

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

December 10, 2018

The December 10, 2018 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:02 p.m. with a reading of the Legal Notice.

ROLL CALL

Present: Tim Dalton, David Ofshinsky, Douglas Ott, Jim Rogers, Thomas Tamayne, Don Weise, Clint Smith (Alt #1), Douglas Trainor (Alt #2).

Absent: Chairman Stephen Sangle.

In the absence of Chairman Stephen Sangle, Commissioner Douglas Ott chaired the meeting. He requested Clint Smith to sit in for Mr. Sangle and advised that there was a quorum for this meeting.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW

ENVIRONMENTAL CONSTRUCTION CO.

Minor Subdivision & Bulk Variance #PB-01-18-02

Block 4106; Lot 1

99 Long Pond Road; LR Zone

(Former Awosting Clubhouse Site)

Seeking: Minor Subdivision and Bulk Variance approvals to subdivide an existing lot into two individual building lots for proposed single family dwellings.

Following a review of the proposed plans regarding the Minor Subdivision for Environmental Construction for Block 4106; Lot 1, the Commission found no apparent environmental concerns with the application and plans submitted. Originally approved in 2009, they noted that the new applicant was reducing impervious cover, reducing the variances requested, there are approved hook ups with water and sewer utilities, and stormwater runoff is being addressed by natural absorption with the proposed minor subdivision.

ON GOING BUSINESS

Shade Tree Committee/Community Forestry Mgt. Plan: Commissioner Tim Dalton advised that he is attempting to establish a regular schedule to meet and work with the DPW Supervisor, and hopefully a meeting will be set in the New Year with the new mayor and administrator. He will be recommending that the Township join the Tree City USA program. With regard to the Community Forestry Management Plan, Mr. Dalton advised the Commission that a new plan must be formulated in 2019 for submission to the State. Mr. Ott inquired if the Township was ever involved in the Tree City USA program and Mr. Dalton responded that he was not sure since initially it involves somewhat substantial funding in the budget. He was assured that there are grants that are available to help with the costs for this tree maintenance program. Mr. Ott suggested that if there is a spread sheet of the trees that were planted with the reforestation grant, it should be included in the GIS mapping. Mr. Dalton concurred, noting that this was one of the items that he wanted to address with Township staff and administration, and he was hoping that the Township will provide access to the GIS mapping so that the layers associated with the tree projects can be updated by the Commission. It was noted that layer updates can also include old logging roads, trails and train beds. Mr. Ott commented that the Highlands Council has an updated comprehensive map that can be accessed. Mr. Dalton observed that perhaps others could have access to the Township mapping, and there would be an opportunity for acquiring points for Sustainable Jersey.

Greenwood Lake Commission: Clint Smith reported that it is looking more positive for the Greenwood Lake Commission to receive an annual stipend from the State in the amount of \$500,000. for lake maintenance. Commissioner Jim Rogers inquired what the assembly bill number was, and Mr. Smith advised that he will send the information to him. With regard to the County storm drains, Mr. Smith reported that a member of the GWL Commission, Jonathan Brett, met with County reps to review the sites. Several of the drains have filled up with the road grit and debris, but some are working properly. Mr. Rogers inquired how the funds for lake maintenance will be appropriated, and Mr. Smith noted that they will appropriate the funds very carefully, although he has been unable to ascertain just how the GWL Commission will have access to the monies for projects. It was suggested that possibly Princeton Hydro may be involved with a grant for lake maintenance as they were in Lake Hopatcong.

Lakes Committee: Doug Trainor reported that only a handful of representative attended the last Lakes Committee meeting and one of the main discussions was the Highlands Council funds that are available in grants for planning purposes with regard to lake assessment projects. Mr. Rogers reported that the meeting prior, the Lakes Committee discussed the process for lake characteristic studies. Mr. Trainor noted that with a database in place, the Lakes Committee discussed options for using the available funds. Mr. Rogers reported that the Lakes Committee will meet again in March.

Belchers Creek: Clint Smith inquired about the \$90,000. grant that the State awarded to Princeton Hydro for Belchers Creek testing. Tim Dalton noted that a meeting is supposed to take place with Princeton Hydro on the project. Mr. Smith observed that Princeton Hydro met with Montclair University representatives during the warmer months.

The Commissioners involved in taking samples of Belchers Creek conducted testing prior to this regular meeting. Of the readings obtained, 0.0 for Phosphorous and 4.0 for Nitrates was indicated for the location near Crescent Park. Belchers Creek near Brown's Point indicated 0.0 for Phosphorous and 0.0 for Nitrates. The Pinecliff Lake location, before the dam, had readings that indicated 0.1 for Phosphorous and 0.0 for Nitrates. Mr. Ott observed that there is no apparent pattern that is evident yet. The Commissioners discussed Chairman Sangle's recommendation that the Greenwood Lake Commission be provided with the information on the Belchers Creek testing. The Commission concurred that a format can be developed at the meeting in January that can include an introduction, the sites, dates and conditions with the actual readings that were obtained. Tom Tamayne suggested that a site map with the testing sites be included. Doug Trainor reported that Dr. Sebatich from Montclair University has three interns who were interested in testing on Belchers Creek as a follow up to the tests originally conducted in 2009. Tim Dalton suggested that a meeting with Dr. Sebatich be arranged, and the Commissioners concurred that he should be invited to the February or March Environmental Commission meeting. Mr. Trainor offered to contact him regarding his attendance at one of our meetings. The Commissioners noted that there are no EC funds in the budget to pay for his services.

Open Space: Don Weise reported that the Land Conservancy of NJ bought the White Road and Warwick Tpk. property, which will protect the Greenbrook Creek. With regard to the Highlands Council and the Highlands Trail, Mr. Weise reported that the NY/NJ Trail Conference submitted a proposal for the West Milford portion of the project to Passaic County. The intent of the Highlands Trail is to create an overlay to be used for potential tourism.

Environmental Contamination Issues: Mr. Tamayne reported on several environmental contamination issues that were brought to his attention. Many of these items were listed under correspondence on the Commission's agenda.

Green Team–Sustainability Committee: Tim Dalton reported that he attended Career Day at the West Milford High School recently, and he spoke to two of the teachers involved with the High

School Green Team about combining our efforts for the Sustainable Jersey program. He offered to meet with anyone who is interested to determine what points the Township would qualify for with regard to certification. Tom Tamayne advised that he is available at the end of March.

NEW BUSINESS

Dave Ofshinsky reported that the sale of the West Milford M.U.A. would take place the following week. He brought in biodegradable bags that his son had gotten in Belgium. The Commission discussed the biodegradable bags as well as Tim Dalton's comments on the recent climate assessment findings. Don Weise reported that the Oakland Environmental Commission representatives have offered to meet with the WM Environmental Commission/Green Team on the Sustainable Jersey program.

MINUTES

The minutes from the September 10, 2018 regular meeting of the West Milford Environmental Commission were **approved** by the Commissioners who were present at the meeting on a **motion** by Tim Dalton with a **second** by Don Weise.

CORRESPONDENCE RECEIVED

The following correspondence items were reviewed:

Highlands Water Protection and Planning Act Correspondence

1. Copy of an application for a Highlands Applicability Determination, Exemption #9, submitted by Jacobs Engineering Group, dated November 20, 2018, regarding the Bridge Replacement Project on State Rt. 23 Over Pequannock River/Hamburg Tpk/NYS&W Railway, Structure No. 1405-156 in the Township of West Milford and Borough of Kinnelon.

NJ Department of Environmental Protection Correspondence

1. Correspondence from the NJDEP Historic Preservation Office dated November 5, 2018 advising that proposed Trail Re-route and Sterling Connector Trail in Ringwood State Park meets the Secretary of Interior's Standard for Rehabilitation and does not constitute and encroachment on Ringwood Manor (NJ Historic Register 05-27-71).

2. Notification and Public Outreach dated November 1, 2018 received from Shell Oil Products (Equilon Enterprises LLC) regarding a site at Rt. 23 and Union Valley Road, Block 14604; Lot 1, advising that the company is continuing to investigate environmental conditions in order to determine the presence or absence of petroleum related constituents potentially resulting from the gasoline station operation that were evident during an investigation.

3. Suspected Hazardous Substance notice received from the NJDEP, #18-11-28-1113-33, dated November 29, 2018, regarding 1038 Westbrook Road, Block 5009; Lot 17, with respect to the removal of a 1000 gal #2 H.O. UST, with clean up pending.

4. Notification and Public Outreach dated November 8, 2018 received from Getty Realty Corporation regarding a site at 2048 Rt. 23 North, Block 14104; Lot 2, advising that they are continuing to investigate and remediate environmental contamination as a result of the presence in the soil and groundwater of benzene, xylenes, MTBE, TBA, and total volatile organic compounds.

5. Suspected Hazardous Substance notice received from the NJDEP, #18-11-18-1117-48, dated November 9, 2018, regarding 195 Vreeland Road, Block 8704; Lot 1, with respect to a pad mount transformer found to be leaking from corrosion, with clean-up pending.

6. Response Action Outcome RAO and Receptor Evaluation correspondence dated November 1, 2018 received from Applied Earth Solutions regarding Petro-Two Inc., 4 Marshall Hill Road, Block 5701; Lot 3, NJDEP # 05-02-14-1252-25, advising that the remediation has been completed per N.J.A.C. 7:26C.

7. Copy of a Notice of Violation and Offer of Settlement received from the NJDEP division of Dam Safety and Flood Control, dated November 8, 2018, regarding the City of Newark Charlotteburg Reservoir Dam and River Wall Dam (NJDEP File #22-70 and 22-194), the Canistear Reservoir Dam No 1 & 2 (NJDEP File #22-192 & 22-193), the Oak Ridge Reservoir Dam (NJDEP file #22-2), and the Clinton Reservoir Dam (NJDEP File #22-40), advising that the dam prioritization and compliance schedules must be submitted within 30 days pursuant to a request and deficiency letter previously sent on May 18, 2018.

8. NJDEP Division of Dam Safety and Flood Control, dated October 29, 2018, regarding the High Crest Lake Dam, File #22-161, advising that the 2018 Conceptual Rehabilitation Design and the 2016 Incremental Damage Assessment Study for High Crest Lake Dam prepared by Civil Dynamics is acceptable for achieving compliance, with a dam safety permit application to be submitted by May 31, 2019.

9. No Further Action letter received from the NJDEP, dated November 7, 2018, regarding 97 Greendale Drive, Block 16801; Lot 1, with respect to the removal of one 550 gal #2 HO UST.

10. No Further Action letter received from the NJDEP, dated November 7, 2018, regarding 9 Ramapo Road, Block 4107; Lot 5, with respect to the removal of one 550 gal #2 HO UST.

Miscellaneous

1. County of Passaic notification dated October 29, 2018 regarding a public hearing on November 29, 2018 on a Green Stormwater Infrastructure Element proposed as an additional element of the Passaic County Master Plan.

2. HEPSCD Re-certification of a soil erosion and sediment control plan for West Milford Township Salt Storage Project 30 Lycosky Drive, Block 6002; Lot 28.01, recertifying the plan until June 2, 2012.

3. Notice of Public Hearing received from Randa Investments, LLC regarding a Board of Adjustment hearing scheduled for December 18, 2018 at 7:30 at the West Milford Town Hall with respect to an application for Use and Bulk Variances for property at 1463 Union Valley Road, Block 7601; Lot 2 in the Village Commercial Zone for the construction of 8 town houses.

4. HEPSCD Re-certification of a soil erosion and sediment control plan for Marshall Hill Road Culvert Replacement 1600-282, Marshall Hill Rd over Belchers Creek Tributary, Blocks 5708 & 6303; Lots Various ROW, recertifying the plan until April 16, 2022.

PUBLIC COMMENTS – None.

ADJOURNMENT

With no further business to come before the Environmental Commission, the December 10, 2018 regular meeting was **adjourned** at 8:05 p.m. on a **motion** by Dave Ofshinsky and a **second** by Tom Tamayne.

Approved: January 7, 2019

Respectfully submitted by

Tonya E. Cubby, Secretary