

**Township of West Milford  
ENVIRONMENTAL COMMISSION**

**MINUTES**

**NOVEMBER 4, 2013**

The November 4, 2014 regular meeting of the Township of West Milford Environmental Commission was called to order at 7:35 p.m. with a reading of the Legal Notice.

**ROLL CALL:**            **Present:** Andrew Abdul, Gary Oppenheimer, Douglas Ott (L), Thomas Tamayne, Alternates Jennifer Easterbrook & Lucas Slott, Chairman Stephen Sangle.  
                                 **Absent:** Timothy Dalton, Don Weise.  
                                 **Also Present:** Bob Jonas.

Chairman Stephen Sangle requested Jennifer Easterbrook and Luke Slott to assume the positions of the absent Commissioners and advised that a quorum was present to conduct this meeting.

**PRESENTATIONS** – None.

**APPLICATIONS FOR REVIEW**

**PHILADELPHIA CHURCH MINISTRIES, INC.**

**Use Variance, Bulk Variance, Preliminary & Final Site Plan #ZB-07-13-07**

Block 15901; Lot 16

145 Oak Ridge Road; CC Zone

**Seeking:** Zoning Board of Adjustment Use Variance for expansion of a pre-existing non-conforming use, Bulk Variance for front yard setback, and Preliminary and Final Site Plan approval for the expansion of an existing church.

The Commission reviewed the Use Variance, Site Plan and Bulk Variance application for the Philadelphia Church Ministries and the plans prepared by MianECKI Consulting. Tom Tamayne reported that an earlier review of the plans indicated that the proposed expansion would result in an overall reduction in impervious cover, and noted that there were dry wells proposed to address stormwater run off. Mr. Tamayne also commented that there were a number of utilities around the building and it appeared the applicants were expanding the site in the least intrusive area. It was noted that a new septic was proposed for the higher occupancy and the expansion was covering pre-existing impervious surface. Following review, the Commission concurred that there were no apparent environmental concerns.

**JOHN AIELLO**

**Major Soil Removal/Fill Permit #PB-02-13-01**

Block 4402; Lot 1

828 East Shore Road; R-4 Zone

**Seeking:** Planning Board Major Soil Removal/Fill Permit for the purpose of re-creating wetlands that previously existed on the site to comply with a NJDEP settlement agreement.

The Commission reviewed the plans submitted by the applicant and his engineer, EID Associates. During the review, Chairman Sangle noted that the definition of a wetlands did not necessarily denote swamps and bogs, but that a wetlands was determined by soils, vegetation and other factors. He reviewed the settlement agreement that the applicant had with the NJDEP and advised that the DEP had already determined how the site must be remediated, which the plans will reflect, and the final approval would be in the hands of the DEP, the Planning Board, and the Board Engineer. Doug Ott, the Planning Board liaison, commented that he would keep the Commission updated on the application.

**GRANT MANAGEMENT AND STATUS REVIEW**

**2007 GWL NPS 319(h) Grant:** Chairman Sangle reported that he had not heard from Dr. Fred Lubnow on the status of the completed projects and the Secretary was asked to contact him via email for an update.

**NJDEP Green Comm.\$3000.00 Grant for Community Forestry Management Plan:** There was no update available and Ron Farr was unable to attend this meeting.

**NJDEP NNL Reforestation Grant - \$620,197.00:** Chairman Sangle advised that he had emailed Ron Farr and requested that a meeting with the Forestry Committee be planned before this meeting so that the Commission is updated before this project moves forward.

**Recreational Trails Signage Grant:** Bob Jonas reported that the trails signage grant project has been completed, with the exception of one sign on Warwick Tpk. that is being coordinated with the Public Works Dept. to be installed within a month. Chairman Sangle commented that he saw some of the kiosks and all those involved did a great job with the signs. Mr. Jonas reported that one sign had already been pulled out by Burnt Meadow Road.

**2006 (Repurposed) Recreational Trails Grant for Environmental Boardwalk:** Bob Jonas distributed updated photos of the Environmental Boardwalk, and Chairman Sangle commended Mr. Jonas for all his work at the Boardwalk, explaining to the Commission that he coordinated the repair of the Boardwalk to make it more accessible using unexpended grant funds from another project. He further noted that some of the planks replaced at the Boardwalk were used for raised garden beds at the community garden. Mr. Jonas reported that some of the signage at the site looked faded and in need of replacement, so he contacted the original sign company in Mahwah, and they were able to refurbish them with wax and minor work so the signs should last another 20 years. Mr. Jonas also advised that the paving of 70 feet of walkway in front of Maple Road School was supposed to start on Nov. 6, 2013. Chairman Sangle commented that with the slope and the pitch, they did the best they could to make it wheelchair accessible. Doug Ott observed that the wetlands appear to be changing due to the fragmites growing, and Mr. Jonas commented that he would speak to Fred Lubnow about the weed issues at the site, especially since it is at the top of the watershed. He acknowledged that there was an algae problem and hoped the winter would help to kill it. The Commission discussed herbicides used for controlling algae. Mr. Jonas noted that without the equipment to determine the source of the excess nutrients affecting the site, it would be difficult to address, adding that the leaching could be from the Green Terrace Way development or the nearby nursing home. Doug Ott advised that some of the flora and fauna species noted on the signs no longer exist. Mr. Jonas stated that he contacted former Commissioner, Les Lynn, and one of the teachers from the High School to try to coordinate a team to address some of the issue at the Environmental Boardwalk site.

**2010 ANJEC Smart Growth Planning Grant-Trails Master Plan:** Chairman Sangle advised that the work on the Trails Master Plan continues, with Bob Jonas also very involved in the project. Mr. Jonas observed that the Trails Committee was attempting to include the level of difficulty, blaze color, and history of a trail. He noted, for example, that Jungle Habitat is mostly used for mountain biking, and a major portion of Waywayanda is in Sussex County. They were also trying to add private trails for the working document, as well as equestrian and multi use trails. Chairman Sangle noted that this Trail Master Plan document will be a planning tool to be used for future open space and for locating interconnecting trails, but not a published document to be disseminated as a trail guide. Mr. Jonas reported that the Trails Committee attempted to interconnect with the main shopping centers and developments in the Township, but they ran into issues with wetlands along the routes and paths that would be the most practical. With regard to creation of a trail from the Wallisch Homestead site to Shop Rite, Mr. Jonas noted that several bridges would need to be constructed to cross Belchers Creek and its tributaries, and it was determined that the overall trail cost would be too high, and the funds would be better spent on other projects.

## **ON GOING BUSINESS**

**Lakes Committee:** Andy Abdul distributed minutes from the Lakes Committee and reported that the Committee was considering a newsletter or a website to encourage more participation. He also reported that the Township Attorney advised that the Health Dept. should be up to date on the septic pumping enforcement by the end of 2013.

**Open Space Committee:** Chairman Sangle reported that the Open Space Committee was coordinating their efforts with the Trails Master Plan. He noted that he had met with the Township Administrator to communicate with the Land Conservancy about the direction that the Open Space Committee wants to go in. He was advised that Linda Glosinsky of TLC requested a copy of the Trails Master Plan when it is completed to better assess parcels of land for open space acquisition. They discussed concentrating their efforts to acquire environmentally sensitive properties that are not on the tax rolls, or that are farmland assessed or not heavily taxed to avoid eroding the tax base. Chairman Sangle advised that the Open Space Committee plans to meet quarterly.

**Environmental Contamination Issues:** Tom Tamayne reported that he received information from the Health Officer on several No Further Action letters, and the Health Officer had not received a response from the

OPRA that he purportedly filed with the DEP regarding contaminated sites in West Milford. Chairman Sangle commented that often the DEP is hesitant to release information, especially if there is litigation involved. However, he noted, the fact that the Environmental Commission is actively seeking information on contaminated sites makes the public aware of the Commission's efforts on behalf of the environment.

**Green Team–Sustainable Jersey:** Tom Tamayne advised that the Green Team and Sustainable West Milford did not meet for two months and, hopefully, he will be able to provide an update at the December EC meeting. Chairman Sangle advised the Commission that the Sustainable Jersey/PSEG grant funds are available for grant proposals, with a deadline in January 2014.

**Tennessee Gas Pipeline:** Luke Slott reported that the Tennessee Gas Pipeline project appears to be nearly completed. He would inquire from Ron Farr if the project had already gone under the Monksville Reservoir since he saw machinery near the site recently. He also reported that TGP had connected the gauging station and he was not sure if they were testing the pressure. With regard to Lake Lookover, he noted that it did not appear that any planting or re-vegetation had been done at that site, and wondered if they had reached a settlement agreement. Chairman Sangle expressed doubt that a settlement had been reached.

### **NEW OR CURRENT BUSINESS**

**Autumn Lights Festival:** Doug Ott reported that the Environmental Commission, Sustainable West Milford, and the Green Team were grouped together for Autumn Lights, with Tim Dalton promoting the Time Bank project. Andy Abdul commented that the materials from former Commissioner Gillian Hemstead were available, but there wasn't enough space to work with the educational materials, games, etc. since the location was so limited in size. Those present expressed the need for several 10x10 spaces for future events, especially if the organizers are combining several like-minded groups together.

**ANJEC Environmental Congress:** Chairman Sangle reported that Commissioner Tim Dalton had attended a session on Stormwater Management and sustainable planning and will report at the next Commission meeting.

### **MINUTES**

The Minutes of August 5, 2013 Regular Meeting of the West Milford Environmental Commission were **approved** on a **motion** by Chairman Stephen Sangle and a **second** by Tom Tamayne.

### **CORRESPONDENCE RECEIVED – *The following was reviewed by the Commission:***

#### **Highlands Water Protection And Planning Act Correspondence**

1. Notice of Technical Incompleteness dated Oct. 3, 2013 received for a Highlands Applicability and WQMP Consistency Determination application regarding Vitale Single Family Dwelling, 1060 Westbrook Road, Block 5010; Lot 1, requiring additional information including a land survey, site plan showing existing and proposed development, and calculated values for proposed impervious surfaces, proposed disturbance, and existing disturbance to be restored.
2. Notice from the NJDEP dated October 22, 2013, advising that the application for a Highlands Applicability Determination and Water Quality Management Plan has been Withdrawn by Diane Marichal, Helping People Helping Themselves, Block 5301; Lots 39, 39Q, 40, 445 Morsetown Road, regarding a proposed in ground pool, driveway expansion and parking lot, and camping area modifications with new cabins.
3. Notification from E2 Project Management LLC, dated October 21, 2013, regarding an application being submitted to the NJDEP for a Highlands Applicability Determination Application for revisions to the plans to construct a wireless communication facility at 3520 Route 23, Block 16901; Lot 2 for Verizon Wireless (Canistear) - West Milford 12.

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

1. Notice received from the Township of West Milford dated Oct. 10, 2013 advising of a public hearing on Nov. 13, 2013 at 6:30 pm at the West Milford Municipal Building rectifying a prior diversion of 1.15 acres of Bubbling Springs Park under the Green Acres Program with a Township owned property, Block 3001; Lot 11, comprising 43.1 acres.
2. No Further Action-Covenant Not To Sue from the NJDEP, dated Oct. 2, 2013, for the removal of a 550 Gal #2 Heat Oil UGST, for White Mt. Realty, 15 Evergreen Road, Block 402; Lot 14.
3. Notification dated Oct. 1, 2013 received from Envirotrac Environmental Services regarding the BP Service Station No. 4300, 2847 Route 23, Block 15804; Lot 18, NJDEP ID #000986, NJDEP Case # 12-10-12-1510-26, advising that remedial activities are ongoing at the site.

4. Notification from the NJDEP Bureau of Dam Safety, dated Sept. 30, 2013, to Brian Douglas, 25 Charissa Court, advising that the Carpi Lake Dam (File #22-129) 2013 Inspection Report indicated that the dam was in FAIR Condition with repairs necessary. Per the Dam Safety Compliance Schedule, general maintenance was to be completed by Sept. 30, 2013 and long-term improvements that were not undertaken must be completed by Dec. 31, 2103.
5. Notice of Violation dated October 16, 2013 received from the NJDEP regarding 21 Dockerty Hollow Road, Block 9901; Lot 23.01 for violations of the Freshwater Wetlands Act for destruction of 47,274 sf of vegetation, and the placement of 14,874 sf of fill material in the form of soil, boulders, wood debris, and asphalt for improvements to a horse farm. Submission of a restoration plan is required within 30 days to restore site to pre-disturbance condition.
6. Notice and application copy from Ferreiro Engineering, dated October 28, 2013, regarding submission of a Treatment Works Approval Permit Application to the NJDEP for an alteration to the existing subsurface sewage disposal system serving the Bubbling Springs Park, 1468 Macopin Road, Block 9001; Lot 13, which does not result in the increase in the daily volume of wastewater generated.
7. No Further Action-Covenant Not To Sue notice from the NJDEP, dated Oct. 8, 2013, for the removal of a 275 Gal #2 Heat Oil UGST, for 48 Shadowy Lane, Block 7212; Lot 8.
8. No Further Action-Covenant Not To Sue notice from the NJDEP, dated Oct. 9, 2013, for the removal of two 550 Gal #2 Heat Oil UGST, for 21 3<sup>rd</sup> Avenue, Block 5705; Lot 6.
9. No Further Action-Covenant Not To Sue notice from the NJDEP, dated Oct. 24, 2013, for the remediation of 79 Gould Road, Block 10101; Lot 5, ID # 618820.

### **Miscellaneous Correspondence**

1. Rutgers New Jersey Agricultural Experiment Station Courses – Underground Storage Tanks, Innovative Technologies for Site Remediation, NJDEP Case Study Training for LSRP's.
2. Notice from ANJEC – Managing Deer in the Suburban and Urban New Jersey Landscape Workshop – Nov. 7, 2013, 10 to 4, presented by the NJ Audubon Society, Dukes Farms, Hillsborough, NJ. Call 609-335-1014 to register.
3. 2013 Sustainable Jersey Small Grants Program for municipal sustainability projects available: 4-\$20,000; 8-\$10,000; 20-\$2,000. Proposals are due January 26, 2014.
4. Essex County E.C. – Passaic River Cleanup Update – 11-07-13, Verona Boat House, Verona, NJ, 7 – 9 pm. RSVP to ANJEC.

**PUBLIC COMMENTS** – Doug Trainor, Bald Eagle Village, was present to provide comment to the Commission, relating that he often informs the proper authorities when there are sewer issues at the condominium complex. He noted that he acts as a Trustee for the Emerald Forest tract and was also associated with Skylands Clean. He expressed interest in joining the Commission at some point and offered to volunteer with some of the Commission's projects. Mr. Trainor mentioned Ella Fillippone and his admiration for her work, and noted that he planned to continue with some of her efforts. As for the former Stanford Village tract (Emerald Forest), he stated that he had observed wood turtles on the property and spotted salamanders, but not bog turtles. He commented on the trails, and Gary Oppenheimer noted that the Trails Conference assists with maintaining trails at established trail sites. Mr. Trainor also reported that he was investigating a \$14,000. grant for paving so that the trails could be used by bicyclists, cross-country skiing, etc. Chairman Sangle advised him to keep in contact with the Commission about various projects that the Commission may need volunteers for.

### **ADJOURNMENT**

With no further business to come before the Commission, the meeting was **adjourned** at **8:45 p.m.** on a **motion** by Doug Ott and a **second** by Chairman Stephen Sangle.

Approved: February 3, 2014

Respectfully submitted,

Tonya E. Cubby, Secretary