

**TOWNSHIP OF MAHWAH
ENVIRONMENTAL COMMISSION MEETING MINUTES
WEDNESDAY, OCTOBER 10, 2018**

The meeting of the Environmental Commission, held at the Municipal Building, 475 Corporate Drive, Mahwah, New Jersey, was called to order at 7:33 p.m. by Richard Wolf, Chair. The Opening Statement was made. Roll call was taken.

Present: Janet Ariemma
Michael Devaney
Karin LaGreca
Carol Phiefer
Richard Seibert
Richard Wolf
Ward Donigian, Planning Board Liaison (arrived 7:52 p.m.)

Jennifer Storms, Secretary

The minutes of the meeting held on September 26, 2018 were approved as submitted following a motion by Seibert; seconded by Phiefer. All other members were in favor.

OLD BUSINESS

Artificial Floating Island Update

Resident Tom McKeon, 70 Malcolm Road, gave an update on the status of the Artificial Floating Island at Winter's Park. McKeon is working on the new sign that is being donated by local Boy Scout Troop 258. He said he expects it to be ready to go to print around the time of our next meeting.

Apple Ridge Update

Wolf said he visited the property owned by Derek Michalski in Upper Saddle River, who attended our last meeting to discuss his concerns regarding stormwater violations occurring on the properties surrounding Apple Ridge. Wolf said he could very clearly observe murky, brown mud being pumped into the nearby brook (Pleasant Brook).

Members discussed their concerns regarding the amount of silt being pumped into the brook. Donigian met with Toll Brothers, and is working to schedule an on-site meeting with representatives from the company for next Wednesday or Thursday. Devaney, Ariemma and Seibert volunteered to attend the site visit in an effort to learn more. Administrative Officer Mike Kelly will also be in attendance.

Property Issue – 29 Karen Drive

On August 21, Tom Mulvey brought an issue to the Commission's attention regarding 29 Karen Drive, where the homeowner cleared a large portion of the lot. Mulvey and Glenn Dowson spoke to the homeowner to let them know they were not permitted to remove the trees/vegetation, which were on township property and served as a buffer to the pond. The homeowner was told to grade the area out and return it to the way it was.

On August 22, the Commission requested that Mulvey survey the property to find out how many trees were removed from the property. We recommended the homeowner should receive a formal citation for each qualified tree that was removed on the homeowner's property. We also asked that the homeowner submit a formal plan as to how they are going to restore the property to its previous condition. Mulvey said the town has 30 days in which to sign summons and complaints. He requested that Mike Kelly review any remediation plans and assess any long-lasting damage to the buffer on the property.

On October 2, the Township sent the property owners a letter regarding the soil movement and excavation, requesting that a Soil Movement Permit Application be submitted as well as a plan showing the former condition of the site, the soil movement already completed and any proposed movement/remediation.

Wolf said he spoke to Tom Mulvey to find out if we requested an extension to the 30-day deadline in which to sign summons and complaints. We will follow up with the Planning Department for an update.

Deer Management/Education

At a recent council meeting, Ariemma said a resident raised issues about the overpopulation of deer throughout town. She invited a bear control advocacy group to present their findings to the town council, and she forwarded the group's presentation to the Environmental Commission members. Ariemma said the group presented to the town council last week. Members discussed doing another Deer Education Presentation in the coming year.

SITE PLAN REVIEWS

None received

SOIL MOVEMENT PERMIT APPLICATIONS

Apple Ridge Condominium Association, Fisher Road & Apple Ridge Boulevard, Block 126, Lot 114, E-BD-216-3098

The Environmental Commission reviewed a Soil Movement Permit Application for the replacement of a railroad tie retaining wall with a reinforced retaining wall. There is no related Tree Preservation Application.

Comments to Administrative Officer and Township Engineer:

Please have the applicant clarify the soil movement on the property. The figures noted on the application do not add up. Also, will the applicant have the ability to limit the possibility of airborne contamination given the history of the property? Finally, will the soil be tested so it can be properly placed upon removal?

The application review was rejected pending further clarification following a motion made by Seibert; seconded by Phiefer. All were in favor.

Derek Thoelen, 228 Miller Road, Block 89, Lot 6, E-BD-216-304-658

The Environmental Commission reviewed a Soil Movement Permit Application for the installation of an in-ground swimming pool, hardscape improvements and retaining wall. The related Tree Preservation Application indicates the removal of two trees, to be replaced with an arborvitae hedgerow.

Comments to Administrative Officer and Township Engineer:

Please have the applicant clarify the soil movement on the property. The figures noted on the application do not add up.

The application review was accepted with comments following a motion made by Wolf; seconded by Seibert. All were in favor.

Zenith Mahwah, LLC, 144 Route 17 South, Block 132, Lots 5 & 6, BOA Docket #:1438-18(S)

The Environmental Commission reviewed a Soil Movement Permit Application for the replacement of an underground storage tank on the property. There is no related Tree Preservation Application.

Comments to Administrative Officer and Township Engineer:

Please have the applicant clarify the soil movement on the property. The figures noted on the application do not add up. Please also ensure the tank removal is completed subject to NJDEP regulations.

The application review was approved following a motion made by Wolf; seconded by Devaney. All were in favor.

OLD BUSINESS, continuedToll NJ IV, LLC, 18 Roxbury Road, Block 127, Lot 30, E-BD-216-3096

At our last meeting on September 26, the Environmental Commission reviewed a Soil Movement Permit application for a new single-family home on the property. We asked the applicant to confirm which plot the application correlated with from the original subdivision approval. On October 9, the Planning Office provided a tax map that delineates the plot. Members reviewed the tax map.

TENANT APPLICATIONS

None received

CORRESPONDENCE

The following correspondence was received and reviewed:

- Invitation from Boswell Engineering to attend a Gala Reception on Wednesday, November 14, 2018 in Atlantic City
- Invitation from the NJ League of Conservation Voters to attend a Green Tie Gala on Thursday, November 8 in Somerset
- Email newsletters from the Hackensack Riverkeeper

- Email from the Passaic River Institute regarding the Middle States Division of the Association of American Geographers Annual Conference
- Email from BUILD regarding the 2018 Recycling & Waste Management Awards
- Copy of a Freshwater Wetlands Letter of Interpretation for 90 Halifax Road
- Public Notice from PK Environmental regarding NJDEP Flood Hazard Area Verification for Block 48, Lot 1 (South Street)
- Public Notice from PK Environmental regarding a NJDEP Transition Area Individual Permit for Block 48, Lot 1 (South Street / Hines Avenue)
- Various agendas, minutes and public notices

NEW BUSINESS

Informational Handout

Seibert shared a menu he received at a restaurant while on vacation in Colorado regarding the restaurant's environmental initiatives. Members discussed the benefits of supporting similar environmental initiatives in town.

Mahwah Earth Action Day

LaGreca reminded members that the Mahwah Earth Action Day is scheduled for Saturday, October 20. Members will meet at DPW at 9 a.m. and head out to four different sites around town.

There being no further questions or discussion, the meeting of the Environmental Commission was adjourned at 9:04 p.m. following a motion by Wolf; seconded by Seibert. The next meeting is scheduled for Wednesday, October 24, 2018 at 7:30 p.m. in the Municipal Building, 475 Corporate Drive, Mahwah, New Jersey.

J. Storms
Secretary