

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

September 9, 2019

The September 9, 2019 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:01 pm with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton, James Rogers, David Ofshinsky, Douglas Ott, Tom Tamayne
Clinton Smith (Alt#1), Douglas Trainor (Alt #2).

Absent: Chairman Stephen Sangle, Don Weise.

Commissioner Douglas Ott chaired the meeting in the absence of Chairman Stephen Sangle. He requested Clint Smith and Doug Trainor to sit in for the absent members, and advised that there was a quorum to hold this meeting.

PRESENTATIONS – None.

APPLICATIONS

PROCOPIOS TSAKOTELIS

Bulk Variance #ZB-07-19-14

Block 3402; Lot 2

66 Reidy Place; R-1 Zone

Seeking: Bulk Variance approval requested for a kitchen expansion, with variances requested for Lot Coverage, where 10% is requested, 10.14% exists, and 13.57% is proposed; and rear yard setback where 50' is required, 54.8' exists, and 45.5' is proposed.

Following a review of the application for Procopios Tsakotelis, 66 Reidy Place, the Commission advised that there were no apparent environmental concerns with this application.

RONALD RUTZ

Use Variance #ZB-06-19-12

Block 3301; Lot 3

Fox Island; R-2 Zone

Seeking: Use Variance approval for the construction of a 9.5' x 10' shed on Fox Island where no primary structure exists.

Following a review of the application for Ronald Rutz, Fox Island, the Commission advised that there were no apparent environmental concerns with this application, as submitted.

EDITH SAUTER

Bulk Variance #ZB-07-19-05

Block 4301; Lot 49

27 Forest Lake Drive; LR Zone

Seeking: Bulk Variance approvals for a proposed single family dwelling addition and accessory building with variances required for side yard setback, rear yard setback, primary building coverage, and accessory building coverage.

Following a review of the application for Edith Sauter, 27 Forest Lake Drive, the Commission advised that stormwater controls and roof drainage devices should be clarified

to the Board of Adjustment with the increase in impervious coverage. The Commission suggested that the applicant could consider rain barrels or cisterns for stormwater runoff.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan – Tim Dalton reported that he was in contact with the NJDEP, Brian McDonald, at the State Forestry Service regarding the Township's incomplete Community Forestry Management Plan. The Forestry Division has been delayed in revamping the entire CFMP process, so we have additional time to prepare the document. Mr. Dalton noted that we will also be able to submit a grant application to help with our plan development early next year, and will have most of next year to get the new plan completed. During his meeting with the Township Administration and Public Works, three more employees were supposed to be included in the budget to assist with tree management practices. Commissioner Jim Rogers observed that the additional staff request was cut by the Council from the budget. Mr. Dalton suggested that the Commission should plan to meet and discuss the five year plan so it will be ready for filing when required. Although the new plan does not have to be submitted technically until 2024, annual reports have to be filed and certain requirements must continue to be met.

NJDEP NNL Forestry Grant Project: With regard to the NNL Reforestation Grant project, Mr. Dalton reported that the NJDEP completed an inspection of all the trees that have been planted under the grant project to determine the survival rate. The serviceberry trees are not thriving and may have to be replaced. It appears that, in total, 140 trees may have to be replaced before the final payment is made to Fullerton Grounds Maintenance. Mr. Dalton will send the photos to the Finance Officer so she is aware of the trees that did not pass inspection. With regard to the trees that have been planted, he observed that, once the trees are accepted at the close-out of this grant project, then it is the Township's responsibility to maintain the trees. Commissioner Jim Rogers commented that if the DPW is not adequately staffed to maintain the trees, maybe professionals can be hired to do the maintenance. Mr. Dalton suggested that a grant can be submitted for this service. Commissioner Clint Smith inquired about the level of maintenance required for each tree that is part of the grant project, and Mr. Dalton suggested that he take a site visit with him to the locations where the trees were planted to better understand what will be required. Mr. Dalton observed that there are more funds under other grants that are available to complete the tree planting project. Once the formal report is received, he will meet with the contractor to determine what can be done to replace the dead trees.

Greenwood Lake Bi-State Commission: With regard to the Belchers Creek Cleanup project, Mr. Smith stated that the goal was to keep it simple. He researched the possibility of a bridge being installed over the creek, and the cost will be prohibitive, especially since there are no direct roads to the site.

With regard to the bacteria levels that were identified at Greenwood Lake during the summer, Mr. Smith commented that poor management decisions were made on the State level with regard to the recent developments on this issue, and the GWL Commission has no authority to intercede on this matter. The Commission inquired about the effect on the lake traffic, and Mr. Smith reported that there were several weekends that had no boat traffic on the lake, and it had a detrimental effect on the marinas and businesses on GWL. The Commission inquired about the legislation for permanent funding for Greenwood Lake, and Mr. Smith responded that it has not been brought up for a vote yet. He noted that millions of residents and numerous business in the State use the water that flows from and through Greenwood Lake, and the permanent funding should be made available.

Lakes Committee: Commissioner Jim Rogers reported that the Lakes Committee will meet the following week and he will have a report for the Commissioners at the October

meeting. Doug Trainor observed that all the dams in the State are being scrutinized for compliance, including the dam by Bald Eagle Village.

Open Space Committee: Don Weise was absent and no report was available.

Environmental Contamination Issues: Thomas Tamayne reported on several contamination issues, including the high phosphorous readings at Crescent Park and Highview Estates treatment plants. The Commission reviewed the NJDEP contamination correspondence listed on the agenda. With regard to a correspondence item about 222 Bearfort Road for a septic installation, Chairman Sangle requested that the Commission review the documents carefully since there was a stream running adjacent to the site, and there is concern that there may be run-off into Pinecliff Lake. Following their review, the Commission noted that there is no expansion proposed, the septic is being proposed for a transition area, not a wetlands, it includes a UV filter, and the new system will be an improvement on an existing failing system.

Belchers Creek Testing Project: Commissioner Jim Rogers reported that several Environmental Commissioners went out recently on the new Jon boat to test the boat's navigation and took a tour of Belchers Creek towards Greenwood Lake. They noted the large amounts of overgrowth and weeds along the shore. They also went upstream to Pinecliff Lake and took water samples. The water sample results will be added to the spread sheet. During the trip on Belchers Creek, they made note of where the storm drains emptied into the creek. Doug Trainor observed that the water was too shallow to go too far down the creek, but they will be able to use a kayak to access certain areas.

ANJEC Grant Project – Belchers Creek Clean-Up: Commissioner Jim Rogers reported that the mid-term 2019 ANJEC OSS Grant assessment is due in October and he is compiling information to be submitted to ANJEC. The clean-up project will not entail dredging and won't be a major overhaul, but may include possible removal of some of the lily pads and assist in widening the channels for kayaks, canoes and fishing. He noted the economic benefit to the Township, adding that the project will be completed in the Spring 2020. Tim Dalton suggested that the weed harvester be utilized along certain areas of Belchers Creek, especially near John Street. Commissioner Tom Tamayne inquired how the activities will be limited to passive recreation, and Mr. Rogers commented that due to the topographical nature of the creek, it is more suited to less active recreational uses, as opposed to Greenwood Lake. He further observed that if nothing is done to the creek, it will eventually be designated as wetlands as the weeds and brush take over, and then nothing could be done to make it usable for any recreation. Mr. Smith noted that there is no other access to Greenwood Lake except through Belchers Creek. Mr. Rogers noted that it appears to be the major source of phosphorous going into Greenwood Lake, so it must be addressed.

Green Team–Sustainability Committee: Commissioner Tim Dalton advised that he is registered for a seminar in Maplewood and will provide a report at the next Commission meeting. He observed that the Township does not currently have an active Green Team, and there is a need to get more community involvement since the Sustainable Jersey program is a long term commitment.

NEW OR CURRENT BUSINESS

222 Bearfort Road – Property owner Michele Riedel was present to discuss the concerns that were raised by adjacent property owners with regard to the proposed septic system that will be installed on her property. She maintained that she followed all the procedures and requirements with regard to notification of the property owners, and had plans prepared for approval by the Health Dept. She reviewed the plans for the system with the Commissioners, and noted that her engineer has advised that the seasonal steams that are located near the property should not be affected by the new system. She discussed several components of the system and her efforts to insure that it has as little environmental impact

as possible. Resident Robert Bandov, 228 Bearfort Road, was also present to address the matter, and expressed his concern that, based on the septic design and the 4 foot elevation, the velocity of the stormwater will increase and cause erosion and runoff from 222 Bearfort and flow across the street into the storm drain, eventually to Pinecliff Lake, affecting wildlife. The Commission reviewed the plans and several aspects of the project. Commissioner Tom Tamayne observed that the Ms. Riedel is attempting to improve an existing failed system and not create another issue in the process. He noted that there may be concerns, but there is no alternative with a failing system. He suggested that her engineer look into the use of stabilizing mats, and noted that the Health Dept. had approved the septic design plan. With regard to a proposed future garage, he did not feel that it will have any impact on the septic system. Mr. Rogers reiterated that the Commission reviewed the project and concurs that it should alleviate the problems that exist with the current failing system. He noted that the applicant's engineer has reviewed the calculations for runoff and implies that the elevation will not create additional runoff.

Autumn Lights Festival – The Commission reviewed the staffing for ALF and Tim Dalton, Jim Rogers, Dave Ofshinsky and Doug Trainor volunteered to man the table during the event on October 12, 2019. The Secretary advised that she has materials for the event that Tim Dalton can arrange to pick up.

MINUTES

The minutes from the July 1, 2019 regular meeting of the W.M. Environmental Commission were **approved** on a **motion** by Tim Dalton with a **second** by Dave Ofshinsky.

The Commission reviewed the following correspondence items:

CORRESPONDENCE RECEIVED:

Highlands Water Protection and Planning Act Correspondence

1. Municipal Stormwater Infrastructure Mapping sessions for municipal stormwater coordinators and compliance personnel at the NJ Highlands Council, Chester, NJ, 09-26-19.

NJ Department of Environmental Protection Correspondence

1. Suspected Hazardous Discharge notice received from the NJDEP, dated August 15, 2019, for 110 Lake Park Terr, Block 4303; Lot 8.02, regarding the removal of one 550 gal #2 HO UST, with remediation pending.
2. Suspected Hazardous Discharge notice received from the NJDEP, dated August 2, 2019, for Suez Camelot, Block 8301; Lot 17 regarding the discharge of excess phosphorous (4.5 and 2.9) on 07-25-19 and 07-31-19 respectively.
3. Suspected Hazardous Discharge notice received from the NJDEP, dated August 2, 2019, for Suez Camelot, Block 8301; Lot 17 regarding the discharge of excess phosphorous (4.5 and 2.9) on 07-25-19 and 07-31-19 respectively.
4. Suspected Hazardous Discharge notice received from the NJDEP, dated July 30, 2019, for Cherry Ridge Road/Goldfinch, Block 201; Lot 43, regarding the clearing and cutting of trees in a wetlands area.
5. Suspected Hazardous Discharge notice received from the NJDEP, dated July 30, 2019, for 34 Struble Lane, Block 13203; Lot 10, regarding the removal of one 1000 G UST, with remediation pending.
6. Suspected Hazardous Discharge notice received from the NJDEP, dated August 8, 2019, for 1894 Greenwood Lake Tpk., Block 3705; Lot 5, regarding the removal of a 550 gal UST, with remediation pending.

7. CEA – Classification Exception Area/Well Restriction Area correspondence received, PI# 000391, dated August 2, 2019, regarding Westbrook Friendly Service, 1205 Westbrook Rd, Block 10901; Lot 8 for contamination of Benzene, Ethylbenzene, VO TICS, Total Xylenes.
8. Copy of an application received from Paul Lapatka, PE, dated Aug 6, 2019, regarding the submission of a GP-24 application to the NJDEP for the installation of a septic system in a wetlands buffer for 222 Bearfort Rd., Block 7401; Lot 19.
9. Classification Exception Area/Well Restriction Area (CEA/WRA) correspondence received from the NJDEP, PI # 000391, dated August 9, 2019, regarding Westbrook Friendly Service, 1205 Westbrook Road, Block 10901; Lot 8, with respect to groundwater contamination associated with this site (BTEX), with the expected expiration date of 07-26-2049, at which time the Ground Water Quality Standards may be attained.
10. No Further Action correspondence received from the NJDEP, PI #814335 dated August 15, 2019, regarding 34 Struble Lane, Block 13203; Lot 10, with respect to the removal of a 1000 Gal #2 HO UST.
11. Suspected Hazardous Substance Discharge Notice, NJDEP Case # 19-08-18-1703-14, regarding 112 Continental Drive, dated August 19, 2019, advising of discoloration of water and presence of sediment, iron and manganese, with 150 dwellings affected. Suez is conducting maintenance on the water pipes and potable water trucks are available for the resident's to use.
12. Resolution of the Township of West Milford providing Consent to File a Treatment Works Approval application to modify an existing individual subsurface disposal system (ISSDS) at 355 Warwick Tpk, Block 2802; Lot 1, Moe's Plaza, LLC, which proposes septic alterations to treat and dispose wastewater exceeding the 2,000 gallon a day; applicant has received a NJDES-DGW from the NJDEP.

Miscellaneous Correspondence

1. Notification of Ordinance #20-2019 – An Ordinance of the Borough of Bloomingdale Amending Chapter 92 “Zoning”, Article II “Zone Boundaries”, Section 92-5 “Zoning Map” of the Code of the Borough of Bloomingdale, August 20, 2019.
2. NJ Tree Foundation Fall 2019 Newsletter.
3. ANJEC Annual Environmental congress, October 4, 2019, West Windsor, NJ.

PUBLIC COMMENTS – Resident Dave Hardin was present regarding the Green Meadow Organic application that is currently before the Board of Adjustment. He was advised to submit his comments on his review of the applicant's Environmental Impact Statement to the Environmental Commission for review.

ADJOURNMENT

With no further business to come before the Environmental Commission, the September 9, 2019 regular meeting was **adjourned** at 9:30 p.m. on a **motion** by Tim Dalton and a **second** by Jim Rogers.

Approved: November 4, 2019

Respectfully submitted by

Tonya E. Cubby, Secretary