

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

DECEMBER 8, 2008

The regular meeting of the Environmental Commission was called to order at 7:37 p.m. by Chairman Stephen Sangle followed by a reading of the Legal Notice.

ROLL CALL:

Present: Andrew Abdul, Gillian Hemstead, Douglas Ott, Bernie Stapleton, Alternate David Watson Hallowell, Chairman Stephen Sangle, GIS Specialist/Liaison Robert Sparkes.

Absent: Timothy Metcalf, Irene Smith, Maryellen Gabay.

Chairman Sangle presented a plaque to Rob Sparkes for William Drew, in recognition of his 17 years of dedicated service to the Environmental Commission.

APPLICATIONS

Doug Ott reported that the Board of Adjustment had rejected Jack Levkovitz's application for a waiver of certain requirements with regard to his use variance application for a wind turbine. The denial was based on technical requirements, i.e., updated surveys, plans, that had not been submitted with the application. Bernie Stapleton commented that the height was the main issue, and Mr. Ott replied that a new survey and plans were required, and following review by the Board, the applicant was denied his request that the requirements be waived. The Chairman suggested that comments should be forwarded to the Board of Adjustment regarding the waiver of requirements for future windmill applications when encroachment on adjacent properties is not a factor. He further noted that barriers should not be raised when a resident is trying to utilize energy saving methods and technology, adding that certain modifications could be made.

Doug Ott reviewed the Awosting Minor Subdivision application that had been approved by the Planning Board on December 4, 2008, in which the existing clubhouse will be demolished. Two new single-family building lots were created with this subdivision, with footprints determined by the Planning Board. A new clubhouse will be constructed on property that is currently a ball field.

Mr. Ott reviewed the Shop Rite renovation project currently before the Planning Board, that will include a building addition for refrigerated stock, the addition of trees and islands in the parking lot, screened dumpsters and other amenities. He noted that the renovation should be complete in 6 to 8 months.

Mr. Ott advised that the Walgreens construction project, approved by the Planning Board, is moving forward this month.

TELECOMMUNICATION APPLICATIONS - None.

GRANT MANAGEMENT AND STATUS REVIEW

604(b) OTWS Grant: Rob Sparkes reported that he had one report remaining to be completed, and has received an extension. He announced that Pat Rector was transferred to the DEP Department of Water Quality and will be working with Passaic County on the Wastewater Management Plan. She does not yet know if the DEP will allow her to keep some of her grant management. Rob will compose a letter commending her for the work she has done with regard to the grants and express the hope that she can continue her involvement with the Commission and the grantwork.

Rob Sparkes also reported that he would be going to Princeton Hydro to meet with Fred Lubnow and several GIS technicians to re-work the 604b, adding that the monies were received but the genetic testing was never approved by the DEP. The QAPP for the piezometers will entail a year of testing, so hopefully they will be installed in the next six months so testing can begin. Pat Rector requested that a detailed timeline be submitted. Mr. Sparkes advised that the Commission should decide what they will be using the money for, adding that grant money cannot be used for what the DEP considers "unreliable" testing procedures.

2004 Greenwood Lake 319H Grant and 2007 Stormwater Implementation 319H Grant: Rob Sparkes reported that surveying had been completed and the engineering was near conclusion. The bid specifications were sent to Rich McFadden, Township Engineer, and his comments were noted. Fred Lubnow has suggested that each one of the six installation types be bid separately.

Streetscape Grant: Rob Sparkes reported that a draft streetscape plan was submitted by Dewberry and that he and Rich McFadden had reviewed the plan. They will be meeting with the Passaic County Planner prior to presenting it to the Planning Board and Township Council due to some modifications that need to be discussed. Installation of concrete sidewalks and crosswalks is the main focus of this phase, and lighting and tree plantings will be addressed in later phases of the projects. He advised that underground utilities should not be expected during this phase, although conduit could be installed in preparation for future installation.

Urban Forestry Grants: Rob Sparkes had nothing new to report on this matter other than to say that a letter was sent from the Mayor to Passaic County regarding this grant.

ON GOING BUSINESS

Community Forestry Plan: Rob Sparkes reported that his student intern from Ramapo College, Jason Halvorsen, had been working on this project. Ron Farr assisted in identifying many of the trees. Mr. Sparkes reported that he would be meeting with the Township's supervisor of public works to determine what type of equipment and manpower will be available for completing this project.

Lakes Committee: Chairman Sangle congratulated the Lakes Committee and Gillian Hemstead, and Doug Ott for their efforts in getting the septic maintenance ordinance to the Township Council for adoption. Rob Sparkes reported that the Township is reviewing the use of spatial data logic that will be linked to the GIS system in order for wells and septic to be monitored through a database, adding that a Health inspection module could also be linked to this system.

Wetland Mitigation Project: Rob Sparkes reported that information on signage was compiled and forwarded to George White for review and approval. David W. Hallowell suggested that the Township should have a town bird and town plant, adding that this would be a good way to promote the Township and the Environmental Commission. A member commented that turkey buzzards are the most common bird in town.

Septic Maintenance: The Chairman reported that this ordinance was recently adopted by the Township Council and this item should be taken off future agendas, but revisited twice yearly.

Open Space Committee: Rob Sparkes reported that a portion of Apple Acres had been acquired by the Township. Currently, property in Upper Greenwood Lake near the Appalachian Trail, owned by Lien Times, was being reviewed for inclusion for Open Space. The Chairman suggested that tax liens be reviewed for possible acquisition for Open Space.

NEW BUSINESS

2009 Calendar update - Amended meeting dates were reviewed and approved by the Commission - September 14 and December 14.

2009 ANJEC Smart Growth Planning Grant – Rob Sparkes reported that ANJEC will be offering a Smart Growth Planning Grant and asked the Commission to formulate ideas for possible grants.

2009 ANJEC Membership Dues – Rob Sparkes reported that the ANJEC dues renewal information was received. The Commission unanimously approved an additional \$60.00 should be included with the dues renewal which would allow Commission members to attend unlimited workshops sponsored by ANJEC.

Recreational Trails Grant - Rob Sparkes reported on the 2009 Recreational Trails Grant, which has a deadline in one week. He will get the application in and get a Council resolution done as soon as possible. Mr. Sparkes discussed using the grant for funding additional trailhead signage, adding that \$15,000. could be requested. He noted that George White was interested in the trail plan. Mr. Hallowell discussed tourism and suggested a kiosk for people to get information about the Township, adding that the Chamber of

Commerce could be contacted. The Chairman recommended putting the trail information on the EC website. The Commission discussed establishing a trail from Wallisch's property to the A&P.

ANJEC Seminar – Sustainable Jersey - Rob Sparkes reported that he and David W. Hallowell attended a seminar on Sustainable Jersey. Mr. Sparkes noted that information was provided on this green program that municipalities can participate in to become "sustainable municipalities." The Commission agreed that a recommendation be made for the Township to be involved in this program. Mr. Sparkes reported on an energy audit program available under a smart building grant program. The Council had approved a resolution for Town Hall, noting that the energy audit program covers 75% of the audit costs if the measures are implemented. He also reported that the Township is planning to relocate several departments, including the Building / Planning Department to the Johner Building, following its renovation.

West Milford Lake – Chairman Sangle updated the Commission on DEP correspondence with the owner of West Milford Lake, advising that a letter was sent on January 12, 2009 from the DEP giving a deadline for submission of a plan for the lake lowering. The Commission briefly discussed the valve that operates the lake level and it was noted that the valve was still functioning.

MINUTES

The Minutes of the September 8, 2008 Environmental Commission meeting were approved by unanimous consent on a **motion** by Bernie Stapleton and a **second** by Doug Ott.

The following were noted and filed:

HIGHLANDS WATER PROTECTION AND PLANNING ACT

1. Notice of Technical Incompleteness received on November 4, 2008 from the NJ DEP – Highlands Applicability Determination regarding Block 4106; Lot 1, 99 Long Pond Road, Awosting Association.
2. Copy of Highlands Applicability Determination Re-Application for 99 Long Pond Road, Block 4106; Lot 1 from Awosting Association, received November 24, 2008, addressing incompleteness items.
3. Letter dated December 3, 2008 from the NJ DEP Highlands Office to Richard Slifer, Block 10602; Lot 39 for 62 Schofield Road, noting that the matter of wood chip piles in the 300 ft riparian buffer is resolved - the piles were present prior to the Category 1 classification of Westbrook Creek. Further disturbance is prohibited.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

1. Copy of notice from NJ DEP Office of Engineering and Construction to Marshall Hill, LLC regarding West Milford Lake Dam, approving the opening of the low level outlet valve, maintaining the impoundment in a drained condition. Additionally, a reminder for submission of a detailed plan by November 12, 2008 or a request for an extension of time.
2. Evaluation request received from the NJ DEP Green Acres Program for possible acquisition of Block 1604; Lot 1.901, Lien Times LLC, Daretown Road.
3. Letter received November 10, 2008 from NJ DEP regarding a 550 gallon #2 heating oil underground storage tank at 56 Princeton Road, Block 1003; Lot 3, Unrestricted Use – No Further Action – Covenant Not To Sue.
4. Letter received November 10, 2008 from NJ DEP regarding a 1000 gallon #2 heating oil underground storage tank at 152 Lincoln Avenue, Block 143; Lot 1, Unrestricted Use – No Further Action – Covenant Not To Sue.
5. Letter to Pat Rector of the NJ DEP requesting an 18-month time extension for the 604b Grant RPO7-005 – Development of an Onsite Wastewater Treatment System Management Plan for the New Jersey end of Greenwood Lake Watershed.
6. Letter to Pat Rector of the NJ DEP requesting a one year time extension for Grant RPO4-081 – Section 319H NPS Pollution Control and Management Implementation Grant: Lake Characterization and Restoration Plan for Greenwood Lake.

7. Copy of letter received November 20, 2008 from Bureau of Dam Safety to the Office of Resource Development regarding Green Turtle Dam, noting that it is in Fair condition with repairs necessary.
8. Letter from NJ DEP to WV's Coffee Espresso, Block 16001; Lots 5 & 6, 3034 Route 23, dated November 5, 2008 regarding a Northeast Water Quality Management Plan – Agency Determination – Cancelled.

CORRESPONDENCE

1. Letter from ANJEC announcing the 2009 Planning Grants for Municipalities and Counties – Smart Growth Planning Grant Program, with a maximum grant of \$20,000.00.
2. Request for review of updated project locus maps and provide written comments on the 325 Loop for the Tennessee Gas Pipeline – 300 Line Expansion Project.
3. Letter from Passaic County Agriculture Development Board regarding the Final Passaic County Farmland Preservation Plan, adopted September 18, 2008, a copy available on line at www.passaiccountynj.org-Departments-Planning-Department-Farmland-Preservation-Plan or in the Passaic County Planning Office, 930 Riverview Drive, Suite 250, Totowa, NJ.
4. Resolution 2008-428 of the Township of West Milford adopting a NJ DEP Green Acres enabling resolution for Open Space acquisition.
5. Thornet Environmental Times – Environmental planning services for New Jersey municipalities.

PUBLIC COMMENTS

No one was present wishing to address the Environmental Commission.

ADJOURNMENT

With no further business to come before the Environmental Commission, the meeting was adjourned at 8:51 p.m. on a **motion** by Doug Ott with a **second** by Chairman Sangle.

Approved: March 2, 2009

Respectfully submitted,

Tonya E. Cubby, Secretary