

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

August 3, 2020

Virtual Meeting - Via Zoom

The August 3, 2020 Regular Meeting of the Township of West Milford Environmental Commission was held virtually via Zoom at 7:00 pm with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton, Janet Little, David Ofshinsky, James Rogers, Thomas Tamayne, Douglas Trainor, Don Weise, Chairman Stephen Sangle.

Absent: None.

Also Present: Barbara Davis, Jen Gallagher, Daniel Kochajki.

PRESENTATIONS

The Land Conservancy of NJ – Updated Open Space & Recreation Plan – “Kick-Off Meeting”

Barbara Davis and Jen Gallagher were present from The Land Conservancy to report on the Updated Open Space Plan that they are preparing for the Township of West Milford. Ms. Davis used the Share Screen option with Zoom to review the Open Space Map and Agenda Outline for this “Kick Off Meeting”. She reviewed the goals with the Commission Chairman and Commissioner Don Weise to insure that the correct goals are included in the update. She reviewed Green Acres Requirements that have been updated, as well as the Open Space Inventory and Tax Data. Ms. Davis will reach out to the Engineering Dept. for clarification on some of the data, as well as the mapping.

With regard to Public Outreach, Ms. Davis noted that since the plan will be included in the Master Plan, two public meetings will be required. The first meeting will be with the Governing Body who will authorize the expenditures, and the second meeting will be with the Planning Board once the plan has been completed. The Planning Board is responsible to make the recommendation for the plan to be included in the Master Plan. Chairman Sangle suggested that, due to Covid-19, the public meetings should take place later in the Fall. Ms. Davis advised that usually the initial document is prepared and submitted to the Governing Body for input, but she will release the draft to the Commission for review prior to Governing Body. The public meetings will be scheduled after the draft has been completed and reviewed by the Commission, with November or December for the tentative target dates.

Chairman Sangle emphasized that any open space purchases that are recommended or considered should not be a detriment to the local tax rolls, and it should be communicated to the Governing Body that the Commission has no intention of increasing the burden on the local taxpayers. The Commission has always tried to concentrate on farm assessed properties and land with low assessments.

Ms. Davis reviewed the Open Space Program from 2001 when the ordinance was enacted and collection for open space commenced at \$0.01 per \$100. assessed value. In 2012 the annual levy was reduced to \$0.054 per \$100. assessed value. In 2014 the funds were approved for allocation of 33.33% each for acquisition of properties, capital improvements for recreational lands, and conservation of historic properties. She further reviewed the Open Space Components of the 2003 Open Space Plan Revision and the requirements for the updated plan: Executive Summary, Goals and Policies, Inventory, Need Analysis, Resource

Assessment, Action Plan, General Open Space System Map, Additional Parcel Data Requirements, Public Support, Plan Adoption.

Tim Dalton noted that there is a Community Forestry Management Plan and a Trails Plan. Ms. Davis commented that these were not usually included in the Master Plan, but would review them. Don Weise recommended that any properties included for potential acquisition be useful for hiking and biking with access to existing infrastructure. Chairman Sangle added that the open space properties should be multi-use with benefits to a variety of populations. The Commission expressed that the approved Greenway Plan, which included potential OS properties around the town center, should be reviewed and incorporated into the updated OS plan. The Commission Secretary was requested to forward the Greenway Map to Ms. Davis, as well as the Commissioners. Ms. Davis will coordinate the GIS mapping with the Township Engineering Dept. She will need to clarify some items, including farmland properties, as well as conservation easements for the Newark Watershed properties. Ms. Davis advised that she will prepare notes from this meeting and provide them to the Commission. Chairman Sangle requested that map overlays be considered when completing the maps. Concluding the Open Space and Recreation Plan Updated meeting, Ms. Davis advised that she will continue to work with the Chairman and Don Weise on the open space properties and plan. She thanked Daniel Kochajki for his assistance with information required for the plan update.

APPLICATIONS FOR REVIEW

MICHAEL DENISTRAN

Bulk Variance #ZB 04-20-03

Block 2407; Lot 15

5 Dunham Rd.; LR Zone

Seeking: Bulk Variances for a 2 story family room addition, with variances requested for rear yard setback, where 60' is required and 10.9' is proposed, front yard setback where 40' is required, 23.8' exists, and 21.3' is proposed, and lot coverage, where 10% is permitted, 8% exists, and 14.5% is proposed.

Subsequent to a review, the following comments were made by the Commission Chair:

- Although the plans indicated that there are gutters and leaders, the Commission suggested that the applicant consider rain barrels to collect the additional storm water runoff that will result from the addition. If space permits, the Commission also suggested that the applicant consider creating a small rain garden.
- The Commission recommends that any lighting that is proposed for the addition should be directed away from the adjacent properties.

GEORGE ENGLISH

Bulk Variance #ZB-06-19-10

Block 5901; Lot 28

111 Mountain Circle So.; R-3 Zone

Seeking: Bulk Variance approval for the construction of an attached 2 car garage with storage above the garage, with variances requested for accessory building where 20' is required, 50.1' exists, and 17.6' is proposed, side yard setback where 50' is required, 39' and 42.3' exists, and 39' and 9' is proposed; rear yard setback where 100' is required, 53.8' exists, and 46' is proposed; and building coverage where 10% max is required, 8.97% exists, and 15.23% is proposed.

Subsequent to his review, the following comments were made by the Commission Chair:

- The Commission expressed concern regarding the increase of building coverage from 8.97% to 15.23%.

- The Commission expressed concern about the 9 ft setback to the east side of the proposed garage, and suggested that the applicant consider a 1 car garage which would increase the distance to the side yard by 14 ft.
- The Commission noted the proposed swale in the rear of the dwelling, and are concerned about the stormwater runoff being diverted onto Lot 27.
- The Commission recommended that no exterior lighting be installed on the east side of the proposed garage that would affect the property owner on Lot 27.
- The Commission suggested that the applicant consider elimination of the pond at the rear to reduce the stormwater runoff into the swale.

ON GOING BUSINESS

ANJEC 2019 OSS Grant Project: Since this grant project has been completed, the Chairman Sangle requested that this item be removed from the agenda. He also suggested that the Commission spend the remaining grant monies for oars for the boat and supplies for the testing equipment. Doug Trainor noted that the phosphate re-agents have an expired date on them. Jim Rogers commented that he will verify the amount remaining with the Commission Secretary and he will look into getting the items purchased so this account can be closed out.

Belchers Creek Testing: Jim Rogers reported that his tests for Belchers Creek near Brown's Point were o.o. Dave Ofshinsky reported that the Crescent Park Belcher Creek tests were the highest readings since the Commission began testing, but the stream levels are low. Suez reading were high but they will not be sending notices since they are aware of the issues. He will research the limits on phosphates and nitrates. Chairman Sangle advised that Mr. Ofshinsky had changed the formatting on the Belchers Creek Testing Data Chart. Mr. Rogers suggested that a thermometer be purchased to take the water temperature. Doug Trainor commented that the testing samples should be taken at the same depth and away from the edges. Chairman Sangle remarked that pool thermometers are on a float and would help with consistency.

Shade Tree Committee: No update at this time.

Community Forestry Mgt. Plan: Tim Dalton had no update for the Commission. He has not received any communication from the Administration or Public Works on this matter.

NJDEP NNL Forestry Grant Project Closeout: No update was available at this time. Tim Dalton noted that 95% survival rate for the trees was required by the grant. He opined that the Township cannot receive any more funds under the forestry grants based on the inconsistencies with the NNL Grant project.

Greenwood Lake Bi-State Commission: Janet Little reported that she attended the Greenwood Lake Commission meeting and provided a report for the Environmental Commission. With regard to the HABS (Harmful Algae Blooms), the GWLC did not seem too concerned at this time, although it was reported that they had been detected. Ms. Little will continue to attend the meetings and provide reports at the EC meetings.

Lakes Committee / Lake Management Planning: Jim Rogers reported that he attended the July 20, 2020 meeting of the Lakes Committee. He noted that the Health Dept. had been in touch with the lake associations to advise of the proper Covid-19 protocols that would be followed when the lakes are open to the public. He reported that some of the lakes installed markers at 6 feet for distancing. Mr. Rogers said that they discussed issues including having too many members arriving at the lakes at one time, and whether they can turn them away. They will be preparing protocol plans for the members. The next Lakes Committee meeting will be held on September 21 and Ed Steines from Public Works will be attending to discuss winter preparation for the roads as they relate to the lakes.

Open Space Committee: This matter was discussed earlier in the meeting by Barbara Davis of The Land Conservancy.

Environmental Contamination Issues: Tom Tamayne reported that he received notices regarding Suez treatment plants and one for pesticides being applied at 960 Burnt Meadow Road.

Green Team–Sustainability Committee: No update at this time.

NEW OR CURRENT BUSINESS

Environmental Boardwalk – Beaver Dams: Tom Tamayne reported that he contacted the NJDEP regarding permits for removing beavers, and there are only a certain number issued for out-of-season trapping. At this time they were not amenable to issuing one to us, but he will be in touch with them again. Chairman Sangle thanked the DPW for deconstructing the beaver dams. With regard to the odor and film reported at the Environmental Boardwalk, the DPW checked into it and suggested that it might be the water and decomposing plants.

Tennessee Gas Pipeline Proposed Compression Station - Burnt Meadow Road: The Commission requested the Secretary to send them the notice she received regarding the TGP project on Burnt Meadow Road.

Off Road Vehicles: It was reported that the Chief of Police was in contact with the Passaic River Coalition about the off road vehicles at Emerald Forest and requested that they be alerted when ORVs are at the site. Don Weise referred to a news article from the Trail Conference regarding the NJDEP being alerted about ORV's on trails.

Other Business: The Commission discussed purchasing plaques for Doug Ott and Clint Smith to present to the families. The Commission had previously discussed purchasing a set of trail books and donating them in memory of Doug Ott to the Library, but one of the Commissioners was going to verify what books they had in their collection so they would not be duplicated.

The Commission discussed the lily pad growth by Belchers Creek and possible ways to deal with it. Jim Rogers and Tim Dalton will prepare a draft letter to the Greenwood Lake Commission.

MINUTES

The minutes from the July 6, 2020 Commission meeting were **unanimously approved** by all members present at the meeting on a **motion** by Jim Rogers and a **second** by Tom Tamayne.

CORRESPONDENCE RECEIVED:

Highlands Water Protection and Planning Act Correspondence – None.

NJ Department of Environmental Protection Correspondence

1. Notification from the NJDEP dated July 20, 2020 regarding High Crest Lake Dam, NJ Dam File #22-161, advising property owner at 92 High Crest Drive, Block 12802; Lot 11 that a portion of the dam (the downstream slope of the embankment) is located on their property and they are directed to bring the dam into compliance, with a compliance schedule to be submitted to the NJDEP by August 31, 2020.
2. Notification from MAP Engineering, dated July 17, 2020, regarding the submission of a GP#24 application to the NJDEP for 14 Verona Road, Block 2014; Lot 4, regarding the remediation of a malfunctioning septic system.

3. Suspected Hazardous Discharge notice, dated July 30, 2020, regarding the release of higher levels of ammonia in July from the aeration system at the Suez Plant on Camelot Drive, Block 8301; Lot 17. Repairs are necessary.

Miscellaneous Correspondence

1. Correspondence from a Marshall Hill Road resident expressing concern about the storage of salt, ice melting chemicals and fuel at Block 6303; Lot 4, 99 Marshall Hill Road, Xtreme Sno Removal. The Fire Marshall advised that the fuel storage was in compliance, but salt and ice melt chemicals would be under the jurisdiction of the Health Dept. and NJDEP.
2. Notification from Tennessee Gas Pipeline Co., dated July 27, 2020, advising that they are applying for a NJ Highlands Exemption #11 and Consistency Determination for the East 300 Upgrade Project, which includes construction operation and maintenance of a new Compressor Station on the applicant's existing pipeline system at 960 Burnt Meadow Road, Block 4601; Lot 17. A copy is on file in the Township Clerk's Office or can be viewed by calling the NJDEP at 609-984-0921.

PUBLIC COMMENTS - None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the August 3, 2020 regular meeting held via Zoom was **adjourned** at 8:45 p.m. on a **motion** by Tim Dalton and a **second** by Don Weise.

Approved: September, 14, 2020

Respectfully submitted by

Tonya E. Cubby, Secretary