

**Township of West Milford
ENVIRONMENTAL COMMISSION**

MINUTES

October 3, 2022

Main Meeting Room

The October 3, 2022 Regular Meeting of the Township of West Milford Environmental Commission was called to order at 7:04 pm with a reading of the Legal Notice.

ROLL CALL

Present: James Lyons, James Rogers, Thomas Tamayne, Douglas Trainor, Don Weise, Chairman Stephen Sangle.

Absent: None.

Also Present: Christopher Garcia

PRESENTATIONS – Draft Greenway Proposal

Chairman Sangle advised the Commission that he and Chris Garcia met with the Administrator and Mayor regarding the Greenway Proposal and received a positive response from them. He reported that the Township will work to obtain the necessary easements, with Phase I requiring easements from TGP and Evergreen Farm to provide access to Camp Hope. The proposals include providing access via a trail or pathway from the Town Center to Camp Hope, and then from Camp Hope to Brown's Point and Greenwood Lake. Also under consideration is a path through property from Wallisch Homestead to Shop Rite and Town Center.

Following a review of the proposal, a **motion** was made by Don Weise with a **second** by Doug Trainor to recommend transmitting the Draft Greenway Proposal to Administration and the Governing Body for further review and consideration.

The Commission discussed various elements of the Draft Greenway Proposal, including the need for footbridges at several locations, parking along Belchers Creek, and trail maintenance. Chairman Sangle noted that the Commission and Greenway Committee will have to determine if the access will be a boardwalk or a walking path, as well as the maintenance requirements, but it is anticipated that the maintenance would be the responsibility of the Township. The Commission acknowledged that there were numerous wetlands included in the proposed routes, and future discussions will include what materials and avenues for access will be acceptable to the NJDEP. As for Camp Hope, owned by Passaic County, the Commission hoped that the County may be able to maintain the Greenway portion that is in the Camp confines, and may have grants available for installation of a bridge over Belchers, as well as parking facilities at the site for visitors. Overall, Mr. Garcia and Chairman Sangle were pleased with the response from Administration on the Greenway concept, and will continue to move forward with the plans. With the Greenway Plan progressing forward and various entities coming on board, Chairman Sangle remarked that grants should be available, as well as assistance from Passaic County.

APPLICATIONS FOR REVIEW – None.

ON GOING BUSINESS

Belchers Creek Testing: Commissioners Jim Rogers and Doug Trainor reported on recent testing of Belchers Creek, noting that 4 samples were obtained: John Street= Phos

0.3, Nitr 0.0; Pinecliff Lake= Phos-Beach 0.1, Middle 0.5, Dam 0.3, Nitr 0.0. Mr. Rogers noted that when he obtained samples from John St., there was green slime covering the water, but it did not seem to impact the samples. Mr. Trainor commented that he goes below the algae to obtain samples. Chairman Sangle advised that weeds absorb phosphates and nitrates, and from his experience, the low readings may be a result of the absorption of the pollutants from the weeds. He observed that after weeds were treated and removed at Pinecliff Lake, the nitrate and phosphate readings went up, which is why a balance has to be achieved when treating lakes and waterbodies. Mr. Rogers commented on the overgrowth on Belchers Creek and observed that it is currently too narrow for canoes and kayaks, and one of the goals of the Greenway Plan is to provide access for non-motorized water craft. Chairman Sangle suggested that in Phase 2 of the Greenway Project, desilting and/or watershed restoration can be included. Mr. Rogers expressed that the community along Belchers Creek should be engaged, with input from the residents as the plan progresses. Commissioner Jim Lyons suggested that Mr. Rogers convey to the Lakes Committee that the Environmental Commission is attempting to clean up the creek, and once the plans are firmed up, the public should be engaged. He noted that cleaning up the creek makes it more accessible for the property owners along the lake and it is an incentive for tourism. The Commission discussed matters pertaining to the creek, including property boundaries and ownership of Belchers Creek (NJDEP). The Commission concurred that the Greenwood Lake Commission (GWLC) has contacts with the State and may be able to secure funds for clean-up of Belchers Creek. Mr. Trainor commented that some of the members on the GWLC have suggested that the 27? streams and tributaries leading to Belchers Creek may be the reason for issues with clean water in the creek and GWL. Chairman Sangle noted that Princeton Hydro has been engaged in clean-up projects for GWL, including regular sampling and installing floating islands. He suggested that the Environmental Commission can assist by providing the Greenway plan so that their (GWLC) goals can be accomplished. Chris Garcia advised that there is overlap with the Open Space Plan, Economic Development Plan and the Greenway Plan. With the Greenway Plan adopted into the Master Plan, it will accomplish the goals and provide a vehicle for funding.

Doug Trainor advised that he cannot fit the motor and battery for the Jon Boat in his garage, so Chairman Sangle will request the DPW to store it at the Johner Building.

Lake Committee: Jim Rogers reported on the recent Lakes Committee meeting, and noted that Chris Garcia was the guest speaker to discuss the Draft Greenway Proposal and the Master Plan process. The Lakes Committee also discussed insurance liability providers, and are compiling a list to pool their resources for better coverage and rates. Mr. Rogers noted that the Lakes Committee members expressed that the water in their lakes seem to be cleaner than in recent years, and he opined that the nitrate and phosphate monitoring results may be indicative of cleaner water bodies, overall. He also reported that the Lakes Committee are working on an inundation map and plan for submission to the State, but they are concerned about the ultimate costs, which will have to be borne by the lake association members.

Open Space Committee: Don Weise reported on the Mary Congers State Park, noting that they are removing the dam that is slowing the water and raising the water temperature, which affects the aquatic wildlife. The barn that was on site has been removed, and the trail now extends all the way to Morsetown Road. Mr. Weise noted that the next connection being considered would be an extension to the Hewitt Butler Trail.

Shade Tree Committee: No update at this time.

Community Forestry Management Plan: No update was available at this time. Commissioner Jim Lyons was to review the Township's current CFMP plan and report to

the Commission. Chairman Sangle had previously requested assistance in obtaining a certified forester to work with the Commission on a new plan so that future funding opportunities will be available.

Greenwood Lake Bi-State Commission - Doug Trainor advised that the GWLC reported that dead or fallen trees had been removed from Brown's Point, and a wooden structure had been removed. A representative from Princeton Hydro was present at their recent meeting to discuss Belchers Creek and GWL projects.

Environmental Contamination Issues: Tom Tamayne reported that Veolia had filed a report for lead discovered in water at one residence, but they discovered it was from an old fixture. He had a long conversation with a Veolia representative, and following the design replacements for Bald Eagle Village, they have not had any recent exceedances. There are some land use related issues that they are trying to resolve on Marshall Hill Road by the Almond Branch Church (Birch Hill STP), but overall, the upgrades that they have made at several plants in the Township has resulted in improved water quality. He further reviewed the correspondence related to contamination issues.

Environmental Boardwalk – Chairman Sangle advised that the Environmental Boardwalk is over 30 years old, and in need of repair. When the water level lowers, he will examine the structure and determine if there are footings, but it appears that there are pipes that are driven into the ground and brackets attached to the boardwalk sides. They will examine options for raising the boardwalk and replacing the boards. It may be possible to get a contractor to raise up the boardwalk and install extensions. Mr. Tamayne was concerned about making repairs to a structure without knowing how it was installed, and Chairman Sangle commented that installing footings in a wetlands would most likely not be permitted with NJDEP regulations. The goal is to raise the boardwalk over a foot so that if the beavers rebuild their dams, the water level wouldn't flood the boardwalk. Mr. Tamayne inquired whether the State was scheduled to trap the beavers since this is an ongoing problem. Chairman Sangle commented that annual Open Space funds should be available for maintenance and repairs of the boardwalk. Mr. Tamayne advised that he sent information to the DPW Director on an extension tool for cutting phragmites, and he will follow up on this.

Green Team–Sustainability Committee: No update at this time.

NEW OR CURRENT BUSINESS

Tree Removal Ordinances – The Commission had received a Draft Revised Township Tree Removal Ordinance and discussed the need for a forester. Jim Lyons had been in touch with the Forest Task Force and requested a recommendation. Chairman Sangle remarked that the Township should have a staff member certified to act as forester for review of the application for tree removal, as proposed in the new ordinance. Mr. Lyons advised that the Township would not receive the same quality from a staff member that takes a few courses as opposed to a certified forester who works with the forestry issues daily. The Commission discussed several options for foresters and how the fees would be paid. Mr. Tamayne stated that the best protection for the Township is to pay the forester to review applications for tree removal, than for the applicant to pay the forester.

Autumn Lights Festival – October 8, 2022 (Rain Date October 9, 2022). The Commission will not be participating in this event this year due to the number of projects that they are currently involved in and limited volunteers.

MINUTES

The minutes from the September 12, 2022 Environmental Commission meeting were unanimously **approved** on a **motion** by Jim Rogers and a **second** by Don Weise.

CORRESPONDENCE RECEIVED:

The following correspondence was reviewed by the Commission:

Highlands Water Protection and Planning Act Correspondence

1. Highlands Applicability Determination (HAD) Exemption #4, Water Quality Management Plan (WQMP) -Not Addressed, dated Sept 7, 2022, received from the NJDEP regarding Block 6606; Lot 1, 121 Lincoln Ave., for Verizon West Milford Central Office Septic Design.
2. Highlands Applicability Determination (HAD) Clarification, dated Sept 27, 2022, received from the NJDEP regarding Block 6002; Lot 29, 280 Marshall Hill Road, for B & B Organic Waste Recycling, LLC, superseding and revising Exemption #4 issued Nov.8, 2021 (1615-21-0011.1 APD210001) with Site Plan and Reforestation Plan for B & B Organic Waste prepared by David Newkirk of EIC Group, dated June 23, 2022. Additionally, the proposed impervious surface is increasing by 3,200 S.F. (3.3%) for a total of 99,500 S.F. impervious surface on site. Permittee shall plant native shrubs and trees as part of the reforestation plan, concurrent with construction or the first available planting season following construction, with the area eventually to revert to a natural habitat. An 85% survival rate following 3 growing seasons is required, or replanting with native tree species if survival rate is not met. Disturbance occurring offsite resulting in clearing of vegetation is not authorized nor exempted by this determination.
3. Highlands Applicability Determination (HAD) Exemption #4, Water Quality Management Plan (WQMP) -Not Addressed, dated Sept 28, 2022, received from the NJDEP regarding Block 6902; Lot 7, 11 White Road, for Moove In Self Storage, with respect to a proposal for 93,758 S.F. impervious surface, reducing the current impervious surface by 5% from the existing 98,531 S.F.
4. Highlands Applicability Determination (HAD) Exemption #11, Water Quality Management Plan (WQMP) -Not Addressed, dated Sept 28, 2022, received from the NJDEP regarding Block 9401; Lot 2, Relda Avenue, for Veolia New Jersey (Suez) with respect to an addition to an existing water treatment facility to maintain safe drinking water standards.

NJ Department of Environmental Protection Correspondence

1. Suspected Hazardous Discharge notice, dated Sept. 17, 2022 received from the NJDEP regarding Block 7801; Lot 65, (BEV) Beacon Hill Road, for lead exceedance in drinking water in 4 units over the action level (action level = 15 parts per billion) from a total of 443 services. Results were greater than 20 parts per billion.
2. Correspondence from the NJDEP – Bureau of Dam Safety, dated Sept. 6, 2022, to Camp Wyanokie Commission, regarding the Boy Scout Lake Dam, NJ Dam File No. 22-182, concurring with the plan that was submitted by Christopher Adams, P.E. of GZA for monitoring both seepage and slab settlement, and advising that the plan should be implemented and adequate records maintained for submission. A schedule for submission of the dam safety permit application to bring the dam into compliance must be submitted by Oct. 31, 2022.
3. Notification dated Aug. 29, 2022 from MAP Engineering, that a Flood Hazard Area Individual Permit application has been submitted to the NJDEP for the replacement of a failed septic system for an existing 2 bedroom dwelling at Block 6603; Lot 4, 33 John St.

Miscellaneous

1. ANJEC 49th Environmental Congress – Oct 11 – 13, 2022 (Virtual Sessions).
2. ANJEC News – Sept 21, 2022
3. ANJEC – Climate Change Virtual Mini Series – 09-15-22, 10-03-22, 10-11-22.

PUBLIC COMMENTS – None.

ADJOURNMENT

Prior to adjourning, Chris Garcia respectfully declined the invitation to request appointment to the Environmental Commission due to his current position as Chairman of the Planning Board, but advised that he will attend the meetings and work with the Commission on the Greenway Plan and other endeavors for the benefit of the Township.

With no further business to come before the Environmental Commission, the October 3, 2022 regular meeting was **adjourned** at 9:05 p.m. on a **motion** by Tom Tamayne and a **second** by Jim Lyons.

Approved: December 12, 2022

Respectfully submitted by

Tonya E. Cubby, Secretary