this time.

Trails Master Plan: Chairman Sangle reported that there may be additional funding available for a trails grant and will email information to the Commission. The Commission discussed the trails and parking not being identified with signage. Doug Ott reported that Don Weisse is working with the trails conference on a grant project and commented about another grant for road signage. He also spoke about a trails project he and Rob Sparkes worked on which would provide markings at all major trail crossings. Bernie Stapleton commented that there was no parking at most of the trails. Chairman Sangle suggested that the lack of parking at trails should be addressed in the master plan.

NEW BUSINESS

Encroachment on Wetlands: Doug Ott reported that the kiosk was moved from the Environmental Boardwalk's neighboring property. It was noted that there were plants and shrubs planted up to the property border and possibly encroaching on wetlands. Chairman Sangle and the Environmental Commission agreed that a letter should be sent to the DEP about possible wetlands encroachment near the Boardwalk.

Chairman Sangle publicly acknowledged the assistance given by the D.P.W. and Engineering Department in helping to clear the debris created by the beavers and having the kiosk moved off the property line. He noted that they rarely get thanked for all the assistance they give to the Committees, Commissions, and Boards and he wanted them to know they were greatly appreciated.

OTHER NEW BUSINESS

Bernie Stapleton reported on a Health contamination at a strip mall on Greenwood Lake Turnpike. Raw sewerage was observed flowing on the ground and into Belcher's Creek. The Secretary was requested to inquire about the status of this matter from the Health Dept. and secure any reports and documents that are related to this issue.

A Gypsy Moth Survey was being proposed by the State. The Secretary was to do a memo to the Administrator requesting that the Township take part in this.

One of the Commission members inquired about the Clinton Road Bridge and how long it would be out of service. The Chairman noted that the Union Valley Road Bridge by the Elks Club was being replaced.

MINUTES

The Minutes of the Regular meeting of June 2009 and July 2009 were held until the next Environmental Commission meeting.

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

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Copy of an application for a Highlands Applicability Determination dated July 10, 2009 submitted by PK Environmental for David Koblitz, 225 Ridge Road, Block 8704; Lot 26 for a sewer connection to an existing sewer on Ridge Road.
2. Notice of Technical Incompleteness dated July 15, 2009 with regard to a Highlands Exemption Application for Shoebox Storage, LLC, 140 Oak Ridge Road, Block 16006; Lot 1.01, requesting revised plans removing impervious cover associated with the storage facility from the impervious cover calculations for this project (re: prior impervious cover approved for another project may not be included in this project's calculations.)
3. Copy of an application for a Highlands Applicability Determination dated July 20, 2009 submitted by PK Environmental for Steven Olsen, owner, Apple Valley Estates, Union Valley Road, Block 9901; Lots 10, 11,

12, regarding the proposed acquisition of subject property by the Township of West Milford for open space and recreational use.

4. Copy of an application for a Highlands Applicability Determination dated July 21, 2009 submitted by PK Environmental for Michael Del Vecchio, 52 Krattiger Court, Block 465; Lot 41 regarding a residential addition to an existing structure and repair or replacement of on site septic system.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Notice received July 29, 2009 from John Willekes regarding a general permit application for Block 16307; Lot 2, 30 Circle Drive, Oak Ridge, NJ 07438.

2. Notice of Deficiency dated July 6, 2009 received for Fredericks Fuel & Heating Service, 225 Oak Ridge Road, Oak Ridge, NJ outlining deficiencies in remedial investigation reports submitted and requesting additional documentation within 120 days.

3. Authorization for a Freshwater Wetlands General Permit 25 and Transition Area Waiver for Access for Jeffrey Fulton, 40 Ponderosa Place, Block 3805; Lot 3, for an on-site subsurface sewage disposal system alteration.

4. Notice of Deficiency dated July 9, 2009 received for SBP Petroleum, 555 Warwick Tpk., regarding potable well sampling reports and requesting additional sampling and results to be submitted to the NJDEP, along with other corrective actions.

5. Authorization for a Freshwater Wetlands General Permit 25 and Transition Area Waiver for Access for Mark Terpstra, Block 14901; Lot 3, for a repair or alteration of a malfunctioning subsurface sewage disposal system.

6. Correspondence from the NJDEP to Anthony Patire, dated July 17, 2009, issuing a deadline until August 5, 2009 for an acceptable implementation plan addressing the actions proposed to bring the dam into compliance.

7. No Further Action and Covenant Not to Sue letter received from the NJ DEP dated July 13, 2009 for Richard and Brenda Martinez, 23 Fremont Terrace, Block 16604; Lot 1 with regard to remediation of a 550 gallon underground storage tank.

8. NJDEP Child Care Facility Approval letter dated July 20, 2009 received for The Children's Castle, 1614 Union Valley Road; Block 7006; Lot 2.

9. NJDEP Child Care Facility Approval letter dated July 14, 2009 received for West Milford PAL Day School, 1 PAL Drive, Block 5307; Lot 11.02.

10. Potable Well Water Analysis – Acceptable for drinking water purposes – for Marco Sylvestri, 2713 Route 23 S. – Lakeland Plaza 1 & 2 – Block 14605; Lots 1-4.

11. Potable Well Water Analysis – Acceptable for drinking water purposes – 23 Electric Supply, 2750 Route 23 S, Block 576; Lot 1.

12. Potable Well Water Analysis – Acceptable for drinking water purposes – Buddy Bealer – Shell Oil Co, 2731 Route 23, Block 14604; Lot 1.

13. Authorization for a Freshwater Wetlands General Permit 25 and Waiver of Transition Area for Access for Louis & Lorraine Ponce, 28 Vreeland Road, Block 9001; Lot 20, for an on-site subsurface sewage disposal system alteration.

14. No Further Action and Covenant Not to Sue dated July 24, 2009 received from the NJDEP for Elaine Duffy, 24 Greenbrook Drive, Block 6704; Lot 3 with regard to the removal of a 550 gallon underground oil tank.

CORRESPONDENCE

1. Letter from Anthony Patire, West Milford Lake owner, dated July 27, 2009 regarding a meeting that occurred on July 15, 2009 with Township officials with respect to proposed plans for the West Milford Lake site.

2. Notice of the Passaic County Brownfields Commission meeting on July 22, 2009.
3. Pequannock Post, Volume 14, Issue 4 – August 2009.
4. Report received from Passaic County Planning Board regarding the Vreeland Store site, 1383 Macopin Road, Block 9501; Lot 12.01, requesting additional information and documents to be submitted prior to consideration of unconditional approval.
5. Notice from the NJ Department of Agriculture, dated July 15, 2009, advising of defoliation from gypsy moth infestation, and requesting to be contacted by August 21, 2009 if the Township desires the State to conduct egg mass surveys.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the meeting was adjourned at 8:31 p.m. on a **motion** by Bernie Stapleton with a **second** by Douglas Ott.

Approved: October 5, 2009

Respectfully submitted,

Tonya E. Cubby, Secretary