

TOWNSHIP OF WEST MILFORD ENVIRONMENTAL COMMISSION

MINUTES

December 10, 2007

7:30 p.m.

Main Meeting Room of Town Hall

Chairman, Stephen Sangle, called the meeting to order at 7:34 p.m.

ROLL CALL

Present: Andrew Abdul (7:39), Gillian Hemstead, Douglas Ott, Irene Smith, Bernie Stapleton, Maryellen Gabay, Chairman Stephen Sangle, GIS Specialist Robert Sparkes, Planning Director William Drew.

Absent: Timothy Metcalf, David Watson Hallowell

Chairman Sangle asked Maryellen Gabay to sit in for Timothy Metcalf, who was absent. Douglas Ott advised that Mr. Metcalf had informed him that he would be absent from this meeting. David Watson Hallowell notified the Chairman of his absence.

WEST MILFORD LAKE – ANJEC Grant with Dr. Les Lynn of Lynn Ecological Associates – Adaptive Reuses

The Chairman welcomed residents of West Milford Lakes and announced that the meeting would begin with a video presentation on some options to be considered for West Milford Lake following the breaching of the dam by the State of NJ. He added that the final meeting with the residents will be on February 4, 2008 and will begin at 6:30 p.m.

Dr. Les Lynn addressed the public, noting that the slide presentation that he was hosting was provided by Princeton Hydro, who were not in attendance at this meeting. The slides that he would present were not of West Milford Lake, but are other locations that may present options for the residents.

Dr. Lynn continued with an invitation to the residents of West Milford Lake to visit him at his temporary home at the lake with any suggestions and concerns that they may have. As he showed slides, he explained that the lake would very different when the dam is breached, as 50 feet of the dam will be removed. A slide of a dam in Lambertville that was about to be removed was shown. Another slide was of typical vegetation that could be of high quality or undesirable, adding that purple loosestrife was not a desirable option. Dr. Lynn addressed the audience about the potential beauty of wetlands that can be aesthetically pleasing. He advised that wetlands need to be maintained, warning that lake erosion could result if not maintained. He suggested stabilization of the shoreline with rubble riprap and various plants and flowers.

Dr. Lynn continued with an environmental boardwalk as an option available for the site that would include educational elements. Another option was a nature center, and he directed the audience to a slide view of a glassed enclosed nature center.

Several residents commented about the proposed options. A question arose about the existing clubhouse and whether the Township would remove the structure. Dr. Lynn advised that the residents needed to decide on a plan, devise the plan, get approval from the Township Council, and funds could be solicited in the form of grants. He noted that there was no intent to solicit money from the Township for the project. Mr. Drew, Planning Director, commented that the Township would be more likely to approve the plan chosen if they were convinced that this is a community based project. He added that funding sources in the form of grants would be more readily available if it were community based.

One resident suggested that the property by the clubhouse be subdivided for a commercial venture and was advised to submit it as an option. Another resident questioned whether the clubhouse could be renovated. Chairman Sangle suggested a bird sanctuary location. On an inquiry about the site prior to becoming a lake, it was commented that it was a creek before the dam was constructed. Another resident wondered about the calculated cost of removing the dam, to which Dr. Lynn replied that it was the State's concern. He stated that Princeton Hydro would determine the cost of the wetland plan chosen, and funds then would be solicited. Mr. Drew advised that there would probably not be one source of funding, but rather funds would be available from several sources and may take several years. When a resident opined that an environmental boardwalk with park area and sidewalk would be desirable, Dr. Lynn noted that a multifunctional area was the optimal choice.

Chairman Sangle advised those present that the Township is devising a streetscape plan and sidewalks to the site are planned. Dr. Lynn commented that a nature center with an emphasis on birding was another option, which would attract birders from all over. A resident noted that budgeting is a concern, and that project costs almost always exceed projected costs. Mayor Elect Bieri commented that the options presented were very favorable. She questioned the ownership of the lake bottom. Mr. Drew advised that a tax lien was placed with the prior owner. The Environmental Commission directed a memo to the Township Council requesting the property to be placed on the Open space list so the Township could assume the lien and eventually take over the land.

Dr. Lynn gave his phone number and email to the residents and asked that they contact him with any questions or suggestions before the next meeting. Ms. Bieri inquired about potential parking for the site, and Dr. Lynn noted that West Shore Road would be optimal for parking. The Chairman once again advised that the 3rd and final meeting was February 4, 2008 at 6:30 p.m. Rob Sparkes advised that those residents notified by mail would be contacted once again. Those who haven't received a notice should contact him in the Planning Department. The Chairman thanked those present for attending and participating.

The Chairman announced a short break while the residents dispersed.

WATERSHED AMBASSADOR WMA3 – Tracy Margaret

Tracey Margaret was present to address the Environmental Commission as the Watershed Management WMA3 ambassador. She explained that her position is overseen by the NJ DEP, and she was responsible for bringing awareness to the community through educational work, citing an enviroscape model for the schools. She was responsible for stream assessments, and noted that she was conducting the stream assessments in Lincoln Park. One of the commission members inquired about the scouting “Hornaday Award” that was awarded for work on watersheds. Ms. Margaret advised that as watershed ambassador she can assist the Commission with the 319 grant. She noted that she was not trained in lake monitoring, but received extensive training in stream monitoring, particularly upstream and downstream monitoring. A member inquired about the length of time Ms. Margaret replied that she would be working with West Milford until September. Mr. Sparkes commented that there are multiyear projects that ambassadors can pass on to each other. Ms. Margaret noted that volunteer monitoring is a great idea, and Mr. Sparkes added that she would be available to train people on watershed management practices. Mr. Drew inquired about the educational requirements for those wishing to be trained. Ms. Margaret replied that she could work with any community group, scouts, lake organizations, or others that are interested. When asked about her credentials, Ms. Margaret noted that she was a recent graduate of Rutgers University with a degree in environmental science and entomology. Her specialty is aquatic insects. She finished advising that her services are available at no cost, and asked those interested to contact her, leaving her contact information with the Commission.

APPLICATIONS –

ERIC HASTINGS

Major Soil Fill Permit #0760-0306

Block 3906; Lot 4

1541 Greenwood Lake Tpk.; LMI Zone

Request for Waiver of Environmental Impact Statement

Mr. Drew advised that the applicant contacted the Planning Department and was not available for the Environmental Commission’s meeting. Mr. Drew noted that the EC has been monitoring the subject site for a number of years. He proceeded to give some background information about the site, advising that the soil fill permit application was received after he had proceeded to bring fill to the site. He had met with the Planning Director at an earlier date and was made aware of the application requirements. Mr. Hastings did not comply with the regulations and a Stop work Order was issued. He subsequently submitted plans to the Planning Department. Mr. Drew noted that the site is contains wetlands and streams, and the plan does not depict the wetlands buffer. The plan submitted to the Planning Board is not the same plan submitted to the Health Department and DEP for installation of a septic system. Bernie Stapleton inquired about the wetland delineation determination, and Mr. Drew replied that there did not appear to be any site-specific delineation shown. The plan depicted general information, including a flood limit line. Mr. Drew noted that the soil logs that were submitted were from January 19, 2005.

The Commissioners inquired about the depth of the fill and it was noted that approximately 6 feet of fill had been deposited at the site. Mr. Drew advised that the applicant continues to maintain that this is strictly a septic repair. A member queried how the applicant can fill soil up to the second story of an existing building and maintain that it is a septic repair. The Chairman advised that the property is being marketed for sale for \$455,000. and is listed and advertised as a contractor's yard. Douglas Ott noted that the NJ DEP has, in the past, required residents to remove fill if brought in unauthorized. Mr. Drew advised that the applicant had been cited previously on another issue.

Chairman Sangle made a motion to deny the request for a waiver of the Environmental Impact Statement, and the motion was seconded by Douglas Ott. On a Voice Vote all members were in favor of denying the request for a waiver of the EIS. Mr. Drew advised that he would notify the applicant of the Commission's denial of the waiver.

SHOEBOX STORAGE, LLC
Use Variance #0740-0788
Block 16005; Lot 16
Paul Street; R-4

Mr. Drew advised that the applicant is proposing construction of a single-family house. Half of the house falls into a community commercial zone and, therefore, needs a use variance and will be before the Board of Adjustment. He noted that the property is large and within the 150 foot wetlands buffer limits. As it is an existing lot and single-family house, the Highlands would not be involved. A member inquired about the proposed demolition of the adjacent Fairy Tale Forest site.

TELECOMMUNICATION APPLICATIONS

None.

GRANT MANAGEMENT AND STATUS REVIEW

WEST MILFORD LAKE – ANJEC GRANT – Rob Sparkes advised the Commission that he would there would be a meeting with the Bureau of Dam Safety in Ringoes, NJ. The intent is to create a partnership and involve as many departments as possible so everyone will be aware of what is being done at the site. The meeting will take place at the Princeton hydro office.

Mr. Drew inquired whether the Environmental Commission had ideas for the February presentation about West Milford Lake. The members concurred that 3 scenarios should be presented. Mr. Sparkes noted that he will get information and ideas to Princeton Hydro. It was suggested that a created wetlands plan should include one option that would have phosphorous precipitate out. The Chairman commented that a conceptual visualization on the site after a storm should be presented to the residents. Gillian Hemstead advised that the presentation should incorporate the community plan, and combining aspects that will meet everyone's needs, adding that a "good walking area" was most favorable. Mr. Sparkes

noted that there were trails possible that could connect the site with Bald Eagle Commons. The Chairman suggested a boardwalk that would allow laps for walkers and joggers. Ms. Gabay suggested an educational site that would incorporate walking areas for senior citizens. Mr. Drew said that the Commission needs to show the basic environmental functions that this project will represent, and suggested that we need to determine what amenities the community wants. Chairman Sangle commented that this would depend on the monies available. Ms. Gabay noted that some of the environmental functions could be done on a volunteer basis, i.e., the Audubon Society, Scout projects. Mr. Sparkes advised the Commission that this is a concept plan and the final project may not result in what is represented in photos. Mr. Drew suggested that one plan be devised and be shown with a series of overlays, with the decision made through the overlay concepts. The residents could decipher what they want with the options presented. Fred Lubnow of Princeton Hydro would be contacted regarding the presentation with overlays. Mr. Sparkes asked that this be on the next EC meeting agenda, adding that anyone in the public can submit an idea. Ms. Bieri inquired about the costs for a proposed project. Mr. Ott advised that 16 years ago the boardwalk on Maple Road cost \$60,000. The members discussed possible costs, and the Chairman suggested that the cost could be approximately \$500,000. A resident inquired about the current boardwalk location, and about the possibility of saving West Milford Lake. Mr. Drew and Mr. Sparkes both replied that much effort had gone into saving the lake and dam by some residents and the Township, but apparently there was insufficient unity among lake residents to be successful. It was noted that if this project comes to fruition, the site would be more visible, aesthetically pleasing, and used by more of the public than the existing site.

Ms. Bieri inquired about the cost involved in scaling down the lake size and dam repairs. Ms. Hemstead advised that years of litigation had ensued over this site, and that the court documents were very specific in stating that the lake be turned over to the DEP. There is no option to not having the dam breached. Mr. Sparkes commented that a small pond on the site could be an option to pursue. Ms. Bieri asked about desilting. Chairman Sangle replied that removing the clay liner and desilting could result in problems. Mr. Sparkes advised that bank stabilization is part of the dam breaching. He opined that the DEP may be convinced to help pay for the options, and an effort should be made to get the Bureau of Dam Safety involved. Mr. Drew again advised that he would contact Fred Lubnow to prepare the overlays for a presentation.

604(B) GRANT APPLICATION - Rob Sparkes advised that he did not have much to report on this matter. He would report later on septic maintenance.

2004 GREENWOOD LAKE 319H GRANT - Rob Sparkes reported that he will investigate folding the 2004 grant into the 2007 grant. The deadline for the 2004 grant is February 2008.

2007 STORMWATER IMPLEMENTATION GRANT 319H GRANT – Rob Sparkes reported that Princeton Hydro is researching local surveyors to complete surveying.

STREETSCAPE GRANT – William Drew reported that 7 proposals had been received on November 9, 2007 for the streetscape proposals. The Township Administrator, the Township Engineer and the Planning Director are reviewing the proposals independently.

The plan is for a complete scope of improvements that will ultimately be submitted to Passaic County and the Township Council for approval.

URBAN FORESTRY GRANT – Rob Sparkes reported that there is some confusion over whether the grant is still active. There should be \$2100. remaining. He advised that if the funds are still available, they should be used ASAP, possibly for more landscaping at Town Hall, or any other project the Environmental Commission might suggest. Mr. Sparkes will have information in January whether the funds are still available. The Commission could discuss and decide on a project in January. The plan would have an implementation date of 2009. Chairman Sangle opined that if a consultant is chosen for the streetscape project, the Urban Forestry Grant could coincide with this.

ON GOING BUSINESS

COMMUNITY FORESTRY PLAN – Rob Sparkes advised that the sub-committee should have a meeting to discuss goals, objectives and a mission statement. Rob would email the information on the two forestry plans he has. The sub-committee members are Andrew Abdul, Douglas Ott, Maryellen Gabay. The Chairman asked the sub-committee to email the Environmental Commission with their ideas and they could discuss them at a future meeting.

ENERGY COMMITTEE - Douglas Ott reported that Honeywell was to make a presentation to the Township Council on the Wednesday following this meeting.

LAKES COMMITTEE – Irene Smith reported that the Lakes Committee had a meeting and the discussions included septic ordinance, soap deposits, cleaning and maintaining storm drains, and the fertilizer ordinance.

WETLAND MITIGATION PROJECT – Rob Sparkes noted that he had nothing new to report. There was possibility of work starting on the trail, but the public has not been notified to date. Mr. Drew advised that Ramapo College has their own consultant for this project. Mr. Sparkes said that he would follow up to make sure the Environmental Commission has input on the signs that will be installed.

SEPTIC MAINTENANCE - Gillian Hemstead noted that she had a meeting with the Lakes Committee prior to this meeting. They are in the process of sharing ideas at this time. They will reach out to the Greenwood Lake Commission for their input. They will compile their ideas and come up with a draft plan. Ms. Hemstead commented on the positive support and enthusiasm from the residents regarding this matter. Ms. Hemstead suggested a sign up sheet. Mr. Drew advised that he had met with the Lake Committee and a local lake monitoring program could be developed over the next year. The Chairman suggested training of representatives from each lake. He related his experience in treating Pinecliff Lake and advised that information could be shared by the various lakes committees. He noted that we need projects for people to sign on for. Rob Sparkes is continue to work on an ‘IS Squad’ – Invasive Species Squad.

Maryellen Gabay, commenting about Autumn Lights, said that the tent at Town Hall was a great location for the Environmental Commission; she noted that she needed to return the EC banner to the Planning Department.

NEW BUSINESS

WATER CONSERVATION PROJECT FOR NJ MUNICIPALITIES – The Chairman advised that he had been sent information from ANJEC regarding a Water Conservation Project for NJ. The Commission discussed the project and concurred that this was something to become involved with. The goal is to save 10% of the water in the Township.

Motion by Maryellen Gabay with a second by Stephen Sangle to have the Environmental Commission Secretary contact the appropriate parties to make application for this project. On a Voice Vote, all present were in agreement. The Chairman asked that, when we get information about the program, to advise the Administrator and Council of the Commission's interest in this.

OPEN SPACE ISSUES – Mr. Drew reported that he sent a memo to the Administrator and Council regarding West Milford Lake being on the Open Space List. He included all the backup material that was sent previously in order to show continuity in the recommendations that had been made in the past. He noted that after the West Milford Lake meeting he was approached by a resident who is getting tax notices for the tax liens. Rob Sparkes commented that the tax liens are up to about \$30,000. Mr. Drew advised that the owner of the lake bottom had contact him several times about possibly developing the lake property with senior housing. The Commission discussed the various streams, wetlands and other conditions on the site. The Chairman advised that this site should be #1 on the Open Space List. The Environmental Commission is to advise the Planning Board of the need to amend the Open Space Plan. Mr. Drew advised that we need to be cognizant of the responsibility of the dam if the Township takes over West Milford Lake. The Commission discussed various aspects of the issue and how best to proceed.

The Open Space Sub-committee members were discussed. The Chairman asked Bernie Stapleton to be a part of this subcommittee with Douglas Ott and Tim Metcalf. They will arrange to meet.

NEW JERSEY ANEMOMETER LOAN PROGRAM – William Drew read a letter regarding this program. The Commission discussed the matter and expressed interest in the program. Mr. Drew would contact Rowan University for more information.

DRAFT FARMLAND PRESERVATION PLAN – William Drew advised about the report by T&M on the Draft Farmland Preservation Plan. He reviewed the report and responded to Passaic County about pertinent information regarding West Milford Township that appeared to be lacking in the report. Due to the short timeframe provided for a response, he was unable to bring it to the Environmental Commission or Planning Board for discussion.

SMART GROWTH PLANNING GROWTH PROGRAM 2008 – William Drew and Rob Sparkes discussed volunteer lake monitoring as a possible choice for a grant program. The Commission suggested a lake monitoring manual and using grant monies to hire a professional to compose the manual. Mr. Sparkes noted that Pat Rector expected that West Milford would be applying for more grants. There are 2 - 319 grants and 1 - 604 grant; the plans need to be implemented. There was discussion about phosphorous removal being part of the West Milford Lake plan following the breaching of the dam. The Commission concurred that grant money should be used to move this forward.

MINUTES

Motion was made by Andrew Abdul with a second by Stephen Sangle to approve the minutes of the October 1, 2007 regular meeting. On a Voice Vote, the minutes were approved by unanimous consent.

HIGHLANDS WATER PROTECTION AND PLANNING ACT

Agency Determination dated December 3, 2007 from the NJ DEP regarding the Quick Chek Corporation, Marshall Hill Road, Block 5701; Lots 3 & 4, noting the project is Highlands Act Exempt (#4), with the Water Quality Management Plan Inconsistent.

The Commission discussed water use and discharge from the subject site. A member inquired about the affect on the proposed Walgreen's, adjacent to the proposed Quick Chek site. The Planning Director advised that this might have an effect on Walgreen's.

Letter from the NJ DEP dated November 20, 2007 regarding Ernest Oberer, Block 14201; Lot 14, Germantown Road, notifying of Highlands Exemption #2, with the Water Quality Management Plan Consistent.

PUBLIC COMMENTS

Mayor Elect Bieri thanked the Environmental Commission members for allowing her to have input in this meeting.

ADJOURNMENT

With no other business to discuss, a motion to adjourn was made by Chairman Stephen Sangle, with a second by Maryellen Gabay. Upon unanimous consent, the meeting adjourned at 10:03 p.m.

Respectfully submitted by

Tonya E. Cubby, Secretary