

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**September 14, 2020**

**Virtual Meeting - Via Zoom**

The September 14, 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 (7:20 pm), Don Weise, Chairman Stephen Sangle.

**Absent:** None.

**Also Present:** "Citizen 1", "Citizen 2".

**PRESENTATIONS** – None.

**APPLICATIONS FOR REVIEW**

**PHILIP HAMLING & CRYSTAL PRAIS**

**Bulk Variance # ZB-06-20-07**

Block 4012; Lot 5

9 Mountain Ave.; LR Zone

**Seeking:** Bulk Variance approval from the Board of Adjustment for a 735 sf first floor addition and a 1,011 sf second floor addition to an existing single family residence, with bulk variances requested for front yard setback where 40 ft is required, 14 ft and 29.2 ft exists and 8 ft and 18.8 ft is proposed; rear yard setback, where 60 ft is required, 68.18 ft exists, and 52.7 ft is proposed; and lot coverage, where 10% is required, 9.07% exists, and 15.93% is proposed.

Subsequent to a review of the bulk variance application for Hamling and Prais, the Commission Chairman provided the following comments:

- The Commission expressed concern about the increase in the lot coverage with the proposed additions to the existing 973 sf dwelling.
- The Commission recommended that storm water runoff should be controlled and contained either by installing rain barrels or a rain garden.
- The leaders and gutters are not shown on the plan.
- The oil tank that is proposed for removal should be examined for leaks.

**ON GOING BUSINESS**

**ANJEC 2019 OSS Grant Project:** Remaining funds from the grant will be used for purchasing chemical re-agents for on-going Belchers Creek testing. Jim Rogers will research the items that are required and provide the Secretary with the purchasing information.

**Belchers Creek Testing:** Commissioner Jim Rogers thanked his fellow Commissioners for assisting with delivering the testing equipment to those responsible for testing at various sites. Reviewing the recent updates to the Belchers Creek testing data chart, he expressed concern about the Stowaway and Stanford sites, noting that the Nitrate reading was 18.8, and in February it was 13.8, based on the data in the report compiled by Dave Ofshinsky. Mr. Ofshinsky referred to issues at Bald Eagle Village noted at the August 3, 2020 Commission meeting, and commented that it appears that the discharge may have made its way into the

Creek. Chairman Stephen Sangle commented that Commissioner Tom Tamayne has been in contact with Suez, and suggested that he speak to them about getting copies of the “exceedance alerts” at the Suez treatment plants. Mr. Tamayne sent the Commissioners a summary of his conversation with a representative of Suez, noting that they are working on upgrades to the sewer treatment plants. He opined that we will most likely see results once the plants begin to function properly. Commissioner Don Weise observed that the high nitrate levels seem to be occurring during dry spells. Commissioner Tim Dalton commented that Suez may have been off line to complete upgrades. Mr. Ofshinsky noted that Bald Eagle had discharged to the groundwater, and that may be the cause for higher nitrate levels. Mr. Tamayne reported that Suez will be repairing filters in the bypass, adding that Suez was in the midst of completing upgrades at the numerous facilities in the Township.

Commissioner Janet Little suggested that a schedule be established for the Commissioners to do testing to facilitate the equipment delivery. The Commissioners involved in the testing will be in contact with each other to work out a process convenient for all. The Commissioners discussed the long term storage of the jon boat used for access to Belchers Creek that is currently at the John Street entrance on a site owned by a resident. Chairman Sangle commented that they did not want to take advantage of the offer for storing the boat, and suggested that alternative sites be considered. Mr. Rogers will reach out to the owner of the property, Pete McGuinness, to inquire if the boat can remain at the John Street site for the winter. Tim Dalton offered to take the battery and motor that is being stored at the Chairman’s home. Chairman Sangle suggested that the DPW be contacted to see if the equipment can be stored with them, but Mr. Rogers recommended that the motor and battery remain until the spring if the Chairman agrees.

**Shade Tree Committee:** No update at this time.

**Community Forestry Mgt. Plan:** No update at this time.

**NJDEP NNL Forestry Grant Project Closeout:** No update was available at this time.

**Greenwood Lake Bi-State Commission:** Janet Little had provided a report to the Commission following the August GWLC meeting. Much of the discussion at the GWLC meeting revolved around funding for the lake, and the Commissioners concurred that it was difficult to maintain the lake without funds. She noted that Paul Zarillo had resigned from the Commission following the last meeting. Tim Dalton will reach out to Sen. Joseph Pennacchio about the vacancy to the GWLC.

**Lakes Committee:** Jim Rogers reported that there was no meeting of the Lakes Committee in August. The next meeting in September will feature Ed Steines from the D.P.W. who will discuss wintering the roads. Mr. Rogers noted that there was illegal dumping reported at the boat launch in Upper Greenwood Lake.

With regard to Belchers Creek, Mr. Rogers suggested that the D.P.W. be contacted about the possibility of hydro-raking, and he and Tim Dalton were planning to compose a letter to the administration to submit a request for assistance. The main area of concern is John Street, where the lily pads have overtaken the site. Chairman Sangle commented that de-silting would be a better choice since this is a recurring problem. Mr. Rogers noted the recreational opportunities that are possible on Belchers Creek, and remarked that it would be a loss to the Township and others if the site was no longer accessible. Mr. Dalton commented that he attended the recent memorial for former Commissioner Clint Smith and Clint’s son indicated that he may become involved in efforts to improve the conditions on Belchers Creek.

**Environmental Contamination Issues:** Tom Tamayne reported that he received 5 NJDEP notices regarding electrical transformers that were damaged in recent storms, causing leakage of fluids, and 2 NJDEP notices regarding oil tank removals that involved leaking.

**Open Space Committee:** Don Weise reported that The Land Conservancy was modifying their parcel data for the Updated Open Space and Recreation Plan, and noted that they were

planning to have the information to the Commission in October for review, with a tentative date of December for a presentation to the Governing Body. In other news, Mr. Weise reported that The Land Conservancy and the NY-NJ Trail Conference had formed a partnership with regard to obtaining a key parcel of land on the left side of Warwick Tpk. that connects to Waywayanda State Park, providing access to a major hiking area. He noted that there is a floating 40 ft walkway over a bog for the north end of the trail, near Terrace Pond. Mr. Weise also reported on a new trail overlooking Pinecliff Lake that is accessed through the Shadaig(?) property, and crosses the pipeline.

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

### **NEW OR CURRENT BUSINESS**

**Stormwater Webinar:** Jim Rogers reported that he had attended an ANJEC webinar on Updated Stormwater Requirements. He noted that West Milford had adopted a new stormwater management plan in January 2020, but the webinar recommended that the municipalities should exceed the basic requirements, including redefining major development from 1+ acre to ½ acre, promoting smaller developments, capturing stormwater on site, and establishing fees to be paid by taxpayers for inspections. Chairman Sangle inquired if vegetation or swales were included in the recommendations, and Mr. Rogers observed that they were not addressed.

### **MINUTES**

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

### **CORRESPONDENCE RECEIVED:**

The Commission reviewed the following correspondence:

**Highlands Water Protection and Planning Act Correspondence** – None.

### **NJ Department of Environmental Protection Correspondence**

1. Notification dated August 31, 2020 from Suez Water NJ advising that an application is being submitted to the NJDEP for a Highlands Applicability Determination with regard to improvements to the Highview Acres Wastewater Treatment Plant, Block 8301; Lot 16.

### **Miscellaneous Correspondence**

1. HEPSCD Soil Conservation Deficiency Notice dated 09-03-20 received for Vincent Lanza, Inwood Road, Block 12110; Lot 3.01, advising that sediment barrier (silt fence) must be installed, temporary seeding applied, repair offsite sediment loss and re-establish erosion control measures by 09-17-20.

2. Notification regarding the NJ Forest Service Health Program and Rutgers Plant Diagnostic Laboratory offer of 200 free oak wilt screening tests in efforts to detect the presence of the fungal pathogen, Oak Wilt (*Bretziella Fagacearum*), which is deadly to all species of oak trees.

3. Suspected Hazardous Discharge Notice, dated August 26, 2020, regarding high levels of fecal coliform and total nitrogen due to filters being off-line, with discharge to groundwater at Bald Eagle Village WWTP, 1 Beacon Hill Rd, Block 7801; Lot 65.

4. Notification from John Wyckoff of New Jersey Natural Gas, dated August 31, 2020, advising that the revised USGS maps of the gas pipelines have been submitted to the Township. Exact location of the pipelines prior to excavation must require a mark-out pursuant to NJ Underground Facility Protection Act.

5. Notification received September 3, 2020 from Stantec Consulting Services, advising that a Flood Hazard Area Verification Method 3 and 5 application will be submitted to the NJDEP. The proposed project is for the TGP East 300 Upgrade Project compression Station 327, 960 Burnt Meadow Road, Block 4601; Lot 17, which includes the construction, operation and maintenance of a new compressor station on the applicants existing pipeline system in West Milford, NJ. A copy of the application is available in the Township Clerk's Office.

6. Notification dated September 4, 2020, from Jacobs, advising that a FW General Permit #1 and Flood Hazard Area Individual Permit has been submitted to the NJDEP. The proposed project is for the TGP – Tennessee Gas Pipeline regular maintenance within the areas along the 56 miles of existing natural gas pipeline system in Sussex, Passaic and Bergen counties, NJ. A copy is available in the Township Clerk's Office.

7. Copy of an application dated August 20, 2020 received from Wander Ecological Consultants regarding an application to the NJDEP for a Letter of Interpretation, Footprint of Disturbance for Block 10202; Lot 5.02, 1288 Macopin Road, James and Linda Antonucci.

**PUBLIC COMMENTS** - None.

**ADJOURNMENT**

With no further business to come before the Environmental Commission, the September 14, 2020 regular meeting held via Zoom was **adjourned** at 8:05 p.m. on a **motion** by Tim Dalton and a **second** by Don Weise.

Approved: October 5, 2020

Respectfully submitted by

Tonya E. Cubby, Secretary