

Township of West Milford
ENVIRONMENTAL COMMISSION

MINUTES

NOVEMBER 1, 2010

The regular meeting of the Environmental Commission of the Township of West Milford was called to order at 7:32 p.m. by Chairman Stephen Sangle, following the reading of the Legal Notice.

ROLL CALL: Present: Timothy Metcalf, Gary Oppenheimer, Thomas Tamayne, Alternates Maryellen Gabay (7:40), Lucas Slott, and Chairman Stephen Sangle.
Absent: Andrew Abdul, Gillian Hemstead, Douglas Ott.

Chairman Sangle asked Maryellen Gabay and Luke Slott to sit in for the absent Commissioners. Doug Ott and Gillian Hemstead notified the Chairman that they were attending a Library meeting.

Representatives from the Tennessee Gas Pipeline were in attendance to briefly address the Commission. Mark Stevens, Attorney for Tennessee Gas Pipeline, advised that he had received copy of the memo sent to the Commission by the Township Administrator regarding the easements and pointed out an inaccuracy in the timeline for construction. He stressed that all construction must occur between October 15th and March 15th which is the reason for the urgency in getting the easement details settled. Chairman Sangle noted that the Commission would be forming a subcommittee to review the property and the location of the new pipeline so that they are better able to address any environmental concerns. He requested that the pipeline representatives install markers for the proposed easement and the Commissioners will schedule a site visit to the property to determine the extent of the disturbance. Mr. Stevens advised that a surveyor would be assigned to install markers on the property. Chairman Sangle announced that this matter would be on the December 13, 2010 agenda for further discussion. Mr. Stevens also clarified for the Commission that there were two separate projects within the Township's boundaries that the Tennessee Gas Pipeline was involved with, the 300 Line Project and the Northeast Upgrade Project. The 300 Line Project was the phase that will be constructed through the Wallisch Property.

Also in attendance was Mark Renna, a consultant with Evergreen Environmental, Wayne, NJ, who was working with Anthony Patire, owner of the West Milford Lake property. He addressed the Commission about his impending involvement with the 300 Line Project with studies being conducted for mitigation and riparian wetlands. He advised that the design he was preparing was similar to the West Milford Lake project that was prepared by Princeton Hydro as part of a grant administered by the Commission. He asked for the Commission's support with regard to the Township taking ownership of property by West Milford Lake with a portion to be deed restricted. Chairman Sangle commented that prior to the Commission giving their support on any matter, formal direction was necessary from the Township Council on how to proceed. He noted that he would contact the Administrator and Council and will advise Mr. Renna at next month's meeting. Mr. Renna also advised that the owner of the site, Mr. Patire, was also looking to purchase property adjacent to the West Milford Lake tract to increase the size of the property to be donated. Chairman Sangle advised that more information was required before the Commission could entertain a discussion on this matter and requested that the information be provided to the Commission's Secretary for distribution, and he also directed that this matter be placed on the December agenda for discussion with the applicant.

APPLICATIONS

PATRICIA A. DECKER

Bulk Variance ZB-01-10-02

Block 7521; Lot 9

16 Meadow Road; LR Zone

Seeking: Bulk Variances for front yard setback and maximum building coverage for expansion of a 5 room, 2 bedroom, 1,284 sq. ft. house into a 7 room, 2 bedroom, 2,078 sq. ft. house.

A review of the Zoning Board of Adjustment Bulk Variance application for Patricia Decker at 16 Meadow Lane resulted in the following comments by the Commission:

- The Commission expressed some concern that the impervious cover square footage does not exceed the existing.
- The Commission questioned where the run off from the roof was going to be directed, and suggested installation of rain barrels for water collection and to keep erosion to a minimum
- The Commission inquired about the power source to the house and addition.
- The Commission did not detect the well and septic on the plan and inquired about the proximity of the well to the septic.

Upon arrival of the applicant later in the meeting, the Commission reviewed their comments made earlier. The applicant was able to satisfactorily address all the concerns of the Commission.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: Chairman Sangle reported that Dr. Fred Lubnow would be attending the meeting in December to provide an update on the 319h and 604b projects.

Streetscape Grant: No update at this time.

Recreational Trails Signage Grant: Chairman Sangle noted that this project is moving along, and proceeded to review this grant project for the new members. Gary Oppenheimer commented that he saw the kiosk on Clinton Road, and said that it was visible from the road, and looked very nice. Chairman Sangle requested that information be put on the Commission's website about the project.

Trails Master Plan: Chairman Sangle advised that updated information will be provided to the Commission by George White of White Environmental Services. Doug Ott, the EC's liaison on this project, was not present to give a status report.

ON GOING BUSINESS

Lakes Committee: No update was available at this time due to the absence of Andy Abdul, liaison.

Open Space Committee: Chairman Sangle announced that the meeting originally scheduled prior to the Commission's regular meeting had been canceled and would have to be rescheduled. Chairman Sangle asked that a meeting be arranged with the Township Administrator, a Council representative, the Recreation Director, a representative from the Land Conservancy, and the Commission's Open Space Committee to discuss potential open space properties.

Environmental Contamination Issues: Tom Tamayne volunteered to be the new EC liaison with the Health Dept. to review contamination issues each month and report back to the Commission. Chairman Sangle noted that many issues are under litigation, so only limited information may be available on certain sites that have received violation notices, but with regard to many other sites, the EC has not been updated on. Luke Slott inquired about the site near the new high school turf field and whether it was listed as a contaminated site. Mr. Tamayne advised that he would contact the Health Officer monthly for updates.

Sustainable Jersey - Sustainable West Milford – Green Team: Gary Oppenheimer reported on a recent Green Team meeting, and noted that more documentation is required in order for the Township to seek certification from Sustainable Jersey. Some of the items needed are a municipal owned vehicle inventory and municipal energy audit. He noted that the goal is set for one year for receiving certification. The Green Team will be requesting input from employees regarding energy saving suggestions. There was a discussion at the recent Green Team meeting on the status of the water conservation ordinance. There was also some concern about police vehicles left idling for long periods of time, but further research revealed that it was necessary due to the equipment (Walkie Talkies?) that must be kept charged at all times. There was also discussion about collaborating with the Chamber of Commerce on some efforts, and also enhancing the recycling education. In addition, Mr. Oppenheimer noted, private well testing information was needed, and Chairman Sangle advised

that the Health Dept. has this information available. Tom Tamayne advised the Commission that energy suppliers can be chosen by the customer of Orange and Rockland, adding that he lowered his electric bill by choosing a supplier for his electricity, and suggested that the Township look into this as a cost saving measure.

Beaver Dam at Environmental Boardwalk: No update was available at this time.

PRESENTATIONS

AmeriCorps Watershed Ambassador - Allison Petryk

Allison Petryk was present to address the Commission as the Watershed Management Area #3 representative. She noted that the NJDEP administers the program for the Pequannock, Wanaque and Ramapo River districts, and her specific training was in monitoring and biological testing. Her tasks will include educational outreach in schools and the community regarding water conservation. She also recently volunteered with the Commission at the annual Autumn Lights Festival. Ms. Petryk noted that she gives workshops on rain barrels and rain gardens. Chairman Sangle suggested that Ms. Petryk attend the Green Team meetings, which is the Sustainable Subcommittee of the Commission. Luke Slott commented that he is part of the Green Team at West Milford High School and asked Ms. Petryk to do a rain barrel and rain garden workshop demonstration for the students. Gary Oppenheimer suggested that Ms. Petryk also educate the public on the state drought system, noting that the water level in a reservoir may not be a good indicator of actual droughts. Tom Tamayne also suggested collaboration with various Lake Associations, and Chairman Sangle advised that the Lakes Committee meets monthly to discuss lake issues; he would forward the information to Ms. Petryk. Maryellen Gabay inquired whether Ms. Petryk could provide programs for cub scouts, suggesting an adopt a water/rain barrel, and Ms. Petryk advised that she could. With no further questions, the Commission thanked Ms. Petryk and wished her well with her position and asked her to keep the Commission apprised of her programs.

NEW BUSINESS

Tennessee Gas Pipeline meeting to review environmental matters with regard to Wallisch Estates and the TGP Northeast Upgrade Project: Chairman Sangle advised that the representatives will be present at the next meeting to discuss the project. They have agreed to stake out the Wallisch site for the easement, and will also produce a map of the exact location so that the Commission members (Tom Tamayne, Gary Oppenheimer, and Luke Slott) can inspect the site for possible environmental concerns. Mr. Oppenheimer commented that he would notify the Mayor that any hardwood from the site should be offered to the Township residents. Chairman Sangle requested that a memo be sent to the Administrator, with a copy to the Mayor and Council, advising that three Commissioners would make a site visit to review the easement and will report their findings.

Annual Report to Township Council: This report was held to December until the Commission had received an update from Dr. Fred Lubnow.

Review and Approval of 2011 Environmental Commission Meeting Dates – The dates for 2011 would be reviewed and approved at the next meeting.

Review Properties for Potential Green Initiatives: Chairman Sangle advised that he provided a packet of documents to Tim Metcalf and Doug Ott to review with regard to potential green initiatives. This will be discussed when the Open Space Subcommittee meets.

MINUTES

The Minutes of the August 2, 2010 Regular Meeting of the West Milford Environmental Commission were **unanimously approved** on a **motion** by Tim Metcalf with a **second** by Gary Oppenheimer.

The following documents were reviewed by the Environmental Commission and filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Notice of Administrative Completeness received from the NJDEP with regard to a Highlands Applicability and Water Quality Management Plan Consistency Determination for Alan Buffalino, Block 14301; Lot 14.01; 30 Misty Lane.

2. Highlands Applicability Determination application received for The Manor At Smith Mills Condominiums; Block 12701; Lots 9.01, 9.02, 9.03, 524 Hamburg Tpk. regarding the replacement of failed septic tank and an undersized tank with new conforming tanks.
3. Copy of an application for a Highlands Applicability Determination received October 19, 2010 from Ferriero Engineering, Inc. for the West Milford Municipal Complex and Proposed New Public Library, Block 7903; Lots 13, 14, 15, 16.
4. Copy of an application for a Highlands Applicability Determination received on October 14, 2010 from MAP Engineering for Shoebox Storage, LLC (VanderPloeg), Paul Street, Block 16005; Lot 16, for construction of a single family dwelling.
5. Highlands Applicability Determination received from the NJDEP, dated October 25, 2010, for the Manor at Smith Mills, Block 12701; Lots 9.01, 9.02, 9.03, 524 Hamburg Turnpike, advising that the project is Not a Major Highlands Development, and the Water Quality Management Plan is Consistent with Statewide Water Quality Management Planning Rules.
6. Copy of correspondence from Cefes Financial, Inc. to NJ DEP regarding additional information required for a Highlands Applicability Determination for a single family home at Block 16504; Lot 4 on Apple Tree Lane.
7. Highlands Determination – Not a Major Highlands Development – Water Quality Management Plan – Consistent – received for Michael and Sherri Zupp, 9 Martha Street, Block 12110; Lot 6, regarding the subdivision of existing block 12110; Lot 6 (8.3 acres) into proposed Lots 6.01 and 6.02, and the construction of a 3 bedroom single family dwelling on Lot 6.02 and improvements to existing dwelling on Lot 6.01.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Potable Well Water Analysis, dated October 12, 2010, received from the NJDEP for Sherrer Residence, Block 7508; Lot 17, 1368 Union Valley Road, in the vicinity of Lukoil 57215 site, finding the water to be acceptable for drinking water purposes, and that current treatment methods have removed volatile organic constituents to within Primary Drinking Water Standards.
2. Notice from the NJDEP regarding the Nosenzo Pond Dam, advising that a review of the revised as-built plans, completion report, and the Bureau's site inspection have determined that the work has been completed in substantial accordance with the approved plans and specifications in the Dam Safety Permit #1337, and advising that the operation and maintenance manual must be updated, in addition to submission of an Emergency Action Plan.
3. Copy of an application for a Freshwater Wetlands GP #25 from Houser Engineering for 21 Grove Street, Block 16004; Lot 14, Michael Ramos, with regard to the upgrade of an existing septic system with an additional 500 gallon septic tank and new gravity fed Chamber disposal system.
4. Copy of an application for a Freshwater Wetlands GP #25 from Houser Engineering for 22 Rosemont Avenue, Block 11302; Lot 37, John Kasper, with regard to the replacement of an existing septic system with a new tank, pump tank, and pressure dosed chamber disposal bed.
5. Request for additional information from the NJ DEP, dated October 15, 2010, from Ray Barnitt, R-D Trucking, 1874 Route 23, regarding a Residual General Permit Authorization New Cat: ZG-Residuals Transfer Facilities.
6. Notice from the NJ DEP Bureau of Coastal and Land Use Compliance and Enforcement regarding Block 6701; Lot 13, Peter Esposito, advising that no additional enforcement action will be taken with respect to filling and re-grading of a topographical depression at the site, and advising that compliance with HEPSCD is required. Any further activity would require a Highlands Determination and a NJDEP permit from the Division of Land Use Regulation.
7. Receipt of NJDEP Child Care Facility Approval Letter dated October 19, 2010 from the NJ DEP regarding Paradise Pre-School, 104 Paradise Road, Oak Ridge, block 15701; Lot 43.
8. Notice of Deficiency dated 09-27-10 received from the NJ DEP regarding the Lukoil site located at 1367 Union Valley Road, citing the following: Failure: ...of the owner to implement the approved Remedial Action Work Plan within the set time frames, ...to submit progress reports, ...to comply with

monitoring wells and piezometer requirements, ...to report monitoring well sample information, ...to submit requested stratigraphic cross sections, ...to include required information in the RAPR.

CORRESPONDENCE

1. Received copy of the 2010 Smart Growth Planning Grant Agreement from ANJEC, in the amount of \$5,000. for the development of a Trails Master Plan.
2. Memo dated October 4, 2010 to the West Milford Planning Board with the Environmental Commission comments on the Wojceich Czykier Major Soil Movement Application, inquiring about the source of the soil fill, expressing concern about any adverse effects on surrounding property owners, suggesting additional vegetation be installed as a visual buffer for the adjacent property owners, and requesting soil erosion measures be taken.
3. Notice from the Federal Energy Regulatory Commission of an intent to prepare an Environmental Assessment for the Northeast Upgrade Project for Tennessee Gas Pipeline and request for comments in writing or in person at a Public Hearing on Monday, November 1, 2010 at 7:00 pm at the E.G. Hewitt School in Ringwood, NJ.
4. Memo dated October 19, 2010 from Kevin Boyle, Township Administrator, to Steve Sangle, Environmental Commission Chairman, advising that the Township Council has requested the Tennessee Gas Pipeline representatives meet with representatives of the EC for updated environmental information on the Wallisch Estate property as it relates to an easement request from Tennessee Gas Pipeline for the Northeast Upgrade Project.
5. Copy of a memo to Larry Miller, NJ Division of Parks and Forestry, from Kevin Boyle, Township Administrator, dated October 19, 2010, regarding an update on the NY/NJ Trails Conference Trails Signage Grant project.
6. Memo announcing an Open Space Subcommittee meeting with the Township Administration and the Environmental Commission on Monday, November 1, 2010 at 6:30.
7. Information received on October 28, 2010 regarding the New Jersey Watershed Ambassadors Program, an Americorp Program hosted by the NJ DEP.
8. Hudson Essex Passaic Soil Conservation District (HEPSCD) certifications received for the following: a) Your Home Team, 21 E. Park Drive, Block 12301, Lot 3; b) CFA Custom Homes, 290 Maple Road, Block 10817, Lot 4; c) Lower Mt. Glen Lake Dam Restoration, Block 11001, Lot 51, Broadway Terminus; d) Kunz Subdivision-Recertification, Block 14108, Lot 1.02, Germantown Road.
9. Copy of the executed Professional Service Contract per Resolution No. 2009-328 with White Environmental Services regarding the Trails Master Plan.
10. Public Notice from Envirotech Consultants LLC, regarding Pazak Service Station aka Sunoco Service Station, 3021 Rt. 23, Block 16001; Lot 9 regarding environmental investigation/clean up of the site.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Commission the meeting was **adjourned** at 9:11 p.m. on a **motion** by Chairman Sangle and a **second** by Thomas Tamayne.

Approved: February 7, 2011

Respectfully Submitted,

Tonya E. Cubby, Secretary