

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

November 6, 2017

The November 6, 2017 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:30 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton, David Ofshinsky, Douglas Ott, James Rogers, Clinton Smith (Alt #1), Thomas Tamayne, Don Weise, Chairman Stephen Sangle.

Absent: None.

Also Present: Ron Farr, Doug Trainor.

Chairman Stephen Sangle advised that there was a quorum for this meeting.

PRESENTATIONS: None.

GRANT MANAGEMENT AND STATUS REVIEW

NJDEP NNL \$620,197.00 Reforestation Grant Project: Ron Farr reported on the Reforestation Grant project and advised that he was unaware of the recent inspection by the NJDEP Forestry Division until the day that they conducted their site visit. He noted that the inspections did not go well, with discrepancies between the trees planted and the planting maps, and advised that he must revise the maps to reflect the actual location of the plantings. Chairman Sangle observed that much of the work done for this tree planting project was not done to the NJDEP required standards, and Mr. Farr concurred that some of the trees were not planted in the correct location. Tim Dalton commented that many of the trees are in the correct location, but the State Forester identified some that were not. Chairman Sangle noted that there were issues with tree calipers and tree species and suggested that there was justification for the State withholding payment from the Township and the contractor since the required specifications were not followed. Mr. Dalton noted that there were some serious issues to address with the trees before a freeze sets in. He stated that each tree will have to be checked for compliance with the state requirements, but the Township must also get their planting plan approved. Chairman Sangle noted that the deadline for the grant was February. Mr. Farr stated that he would check each of the 1274 trees at the various locations to determine if they were planted correctly and if they meet the standards required by the State.

The Commission discussed some of the issues raised by the State including trees that were planted too close together, root balls that had wire cages left on them, burlap that was not peeled back from some of the trees, and deer wrap that is not permitted by the state. Jim Rogers inquired if some of the tasks to be completed were something that volunteers could assist with, and Mr. Farr advised that he had to revise the maps to indicate the correct locations of the trees. He noted that some of the tree species had to be changed based on availability, and Chairman Sangle suggested that the revised plan should serve as an as-built plan. He advised that the Township Administrator should be apprised of the situation at a meeting with the Forestry Committee and she should make the determination regarding the contractor's responsibilities in this matter. Chairman Sangle stressed that it was crucial to get an approved plan from the State. Mr. Dalton observed that there may have been discrepancies from what the contractor received in the bid specs and what the State requires. Mr. Farr noted that he received specifications from the former State Forester, Evan Dilluvio, so a determination must be made as to the actual discrepancies and how they should be addressed. Chairman Sangle requested that Mr. Farr complete his assessment of the tree plantings ASAP so we can move forward on this matter towards a resolution, and that a meeting be arranged with the Administrator. Mr. Farr left the meeting following his report.

APPLICATIONS FOR REVIEW

ASHLEY SCATTERGOOD-TOOEY

PB-07-17-02

Block 1301; Lot 1

104 Carmel Road; R-2 Zone

Seeking: Major Soil Movement Permit from the Planning Board for the importing of 2257 cubic yards of soil fill and Bulk Variance for a proposed accessory structure where 1500 square feet is permitted and 1705 sq. ft. is proposed on a residential site.

The Commission reviewed the above referenced application for a major soil movement permit. Subsequent to their review, the Commission made the following comments:

- The Commission inquired about the depth of soil that was imported to the site.
- The Commission expressed concern about stormwater runoff and erosion at the site, and whether the soil had been stabilized.
- The Commission suggested that the Applicant may want to consider installing gutters and leaders, rain barrels, or a dry well to capture the additional storm water run-off from the roof of the proposed structure(s).
- The Commission inquired about any retaining walls installed.
- The Commissioners inquired whether there will be any proposed lighting for the structures and if there are any adjacent properties affected by lighting.
- The Applicant should provide evidence that the soil fill used at the subject site was not excavated from a contaminated site.
- The Commission recommended that the Applicant be required to provide all the information with regard to stormwater quality that waivers have been requested for.

DAVID & LISAMARIE VOLINO

ZB-09-17-10

Block 13001; Lot 2

25 Hearthstone Drive; R-2 Zone

Seeking: Bulk Variance relief from the Board of Adjustment for the construction of an accessory structure (Open Air Pavillion) where distance to house is 19.2 feet and 20.0 feet is required in an R-2 Zone.

The Commission reviewed the above referenced application for a major soil movement permit. Subsequent to their review, the Commission made the following comments:

- Applicant may want to consider installing rain barrels to capture the additional storm water run-off from the roof of the proposed structure.
- The Commission inquired whether there will be any adjacent properties that will be affected by lighting that may be installed.
- The Commission suggested that leaders and gutters be considered for stormwater runoff.

ERIK ACOSTA

ZB-09-17-11

Block 4401; Lot 22

807 East Shore Road; LR Zone

Seeking: Bulk Variance relief from the Board of Adjustment for front yard setback where 40 feet is required and 30 feet is proposed for a 5 ft. x 34.4 ft. covered porch, and for the construction of stairs to the third floor in a single family residence.

The Commission reviewed the above referenced application for a major soil movement permit. Subsequent to their review, the Commission made the following comments:

- Applicant may want to consider installing rain barrels to capture the additional storm water run-off from the roof of the proposed structure.

- The Commission inquired whether there will be any adjacent properties that will be affected by lighting that may be installed.
- The Commission noted that the leaders and gutters do not indicate where the stormwater runoff is directed to.

ON GOING BUSINESS

Shade Tree Committee / Community Forestry Mgt. Plan: Tim Dalton reported on the Woodlands Stewards program that he attended in October at Stokes State Forest. He noted that the program was mainly for tree farmers, but it involved a comprehensive treatment of issues for managing forests. He reported that the program ran from morning to night over three days, and included extensive identification of trees, the importance of having the right mix of trees, animal habitats, and raising wood for profit. He noted that he is required dedicate 30 hours of volunteer work as part of the program, and he intends on getting more involved in the Township forestry related issues, as well as the High School Green Team and Sustainable Jersey. Don Weise reported that the Trail Conference is applying for a grant for invasive species in forests and will be in contact with Mr. Dalton.

Lakes Committee/Greenwood Lake Bi-State Commission: Clint Smith reported on the recent stump removal project on Greenwood Lake, and he displayed photos of the floating islands which will be removed by a contractor recently hired for the work. He noted that when the photos were shown to the State Police, they were able to secure more funding for the floating islands at GWL. Mr. Smith reported that there were 3 electric cables that were installed across the GWL to Fox Island which were discovered when the stumps were being removed, and they apparently had been approved by the Township years prior.

Open Space Committee: Don Weise reported that the Township is not retaining the services of the Land Conservancy and we will not be eligible for funding for this service. He advised that the Township can work with the Trail Conference for properties that are considered for open space acquisition that include, or are near trails. Chairman Sangle observed that during the past several years, open space funds were not being used for purchase of open space properties. Mr. Weise was concerned about the monies that were coming in from taxes for open space and not being spent for acquisitions. Chairman Sangle requested that an accounting of the open space trust fund be provided to the Commission. Mr. Weise noted that the Township had closed on a parcel on Warwick Tpk. Chairman Sangle requested that Mr. Weise draft a request to the Township Council for an account report on the open space fund so that the Commission can be advised of the current funds that exist for the purpose of open space properties.

Environmental Contamination Issues: No report was available at this time from Tom Tamayne other than the items listed under the NJDEP correspondence.

Belchers Creek Testing Project: Testing of Belcher Creek samples was conducted by several Commissioners prior to the meeting and several readings were observed. The Commissioners will test again prior to the next meeting on December 11, 2017 and will continue as long as there is no ice on the creek or the lake. Chairman Sangle suggested that water temperature may be a factor so the Commissioners who will be testing will also take the water temperature when they draw the samples. Jim Rogers observed that at least 3 thermometers will be needed as well as distilled water. The areas that will be included for testing are Crescent Park, Belchers near Browns Point, and Pinecliff Lake. Resident Doug Trainor offered to assist with taking samples and will get water samples from Belchers Creek near Bald Eagle Village. Chairman Sangle suggested that he coordinate the water sampling with Mr. Rogers. Mr. Trainor also expressed his interest in the Commission's work and advised that he would submit a request for appointment as an alternate member to the Commission

Green Team–Sustainability Committee-Sustainable Jersey Re-Certification: Nothing new to report at this time. The Commission acknowledged the possibility of qualifying for certification in 2018.

NEW OR CURRENT BUSINESS

Autumn Lights – Tim Dalton reported that there was a good turnout for the festival and he distributed numerous flyers, brochures and “green” bags to the visitors. Adam Iaccheo, the Watershed Ambassador, was also present to assist during the day, as were several Commissioners. Mr. Dalton felt that the visitors were very receptive to the Environmental Commission’s presence at the festival.

MINUTES

The minutes from the October 2, 2017 regular meeting of the West Milford Environmental Commission were **approved** on a **motion** by Tim Dalton and a **second** by Doug Ott.

CORRESPONDENCE RECEIVED: *The following correspondence items were reviewed by the Commission:*

Highlands Water Protection and Planning Act Correspondence

1. Highlands Applicability Determination application copy, dated October 9, 2017, received from Environmental Construction and Houser Engineering regarding 99 Long Pond Road, Block 4106; Lot 1, for the subdivision of an existing lot (former Awosting Clubhouse site) into two lots for the purpose of constructing a single family dwelling on each lot.
2. Highlands Act – Exemption #5 Qualification Notice, received from the Highlands Council, dated October 11, 2017 for Scattergood-Tooeey, Block 1301; Lot 1, 104 Carmel Road, regarding the construction of a shed as an improvement to a single family dwelling, advising that this project qualifies for a local exemption under the Highlands Act.

NJ Department of Environmental Protection Correspondence

1. No Further Action correspondence received from the NJDEP, dated September 25, 2017 regarding remediation following the removal of one 1000 gallon #2 HO UST for Randazzo, 278 Wooley Road, Block 10001; Lot 21.
2. No Further Action correspondence received from the NJDEP, dated September 28, 2017 regarding remediation following the removal of one 330 gallon #2 HO AST for 366 High Crest Drive, Block 13102; Lot 12.
3. Amendment and supplement for administrative errors dated September 27, 2017 to the Response Action Outcome from Betts Environmental, dated April 13, 2017, regarding 1367 Union Valley Road, Block 7508; Lot 16, specifically related to the *Scope of Remediation and Known Onsite Contamination Source Not Yet Remediated*.
4. Draft Surface Water Renewal Permit Action – Category A - Sanitary Wastewater, NJPDES Permit # NJ0024414, dated October 3, 2017, received from the NJDEP for Inserra West Milford LLC regarding the West Milford Shopping Center STP.
5. General Permit #25 application notice received for Rigna, 22 Yardville Rd, Block 2704; Lot 5 regarding a septic system alteration.
6. General Permit application notice received for Kroeze, 16 Yorktown Rd, Block 2017; Lot 5 regarding installation of a septic system in a wetlands transition area.
7. NJDEP correspondence dated October 4, 2017 regarding the Boy Scout Lake Dam, NJ Dam File #22-182, Camp Wyanokie, finding the Operation and Maintenance Manual to be acceptable as submitted.

8. Public notice – Classification Exception Are/Well Restriction Area received from SRG, dated September 28, 2017, regarding Waseem Enterprises, 2897 Route 23 So., Block 15804; Lot 18.
9. No Further Action correspondence received from the NJDEP, dated October 13, 2017 regarding remediation following the removal of one 550 gallon #2 HO UST for 364 Lakeside Road, Block 3107 Lot 7.
10. Suspected Hazardous Substance Discharge notification received from the NJDEP, Case # 17-10-17-1226-28, regarding the removal of one 550 gal #2 HO UST at 30 Old Greenwood Lake Tpk, Block 3903; Lot 18, with clean up pending.
11. Notice of Resolution received from the NJDEP, dated October 12, 2017, for Ruckus Paintball, 625 Macopin Road, Block 13501; Lot 2 regarding the assessment of restoration performed at the request of the NJDEP which included the removal of fill material from a freshwater wetlands area and stabilization with grass seed.
12. General Permit #25 application notice received from Richard Deubert, P.E. for 1043 Westbrook Road, Block 11104; Lot 2 regarding a septic system alteration.
13. Notification of Groundwater Sampling received from HCI, dated October 17, 2017, regarding 5 Stainsby Road, Block 3603; Lot 6 as a result of contamination at 2019 Greenwood Lake Tpk., NJDEP Preferred ID #227453.
14. Notification of Groundwater Sampling received from HCI, dated October 17, 2017, regarding 7 Lambert Road, Block 3603; Lot 1 as a result of contamination at 2019 Greenwood Lake Tpk., NJDEP Preferred ID #227453.

Miscellaneous

1. Borough of Ringwood Notice of Public Hearing on November 28, 2017 at 8:00 pm, 60 Margaret King Ave., Ringwood, NJ, regarding Ordinance No. 2017-07 “Amending Chapter 40, Zoning Regulations, Various Sections and Schedule 5 to Amend and Add Language for Portable Freestanding or A-Frame Signs in Certain Zones.”
2. Hudson Essex Passaic Soil Conservation District certification of a soil erosion and sediment control plan for 191 Point Breeze Dr., Block 2601; Lot 33 regarding a single family demo and rebuild.
3. Hudson Essex Passaic Soil Conservation District certification of a soil erosion and sediment control plan for 104 Carmel Road, Block 1301; Lot 1 regarding soil movement and grading.
4. Correspondence from Hazelman Farms, 778 Macopin Road, Block 12107; Lot 3, dated October 24, 2017, advising of a request being made to the Passaic County Agricultural Development Board (PCADB) under the Right to Farm regulations to determine if this operation constitutes a generally accepted agricultural practice, which includes chickens, fruits and vegetables, maple syrup, forestry management and firewood, agro tourism and farm stand. This matter is scheduled for December 12, 2017 – no indication of time or location for the hearing.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the November 6, 2017 regular meeting was **adjourned** at 9:10 p.m. on a **motion** by Jim Rogers and a second by Dave Ofshinsky.

Approved: December 11, 2017

Respectfully submitted

Tonya E. Cubby, Secretary