

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

August 6, 2018

The August 6, 2018 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:05 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton (7:17 pm), David Ofshinsky, Douglas Ott, Jim Rogers, Thomas Tamayne, Don Weise, Chairman Stephen Sangle, Clint Smith (Alt #1), Douglas Trainor (Alt #2).

Absent: None.

Also Present: Ron Farr.

Chairman Stephen Sangle advised that there was a quorum for this meeting.

PRESENTATIONS – None.

Chairman Sangle advised that resident Ada Erik arrived prior to the Commission meeting and inquired about the Board of Adjustment's Green Meadow Organics application and requested that the Secretary send her the Environmental Commission review memo.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP NNL \$620,197.00 Reforestation Grant Project: Ron Farr was present at the meeting and reported that he met with Scott Fullerton of Fullerton Grounds Maintenance on August 1, 2018 to review the invoices for the trees that were submitted. Based on the discussions, Mr. Far advised the Commission that the tree invoices were adjusted from \$15,158. to \$10,035. Chairman Sangle noted that whatever the contractor receives for the remaining trees, the balance will be what Mr. Farr will receive. He further observed that the Mayor had wanted the Administrator to oversee the issues with the contractor, but the Township had requested the Environmental Commission to approve the invoices for payment, which was done at the July 9, 2018 Commission meeting. He stated that the Commission is essentially finished with their part in this matter. Chairman Sangle advised that, from this point forward, payments disbursed are between the Township and the contractor, and whatever remains from the grant is what Mr. Farr will be paid. Mr. Farr commented that he attempted to get the contractor to reduce the tree invoices based on the smaller caliper of certain trees, as well as other factors that were not to spec, and he was able to get them to agree to replace 28 trees at no cost. He advised that he will contact the Township Treasurer and the Administrator for a meeting. He inquired if the State sent the check for the grant funds, and Chairman Sangle advised that the Township received the check from the State, but it was not as much as we had expected. Fullerton would receive approximately 290,000. now and the retainage amount in a year. Mr. Farr expressed concern about the deer damaging the trees (with the deer wrap removed per the State's requirements) and Chairman Sangle noted that it is up to the contractor to argue with the State after the State re-inspects the trees. Chairman Sangle commented that he is not pleased that the Friends of Wallisch organization is not amenable to paying for the apple trees for the farm site as had originally been assumed based on conversations with prior organization members.

Chairman Sangle advised Mr. Farr to arrange a meeting with Ellen (Mageean), the Treasurer, and Antoinette (Battaglia), the Administrator, to clear up any discrepancies with the invoices before they issue a check to Fullerton. Mr. Farr noted that he attempted to meet with Fullerton on an earlier occasion to discuss the issues that remained, but that meeting did not take place. Chairman Sangle thanked Mr. Farr for all his work and expressed that he hoped there would be enough grant money

remaining to make it worth his efforts. Mr. Farr advised the Commission that he would provide an update after he meets with the Township's Treasurer and Administrator.

APPLICATIONS FOR REVIEW

MICHAEL DARMSTATTER

Bulk Variance #ZB-06-18-04

Block 6403; Lot 1.01

151 Lincoln Avenue; R-1 Zone

Seeking: Bulk Variances from the Board of Adjustment for the installation of a 30' x 12' shed for 3 horse stalls with bulk variances requested for side yard setback where 50' is required and 5' is proposed, and distance to dwelling where 100' is required and 39.6' is proposed in the R-1 Zone.

Following their review of the Bulk Variance plan prepared by Darmstatter, Inc., dated February 16, 2018, the Commission expressed that there was insufficient information on the plans to determine if there will be adverse effects on the environment or neighboring property owners with the variances requested.

CHRIS GRECH

Bulk Variance #ZB-06-18-06

Block 9801; Lot 26

875 Union Valley Road; R-1 Zone

Seeking: Bulk Variances from the Board of Adjustment for the construction of an 36' x 40' or 1440 s.f. detached garage, with a bulk variance required for an accessory building where 800 s.f maximum is permitted and 1440 s.f is proposed in the R-1 Zone.

The Environmental Commission reviewed the above referenced application and copy of the Bulk Variance plan prepared by McKittrick Engineering Associates Inc., dated April 18, 2018. Following their review, the Commission advised that the applicant is adequately addressing stormwater runoff with a proposed swale and the rain barrels that will be installed. The Commission found no apparent issues of environmental concern.

ON GOING BUSINESS

Shade Tree Committee/Community Forestry Mgt. Plan: Commissioner Tim Dalton advised that he needs to meet with Ed Steines, the DPW Director, to review the Community Forestry Management Plan. The new CFMP plan is due in February 2019 and there are several items that need to be amended and updated.

Greenwood Lake Commission: Commissioner Clint Smith reported that the water is higher than usual on Greenwood Lake and Belchers Creek, by about a foot over the normal level, from the recent heavy rains we have had. Commissioner Tim Dalton distributed a map of Belchers Creek and reviewed some of the areas of concern that needed to be addressed, including a narrow channel that was overgrown with trees and brush near Camp Hope. He commented that there was an old bulkhead for a swimming area at that location, and it might be an option for the County to rehabilitate. He advised that he and Doug (Trainor?) traversed upstream in a rowboat and noted that the stream was over the riverbank. Mr. Dalton reported that Morsetown Brook, behind Wallisch Estates, was cleared out about 40-50 years ago and it is now overgrown, but it could be cleared again for access. Mr. Smith commented that when the water recedes, the debris will be more evident, although the stronger flow may actually keep the debris from accumulating. Mr. Dalton reported that most of the trees growing in the water appeared to be fairly recent, and they were able to navigate up to the Wiggins Farm off of Union Valley Road. Mr. Smith suggested that an estimate of the cost for clearing be obtained. He further noted that at a recent GWL Commission meeting, Dr. Fred Lubnow from Princeton Hydro did not seem to feel that the clearing of overgrowth along the creek would require much funding. Mr. Dalton remarked that the goal was to make the creek as useful as possible. Commissioner Tom Tamayne commented that at his summer home in the

Adirondacks there is an official volunteer group that enlists assistance for clean up in the spring. Mr. Dalton thought this was a good suggestion and the Commission discussed several groups that might be considered for assistance including the Friends of Wallisch and local fishing clubs. Mr. Dalton stressed that the focus was to give access to kayaks, canoes and rowboats. Mr. Tamayne suggested that if powerboats were considered for use, the pool of volunteers would be increased, adding that the lake and creek are stocked with fish. Commissioner Doug Trainor commented that the depth was only 5 foot on Belchers Creek and powerboats may hit bottom, and the Commissioners noted that the boat settings can be adjusted if the low points are apparent. The approximate amount of manpower that may be required for accomplishing the creek cleanup was discussed, as well as the issue of volunteers versus public employee services. The Commission concurred that the better option was to have the State Park involved in this effort. Mr. Tamayne offered the use of his trolling motor for the Commission to use.

Mr. Smith reported on the large amount of debris in the Cooley Brook behind the former A & P Shopping Center. He advised the tenants of the property and was informed that they were not the owners. He noted that this was an environmental concern which should be addressed by the property owners. With regard to Browns' Point and Belchers Creek, he had some information that the State and/or County may be interested in for improving Browns Point access onto Belchers Creek. He requested that the Supervisor of Ringwood State Park, Eric Paine, be invited to the October 1, 2018 Commission meeting for discussion on Belchers Creek.

Environmental Contamination Issues: Mr. Tamayne reported on several environmental contamination issues that were brought to his attention. These items were listed under correspondence on the Commission's agenda.

Lakes Committee: Commissioners Jim Rogers and Doug Trainor reported that they attended a recent Lakes Committee Meeting with about 12 representatives from various lake communities in the Township, all of whom who seemed well versed in lake issues. Although they were not familiar with the grant proposal from the Highlands, the Lake Committee members expressed interest in the Lake Integrity Study if it was something that would help their lakes. They inquired how much the grants were for, how they would be distributed among the lakes, and who would be responsible to oversee or administer the grants. The Lakes Committee were cautious about proceeding and requested more information before they could consider involvement in the program. Mr. Rogers and Mr. Trainor plan to attend their September meeting and distribute the Highlands Lake Management document to them for review. The Commissioners observed that the Lakes Committee needs to decide if they want to get involved in this, and if so, the Environmental Commission can offer assistance, but they need to understand that the Commission has no funds available. As liaisons, the Commission can work with them with the understanding that they have the most knowledge about the conditions of their lakes. It will be up to the Lakes Committee to choose whether or not to pursue the Highlands grant. Chairman Sangle stated that prior to the Commission endorsing the grant application for a lake study, they need to determine if this grant study will benefit the lakes. He considered the type of information the Highlands Council might be trying to obtain, what the purpose of the grant was, whether the grant applied to public or private lakes, and what the qualifications were. Mr. Rogers commented that the document was mainly directed towards managing lakes. Chairman Sangle noted that he was familiar with the type of content that may be required for a report on managing lakes, including depth, temperature, and turbidity, and suggested that from a grant standpoint, it may be a step towards getting funding for de-snagging or de-silting projects. Tom Tamayne inquired about the application document and whether he could access it. Chairman Sangle noted that taking core samples was usually the first step to determine the overall health of a lake body. He requested that Jim Rogers and Doug Trainor inform the Lakes Committee at their meeting in September that the Environmental Commission was not necessarily endorsing the lake management study grant at this point, since there are still too many unanswered questions, but the Commission would assist them if they choose to take part in this endeavor.

Green Team–Sustainability Committee: Tom Tamayne broached the subject of electric cars and said that he would like to see electric cars and charging stations used by the Township. He will reach out to one of the Council members about this matter.

MINUTES

The minutes from the July 2, 2018 regular meeting of the West Milford Environmental Commission were **approved** by the Commissioners who were present at the meeting on a **motion** by Jim Rogers with a **second** by Doug Ott.

CORRESPONDENCE RECEIVED

The following correspondence items were reviewed:

Highlands Water Protection and Planning Act Correspondence

1. None.

NJ Department of Environmental Protection Correspondence

1. Suspected Hazardous Substance Discharge Notification received from the NJDEP dated July 6, 2018, regarding a natural gas leak due to the retirement of a 12” steel gas main in the vicinity of 58 Marshall Hill Rd., Block 5708; Lot 5.
2. Copy of an application for renewal of NJPDES/B4B Permit #NJG0076511, dated June 28, 2018 received from GHD Services regarding Phillips 66, 1367 Union Valley Road, Block 7508; Lot 16.
3. Correspondence from the NJDEP – Division of Dam Safety & Flood Control, dated July 2, 2018, regarding the Dam Safety report for Carpi Lake Dam, NJ Dam File # 22-129, 363 Morsetown Road, Block 5301; Lot 42.02, advising that the dam was found to be in Fair Condition, with recommended general maintenance or minor repair work permitted without further approval of the office.
4. Correspondence from the NJDEP – Division of Dam Safety and Flood Control, dated July 9, 2018, regarding Carpi Lake Dam, Dam File # 22-129, Block 5301; Lot 42.01, 363 Morsetown Road, advising that a review was conducted of the plans received from Cross Associates, dated 09-20-16 for “Outlet Repairs to Carpi Lake Dam...” The department grants approvals to grout the annular space between the existing and extension of the outlet pipe with no further permit required, provided that 9 conditions outlined in the correspondence are satisfied.
5. Correspondence from the NJDEP – Division of Dam Safety & Flood Control, dated July 9, 2018, regarding the Dam Safety Report for the Upper Greenwood Lake Dam, NJ Dam File # 22-97, Lakeshore Road, Block 2107; Lot 1, advising that the dam was found to be in Fair Condition, with recommended maintenance and minor repairs permissible without further approval from the Division.
6. Suspected Hazardous Substance Discharge notification from the NJDEP, dated July 10, 2018, regarding 97 Greendale Drive, Block 16801; Lot 1, for the removal of a 550 gal #2 H.O. U.S.T., with clean up pending.
7. Response Action Outcome, dated July 20, 2018, received from EWMA, regarding the village Garage, 101 Otterhole Rd., Block 12403; Lot 1, advising that the remediation has been completed per N.J.A.C. 7:26C.
8. Suspected Hazardous Substance Discharge notification from the NJDEP, dated July 24, 2018, regarding the intersection of Hewitt Road and Lakeshore Drive, Block 1908; Lot 1, advising of a spill of hydraulic fluid due to a leak in a bucket truck from Orange and Rockland Utilities; cleanup was pending.

Miscellaneous

1. Update on the MUA purchase by Suez dated June 25, 2018 from the Township Administrator.

2. HEPSCD certification of the soil erosion and sediment control plan, dated 06-22-18, received for 105-177 Ridge Road, Block ROW; Lot ROW, regarding road work being performed on Ridge Road, Section 3 (Contract 5).
3. HEPSCD certification of the soil erosion and sediment control plan, dated 05-29-18, received for Barakat Hearthstone Pool and Grading, 37 Hearthstone Drive, Block 13001; Lot 4.
4. HEPSCD certification of the soil erosion and sediment control plan, dated 07-12-18, received for Aikey Leslie SFD, 62 Leslie Dr., Block 9501; Lot 19.07, for the construction of a single family dwelling.
5. HEPSCD certification of the soil erosion and sediment control plan, dated 07-05-18, received for Williams Virginia SFD, 42 Virginia Lane, Block 10002; Lot 14, for the construction of a single family dwelling.
6. HEPSCD certification of the soil erosion and sediment control plan, dated 07-05-18, received for Messineo Virginia SFD, 11 Virginia Lane, Block 10002; Lot 1, for the construction of a single family dwelling.
7. HEPSCD certification of the soil erosion and sediment control plan, dated 07-26-18, received for Bos Lakeside SFD Reconstruction, 384 Lakeside Road, Block 3107; Lot 12, for an addition to an existing single family dwelling.
8. Correspondence from the County of Passaic Planning and Economic Development, dated June 22, 2018, advising of unconditional approval for the Green Meadow Organics Site Plan, regarding 960 Burnt Meadow Road, Block 4601; Lots 17 & 21.
9. ANJEC Newsletter, Summer 2018.
10. Correspondence from ANJEC, dated regarding a draft resolution for municipal support for NJ's Comprehensive Single Use Carryout Bag Policy.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the August 6, 2018 regular meeting was **adjourned** at 8:50 p.m. on a **motion** by Chairman Stephen Sangle and a second by Clint Smith.

Approved: November 5, 2018

Respectfully submitted by

Tonya E. Cubby, Secretary