

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

September 13, 2021

Main Meeting Room

The September 13, 2021 Regular Meeting of the Township of West Milford Environmental Commission was called to order by Chairman Stephen Sangle beginning at 7:00 pm with a reading of the Legal Notice.

ROLL CALL

Present: Janet Little, David Ofshinsky, James Rogers, Thomas Tamayne, Don Weise, Chairman Stephen Sangle.

Absent: Douglas Trainor.

Chairman Sangle informed the Commissioners that William Cytowicz had resigned from his Alternate #1 position, and further advised that a quorum was present for this meeting. Commissioner Don Weise remarked that a neighbor of his may be interested in an appointment on the Commission. Chairman Sangle recommended that potential members be invited to the Commission meetings to get an idea of some of the activities and projects that the Commissioners are involved in, adding that members need to be willing to work and contribute their time and expertise as the environmental stewards for the Township. He noted that, ultimately, it is the Mayor's decision on the membership appointments, but as chairman, he has always assisted in vetting potential members for consideration. He suggested that interested candidates should attend Environmental Commission meetings so the Commissioners can get to know them, and vice versa.

PRESENTATIONS – None.

APPLICATIONS FOR REVIEW

RODRIGUEZ, STEVE AND MARGARET

Bulk Variance #ZB-07-21-12

Block 6713; Lot 2

62 Greenbrook Drive; R-1 Zone

Seeking: Bulk variance relief for the installation of a new 6 foot high fence, where 4 foot high is permitted in the front yard, a 6 foot fence exists, and a 6 foot fence is proposed.

The West Milford Environmental Commission reviewed the above referenced Board of Adjustment application for a bulk variance for the installation of a 6-foot fence. The Commission found no environmental concerns with this application.

GAILANN MACARELL

Bulk Variance ZB-06-21-09

Block 13104; Lot 7

10 Longview Road; LR Zone

Seeking: Bulk variance relief for side yard setback for additions to kitchen and laundry room, where 30 ft is required, 35.38 ft North and 19.5 ft South is existing, and 11.50 ft for both North and South side yards are proposed.

The West Milford Environmental Commission reviewed the above referenced Board of Adjustment application for bulk variances for an addition to a single-family residence and made the following comments:

- The Commission inquired if there are any residences adjacent to the proposed additions, particularly on the south side. They expressed concern that stormwater runoff could affect the property to the south of the applicant's residence.
- They noted that there is no topographical information to ascertain the effects of stormwater runoff.
- The Commission recommended that gutters and leaders be installed, and requested that the applicant consider installing a rain barrel or a rain garden to capture any runoff from the proposed addition.
- The Commission recommended that any exterior lighting that is installed should not negatively impact the neighboring properties.

ON GOING BUSINESS

Belchers Creek Testing: Jim Rogers referred to the most recent readings on 09-10-21 and 09-12-21, samples that were taken from Pinecliff Lake Dam and Adelaide Terrace. He questioned whether the equipment was operating correctly or if it needed to be recalibrated since he received 0.0 on his samples. He advised that he replaced the batteries, but was doubtful about his results when compared with the readings from other locations. Chairman Sangle observed that there must be an issue since the readings at Stowaway were 2.4 but 0.0 at Pinecliff Lake, and noted that there must be something coming into the lake as there were often elevated readings at Adelaide Terrace. Mr. Rogers suggested that someone with experience examine the equipment. Chairman Sangle requested that samples should be obtained from John Street. Mr. Rogers advised the Commission that he checked on the Jon Boat and it is still chained to the tree. He observed that Belchers Creek was a raging river after Hurricane Henri. Dave Ofshinsky commented that the heavy rains may dilute the readings on the phosphate and nitrate tests, and Tom Tamayne remarked that they could be increased with the septic systems draining along the creek and washing down. The Commission discussed sending a letter to Suez to thank them for fulfilling their obligation to upgrading their sewer systems, which appear to be making an improvement in the water quality.

Community Forestry Mgt. Plan: AAR - Annual Accomplish Report—CEU's required for 2020 – 2021 - Commissioner Janet Little had no updates to report. The Secretary reported that the 96th Annual Shade Tree Commission is being held in October.

NNL Reforestation Grant: Update on Tree Survey and Closeout Analysis - Janet Little advised that she, Jim Rogers and Doug Trainor will meet to compile a report on the data and surveys that they conducted on the remaining trees from the grant project.

Greenwood Lake Bi-State Commission: Janet Little attended the recent GWLC meeting and will send the report to the Commission.

Lakes Committee: Jim Rogers reported that Princeton Hydro and the Highlands Council will review the Watershed Management Grant at the next Lakes Committee meeting and he will provide an update to the Commission at the October meeting. Chairman Sangle commented that the GWLC may have delayed moving forward on the proposal for the West Milford Lakes project, possibly due to some issues that may have prevented them from proceeding. He noted that the Township had plans to develop that site into an environmental center at one time, but even with a grant, there is the matter of who would maintain and operate it since it encompasses a large area. Mr. Rogers commented that it would be nice for the Township to improve it since it is a town center location. Mr. Tamayne remarked that the site will degrade if it isn't maintained, and referenced the Township's Environmental Boardwalk on Maple Road that has deteriorated from lack of

regular maintenance. Chairman Sangle noted that the Commission worked with Princeton Hydro to obtain a grant for the concept of the West Milford Lake project, and other grants were anticipated for completion of the work prior to the site being purchased by a private developer. Ultimately, as with the reforestation project, the main issue is having a department and staff, or consultant, to oversee and maintain a project upon its completion.

Open Space Committee: Open Space & Recreation Plan Update – Commission Don Weise reported that the Planning Board held the Public Hearing regarding the OSRP Master Plan Amendment on August 5, 2021. The Planning Board adopted the plan as an amendment to the Master Plan by resolution. Mr. Weise noted that he reviewed the few edits that were recommended with regard to the trails. In response to inquiries from some Planning Board members regarding obtaining more open space when the Township was 2/3 undeveloped, he advised that this plan will provide opportunities for Green Acres funds, and properties are not recommended for purchase if they would significantly impact the tax base. He reported that there was enthusiasm on the part of the Planning Board for some of the proposals and recommendations in the plan, including making more accessible paths and walkways in the Township.

Environmental Contamination Issues: Tom Tamayne reviewed the notices that he received regarding environmental contamination issues, as well as the items listed on the agenda. He noted that he was not in contact with Suez during the past month. He commented that there was some concern expressed about the discharge being released into Belchers Creek from the Suez plants, but advised that they have to test the discharge before it is released.

The Commissioners inquired about the former LukeOil on Union Valley Road and what may be proposed for the site. The Secretary will check if there are any zoning permits submitted for the site.

Environmental Boardwalk: Tom Tamayne noted that the site at the Environmental Boardwalk on Maple Road is fairly dry but extremely overgrown and is presenting a safety hazard. They suggested that a powerwasher be used to remove the moss and algae on the boardwalk. The Secretary was advised to send an email to the Public Works dept regarding the overgrowth at the Environmental Boardwalk.

MINUTES

The minutes from the August 2, 2021 Environmental Commission meeting were unanimously **approved** on a **motion** by Dave Ofshinsky with a **second** by Tom Tamayne.

NEW OR CURRENT BUSINESS

Chairman Sangle inquired about the major soil movement activity occurring at the former Wiggins Farm on Union Valley Road and requested that the Secretary provide information that may be available on the status of this site.

CORRESPONDENCE RECEIVED: The following items were reviewed and filed:

Highlands Water Protection and Planning Act Correspondence

1. Highlands Exemption #4, Water Quality Management Plan=Consistent, dated August 9, 2021, received for Nosenzo Pond Road, Block 9302; Lot 16, for renovations to Nosenzo Pond Park.
2. Highlands Applicability Determination Exemption Request #9 application, dated September 2, 2021, received from Colliers Engineering & Design on behalf of the County of Passaic, regarding the Lincoln Avenue Culvert Replacement at the Morsetown Brook.

NJ Department of Environmental Protection Correspondence

1. Notice dated 08-06-21 of an application for a Freshwater Wetlands General Permit to be submitted to the NJDEP by Robert Delillo, 29 Eisenhower Drive, Block 6503; Lot 9 for authorization to construct in wetlands and adjacent transitions areas.
2. NJDEP Suspected Hazardous Discharge notice, dated August 13, 2021, NJDEP Case #21-08-12-1706-00, regarding Suez Water North, Richmond Road, Block 5308; Lot 1 and Block 5501; Lots 21 & 22, for exceedance of nitrogen readings (17.794 ppm) with a maximum allowance of 10 ppm under NJDES Permit #NJ0081914.
3. NJDEP Suspected Hazardous Discharge notice, dated August 15, 2021, NJDEP Case #21-08-14-1216-02, regarding 30 Dongan Lane, Block 15302; Lot 8, for improper disposal of Freon from air conditioners and refrigerators in scrap metal at the site.
4. NJDEP Dam Permit #1608, dated August 10, 2021, regarding Farm Crest Acres Association for the rehabilitation of the Upper and Lower Crest Lake Dams, with proposed raising of each dam embankments, constructing new concrete primary spillways, installing seepage collection systems, lining the discharge channels with riprap. A permanent siphon system at the Upper Crest Lake Dam will also be installed.
5. NJDEP Groundwater Remedial Action Permit #RAP210001, dated August 23, 2021, received for Frank Kasabri - Dena Car LLC, 2048 Rt. 23, Block 14104; Lot 2, SRP Program Interest #001649 regarding remediation at the former Getty Station 56009 for contamination from benzene.
6. NJDEP FW Letter of Interpretation: Footprint of Disturbance Determination, File # 1615-20-0013.1 for James Antonucci, Block 10202; Lot 5.02, advising that freshwater wetlands and/or State open waters are not present in the limit of disturbance indicated on the site plan prepared by MCB Engineering Associates, revised date of July 8, 2021. In addition, no part of the area of disturbance occurs within a transition area or buffer. Exceptional wetlands exist on the site so the transition area or buffer is 150 feet.
7. NJDEP Suspected Hazardous Discharge notice, dated September 2, 2021, NJDEP Case #21-09-01-1608-33, regarding the removal of a 550 gal UST with clean up pending.
8. NJDEP Treatment Works Approval No. 21-0238, dated 09-02-21, received for 1463 Union Valley Road, Block 7601; Lot 2, regarding a remediation system for a site plan prepared by Arcadis, dated February 23, 2020. This permit is valid for two years from the issuance date.

Miscellaneous

1. HEPSCD certification of a soil erosion and sediment control plan, dated August 6, 2021, for Farm Crest Acres Rehab of Upper & Lower Dams, Doremus Road, Block 16701; Lots 4, 5, 6, 10, 11, 12.
2. HEPSCD violation notification, dated August 23, 2021, for residential site improvements and disturbance of more than 5,000 square feet of soil without a soil erosion and sediment control plan for JAN LLC at 7 Cottage Cover, Block 3611; Lot 6.
3. HEPSCD Report of Compliance, dated 08-19-21, received for Melillo Vreeland Grading & Improvements, 40 Vreeland road, Block 9001; Lot 21.
4. HEPSCD Report of Compliance, dated 08-19-21, received for Cielplak Soil Movement, 246 Morsetown Road, Block 4701; Lot 22.

5. HEPSCD Report of Compliance, dated 08-19-21, received for Cutugno Soil Movement, 65 Vreeland Road, Block 8802; Lot 49.
6. HEPSCD Recertification of B & B Organic Waste Recycling Stabilization Measures, dated August 31, 2021, for 280 Marshall Hill Road, Block 6002; Lots 29, 18.02, 28.03.
7. NJ Shade Tree Federation 96th Annual Conference 10-21 & 22.

PUBLIC COMMENTS – None.

ADJOURNMENT

Chairman Sangle noted that the next Environmental Commission meeting is scheduled for October 4, 2021. With no further business to come before the Environmental Commission, the September 13, 2021 regular was **adjourned** at 8:30 p.m. on a **motion** by Dave Ofshinsky and a **second** by Don Weise.

Approved: November 1, 2021

Respectfully submitted by

Tonya E. Cubby, Secretary