

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

OCTOBER 6, 2008

The regular meeting of the Environmental Commission was called to order at 7:35 p.m. by Chairman Stephen Sangle followed by a reading of the Legal Notice.

ROLL CALL:

Present: Andrew Abdul (7:40), Douglas Ott, Irene Smith, Bernie Stapleton, Alternates MaryEllen Gabay, Stephen Sangle, GIS Specialist Robert Sparkes.

Absent: Gillian Hemstead, Timothy Metcalf, David Watson Hallowell.

PRESENTATIONS:

Plaques of Appreciation

The Chairman advised that William Drew, former Planning Director, and Grace Davis, former Environmental Commission secretary, were unable to be present to receive their plaques of appreciation from the Commission. Mr. Sangle noted that Mr. Drew was not only an advisor, but a friend and an ally of the Commission and he will be missed. He also noted that Grace Davis will be invited to a future meeting to receive her plaque. Les Lynn and Daniel Kochakji, two former Commission members, were present and received plaques of gratitude for their many years of dedicated service to the Township and the Commission. Also present were Richard Meany and Martha Tappan who had been recognized in the past for their service on the Commission. The past and present members were acknowledged for their efforts, and a group photo was taken.

Wind Turbine - Alternative Energy Source

Jack Levkovitz was present to address the Environmental Commission on the use of wind turbines on his property. He discussed the proposed plan for installation of a "Jacobs" turbine, and asked for comments from the Commission. Doug Ott noted that the Township does have a cell tower ordinance with height restrictions, but does not currently have a wind turbine ordinance. When asked if the structure will be visible to surrounding properties due to the height required for uninterrupted wind flow, Mr. Levkovitz replied that his house is visible only in the winter, and doubted that the wind turbine would be visible much of the year. The Chairman suggested a balloon test for visual and line of sight issues that may be present, and noted that a limited Environmental Impact Statement should be investigated. Mr. Levkovitz maintained that no one would be adversely affected by the tower except possibly by the visibility of the tower. He added that he had not yet made application to the Board of Adjustment for the turbine, but asked the Commission for their approval of the project prior to proceeding. The Commission discussed a subcommittee for sharing information on this technology. Following comments from members and the public, Chairman Sangle advised Mr. Levkovitz that he has the Commission's support for this endeavor and invited him to a future meeting to give an update on the project.

APPLICATIONS:

1952 UNION VALLEY ROAD, LLC

Preliminary & Final Site Plan #0820-0167AB

Block 3601; Lots 1 & 3

1952 Union Valley Road; CC Zone

Seeking preliminary and final site plan approval and variance relief for the removal of an existing structure and the construction of a new deli/convenience store with two apartments.

Rob Sparkes reviewed the application for the Commission. Chairman Sangle inquired about the environmental issues concerning the Commission when the application was before the Board of Adjustment a year earlier. Mr. Sparkes advised that he had reviewed the application with Chuck McGroarty, the Board's Planner, and noted that the plan had changed from what was previously discussed, including the removal of the gas station. Lewis Quarmot, the owner and builder, was present to address the Commission, and reviewed plans to address drainage and stormwater issues. The Commission discussed DEP contamination concerns, and the owner advised that the DEP issue had been addressed and a letter was received with regard to this. The Chairman noted that a limited E.I.S. may be necessary and the owner commented that

this may have been submitted with phase one of the project. Mr. Sparkes asked that a copy of this E.I.S. be submitted to the Commission. He also noted that Highlands approval may be part of any approval given by the Planning Board. The Commission reviewed the plans and discussed the number of parking spaces, impervious cover, lighting, delivery schedules, and septic location. Landscaping as a buffer zone for the surrounding properties was suggested. Following discussion, the Chairman advised that the Commission approved of the application subject to the submission of an E.I.S. and Highland's approval, and the applicant's agreement to replace or add trees and shrubs to adequately shield the site from neighboring properties.

GRANT MANAGEMENT AND STATUS REVIEW:

604(b) OWTS Grant: Rob Sparkes reported that the septic data collection has been finished for the Greenwood Lake watershed, and the project is moving along.

2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation Grant 319H Grants: Rob Sparkes reported that surveying work had been completed, the 2004 grant was used towards the extra expenses for the Greenwood Lake project, and the two projects will be bundled together. He will be in touch with Princeton Hydro for updates on these grants.

Streetscape Grant: Rob Sparkes reported that the project engineer needs to give an update on the project, and following a review, they will meet with the County and get their approval prior to presenting the plan at public forums. Chairman Sangle noted the intent of Inserra/Shop Rite is to coordinate their project with the streetscape plans. Mr. Sparkes added that the visioning plan that was accepted by the County may be a part of the streetscape plan.

Urban Forestry Grants: Mr. Sparkes reported that Kathleen Caren had requested assistance from the Mayor in getting the County to move forward on the matter of reimbursement. He explained that numerous attempts have been made to get this matter settled, adding that the State had taken the grant from the County after work had already begun.

Community Forestry Plan: Rob Sparkes reported that Jason Halvorsen, an intern from Ramapo College, was asked to complete the data collection and complete the documents for this grant. He noted that the subcommittee could meet before the next Environmental Commission meeting; he would be in contact with Ron Farr.

Lakes Committee: Irene Smith reported that the septic maintenance ordinance would be presented at the October 22, 2008 Township Council meeting. Rob Sparkes noted that the Health Officer requested that members of the Commission be present at the Council meeting when the ordinance had its public hearing.

Wetland Mitigation Project: There was nothing new to report at this time.

Septic Maintenance: Rob Sparkes reported that this item may be removed from the agenda as the matter has been addressed with the new septic maintenance ordinance.

Open Space Committee: Doug Ott advised that there was nothing new to report at this time.

Autumn Lights Festival: Rob Sparkes reported that the event will be held on Union Valley Road. The Shower Coach units will be disseminated at the Autumn Lights Festival. Carol Sparkes will be doing a presentation on rain barrels and have a drawing for one of the custom made barrels. The Environmental Commission bus trips with the Heritage Committee's historic tour will be at 11:00, 12:30 and 2:00. Andrew Abdul advised that his friend, Tom Fowler, would lead a tour on various areas of geological interest; Les Lynn would lead a tour of environmental sites.

NEW BUSINESS:

-The Chairman advised that he would be out of town for the next Environmental Commission meeting on November 3, 2008.

The Commission discussed a new subcommittee focusing on green, renewable, or alternate energy with Bernie Stapleton as coordinator. This committee would share information with the Township Council and Administration on efficient energy options.

MINUTES:

The minutes of the August 4, 2008 meeting were approved on a motion by Douglas Ott with a second by Stephen Sangle as amended to reflect a correction on the monies expended by the MUA and the Environmental Commission for the shower timers.

The following were noted and filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT:

1. Copy of application for Highlands Exemption received on September 8, 2008 regarding Eugene and Renata Hazelman, Block 12107; Lot2, 774 Macopin Road.
2. Notice from NJ DEP received September 29, 2008 regarding Ronald & Marianne Schmid, Block 2404; Lot 7, Upper Greenwood Road. Agency Determination: Highlands Exemption #1; Water Quality Management Plan – Consistent.
3. Notice of Intent to Cancel received from NJ DEP on September 25, 2008 regarding Highlands Determination Application for WV's Coffee Espresso – Dave Demerais at Block 16001; Lots 5 & 6, and request for submission of additional information.
4. Application for Highlands Determination received from Conklin Associates for Block 3608; Lot 12, Ivy Lane for construction of new 3 bedroom single family dwelling.

DEPARTMENT OF ENVIRONMENTAL PROTECTION:

1. Notice of application received September 22, 2008 from Buchart Horn, Inc. regarding Route 23 over Pequannock River, Hamburg Turnpike Bridge Repair.
2. Copy of letter from NJ DEP dated September 15, 2008 to Anthony Patire, Marshall Hill, LLC, regarding the West Milford Lake Dam, granting an extension of time until November 12, 2008 for submission of a detailed schedule for complete repair or permanent removal of the dam, and requesting the owner to contact their office to discuss the matter.
3. Notification from the NJ DEP Site Remediation Program announcing new regulations regarding contaminated sites, notification and public outreach. New requirements include notification of local health officials, municipal clerks, and residents within 200 feet of the subject property. The web site identified for more information is www.state.nj.us/dep/srp/community/public.htm.
4. No Further Action and Covenant Not to Sue letter received from NJ DEP for Barbara Surpless, Block 6303; Lot 1, 115 Marshall Hill Road, regarding removal of 1,000 underground fuel oil tank.
5. Application notice for a NJ DEP Letter of Interpretation for Shiloh Bible Camp, 753 Burnt Meadow Road, Block 6002; Lot 47 for "placement of one or more buildings or other structures."

CORRESPONDENCE:

1. Elements of Sustainability – Greening Your Master Plan and Ordinances – 10/30/08 – Highland Park, NJ – hosted by ANJEC.
2. 6th Annual Volunteer Monitoring & Education Summit – hosted by NJ DEP and Watershed Watch Advisory Council – 11/17 & 18, 2008 – Frelinghuysen Aboretum, Whippany, NJ.
3. Pequannock Post – October 2008 – Volume 13, Issue 5

PUBLIC COMMENTS: - No one was present to address the Commission.

ADJOURNMENT

The Environmental Commission meeting adjourned at 9:13 p.m. by unanimous consent.

Approved: February 9, 2009

Respectfully Submitted,

Tonya E. Cubby
Secretary