

Chatham Township Environmental Commission  
58 Meyersville Rd, Chatham, NJ 07928, 973-635-4600  
Minutes of the Tuesday, January 12, 2016

The meeting of the Chatham Township Environmental Commission convened at 7:20 pm on Tuesday, January 12, 2016, at the Township Municipal Building. In attendance were CTEC members Steve Carroll, Frank Esposito, Maureen Kelly, Marilyn Murray, and Dot Stillinger. Absent: Matt Palmer and Don Travisano.

CTEC'S PURPOSE: To undertake projects and make recommendations concerning the protection or use of natural resources, including water resources and air quality, located within or directly affecting Chatham Township.

The Chatham Township Environmental Commission's goal is to provide a responsible environmental viewpoint to Township committees and boards and to undertake projects with a strong educational component in order to inform officials and residents about constructive actions that can be taken to preserve the environment.

OPEN PUBLIC MEETING STATEMENT - The meeting schedule for 2016 and January 2017 is posted on the main bulletin board at the Township municipal building and on the Chatham Township website at [www.chathamtownship.org](http://www.chathamtownship.org). The public is cordially invited to attend all meetings, join the discussions and participate in projects.

#### DATES FOR CTEC AND GREEN TEAM MEETINGS IN 2016 AND JANUARY 2017

Every first or second Tuesday February through December 2016 and the second Tuesday in January 2017.

Dates are: February 2, March 1, April 5, May 3, June 14, July NO MEETING, August 2, September 6, October 4, November 1, December 6 in 2016 and January 10 in 2017.

Congratulations to Don and Matt who were re-appointed to 3-year terms on the EC and to Maureen who is now a full member. Thanks so much for agreeing to be part of CTEC once more.

Frank Esposito motioned to approve the December 1, 2015 CTEC and Green Team minutes and Maureen Kelly 2<sup>nd</sup>, with all in favor.

Dot Stillinger asked for a nomination for Chairperson. Steve Carroll nominated Dot Stillinger, Frank Esposito second the nomination. The voice vote was unanimous. Marilyn Murray nominated Steve Carroll for vice chair, Frank Esposito second the nomination. The voice vote was unanimous.

#### GREEN TEAM MEETING (7:24-7:34)

Reviewed reoccurring Sustainable Jersey actions that can be used for 2018.

S. Carroll, Green Team Chair and CTEC Vice Chair.

#### BEE NEWS

Home Depot has agreed to phase out plants treated with bee-killing pesticides. Ace Hardware and True Value are still stocking plants sprayed with deadly neonicotinoid pesticides. More research and information is needed to indicate why there is a decline in bee population.

#### PIPELINE NEWS - update

The proposed gas pipeline through the Pinelands has been approved by the BPU. Gov. Christie did not reappoint to the Pinelands Commission members opposed to the pipeline and appointed members who were in favor of the pipeline.

Construction on a controversial natural gas pipeline through the Pinelands may proceed without further review, New Jersey's Board of Public Utilities ruled Wednesday, December 16.

The board voted 3-0 that South Jersey Gas was not required to submit its plans for review by municipalities along the proposed line's 22-mile route.

With the vote, the project appeared to clear the final hurdle in a long approval process, although environmental groups vowed to appeal.

In August, the staff of the New Jersey Pinelands Commission approved the project without a vote of the commission's board, which had rejected a nearly identical plan a year and a half before.

GREEN VILLAGE POND CONSERVATION AREA – Commission discussed and decided on Saturday, April 23, as the Environmental Commission's cleanup day for 2016. Steve Carroll motioned to approved this date and Frank Esposito 2<sup>nd</sup>, with all in favor.

APPLICATION/ENVIRONMENTAL PERMIT REVIEW – Application Land Use Subcommittee will meet at 6:30 before next meeting. Plan to discuss conservation easements.

- Golden River Homes, LLC, 11 Sunset Drive, Block 61 lot 16. Complete 6/13/2014. Application to the Board of Adjustment for steep slope variance. The lot is vacant and slopes steeply down towards Fairmount Ave. Memo sent to Board of Adjustment on August 20, 2014 was approved by CTEC. Board of Adjustment meeting on January 21 - all urged to attend. CONTINUATION

- Former Averett property, below Hillside Ave. to River Rd., Blocks 66 and 67 Lots 1 and 17 & 17.01, 11-23-15. Application to NJDEP for LOI. Possible wetlands near the pond. PENDING

- 2 Kincaid Lane, Block 62, Lot 88.01, 11-2-15. Application to Board of Adjustment for steep slope variances to construct a pool. Review by Land Use Subcommittee. CTEC will watch this application. PENDING FURTHER INFORMATION

- 9 Joanna Way, Block 70 Lot 12, application to NJDEP for LOI 12-21-15. Lot is 1.5 acres in 1/2-acre zone. Area has springs and there have been drainage problems from lots on Cobblestone Court. Steep slopes. No wetlands shown on Morris County GIS. PENDING

- 697 Fairmount Avenue, Block 61 Lot 10. Bhee properties, LLC. Approved by Planning Board on 12-21-15 with no conservation easement. Area originally proposed for a conservation easement is near Sunset Drive, is not very steep and could benefit from invasive removal. Note that since there is no conservation easement there is no possibility of a property tax reduction. CLOSED

**For information purposes only** - The Township steep slopes ordinance does not distinguish between natural and manmade slopes because erosion and storm water runoff are concerns on all slopes.

A report from the engineering firm Princeton Hydro says,

“The purpose of the Township’s Steep Slope ordinance is to regulate the intensity of use in areas of steeply sloping terrain in order to limit soil loss, erosion, excessive storm water runoff, the degradation of surface water and to maintain the natural topography and drainage patterns of land”.

The ordinance continues that “Disturbance of steep slopes results in accelerated erosion processes from storm water runoff. Related effects include soil loss, changes in natural topography and drainage patterns, increased flooding potential....It has become widely recognized that disturbance of steep slopes should be restricted or prevented based on the impact disturbance of steep slopes can have on water quality and quantity”

- 446 Green Village Road, Block 144, Lot 50, June 12, 2015. Application to NJDEP for permit to repair a failing septic system. The house is unoccupied and in disrepair, and the lot is almost entirely in the buffer and floodplain for Loantaka Brook. The Morris County Park Commission declined to purchase the property. In the past CTEC has sent comment letters to the NJDEP about other applications for this property. Additional information requested by NJDEP, no determination yet made. Letter to NJDEP was approved at the last CTEC meeting and has been sent. CLOSED.

- 614 Spring Valley Road at the corner of Spring Valley Rd. and Loantaka Lane North. Chatham Township, Block 140, Lot 4.03. Harding Township, Block 3, Lot 4. Request for an extension of a LOI issued in 2010. Currently the LOI application is undergoing review by the NJDEP for Threatened and Endangered Species (T&E Spec). Letter to NJDEP was approved at the last CTEC meeting and has been sent. CLOSED.

- 120 Meyersville Rd., Block 12, Lot 13, 10-30-15. Application to NJDEP for LOI and Individual Transition Area Waiver for reconstruction of existing residential dwelling. Reviewed by Land Use Subcommittee on 12/1/15, no action necessary. CLOSED

## REPORTS

- Planning Board

D. Trivisano, Planning Board liaison.

- Township Committee and Board of Health

K. Swartz, Township Committee and Board of Health liaison.

- Open Space Committee – Township Committee approved .3 mile walking trail at Averett property.

Marilyn Murray, Open Space liaison.

- Communications Committee

F. Esposito, Chair. – A new township website is under construction. Will continue updating current website until new website goes live. Commission members and terms to be updated.

- Recycling Committee

F. Esposito, Chair, and M. Murray – MUA and the township are working together to establish a covering/protection for Tanglewood.

Due to recycling collection conflicts with Christmas and New Year's Day, residents seemed to be unaware of rescheduled dates. Therefore, there was an overflow of recycling at Tanglewood.

Marilyn Murray suggested the township should send out a Nixle text alert, advising residents of changes in recycling pickup.

Unfortunately, it appears that there is not an interest in weekly recycling pickup.

- Community Education and Outreach Committee.

F. Esposito, Chair.

There is a concern with CTEC's e-mail program. Further research is needed to determine the email problem.

Frank spoke with the high school regarding the Rocket composter. The composter is being used. Wood chips are mixed with food waste to produce the compost, which takes 14 days to breakdown. The compost is spread around the school and other local areas. Frank plans to visit the school.

- Conservation Easement Subcommittee

D. Stillinger and M. Murray.-

CTEC is considering developing a plan for conservation easement monitoring and recording, which can be implemented by the Township Committee.

- Invasive Species Subcommittee

CTEC would like team up with Open Space to clean up the invasive species growth along walking trails.

- Emerald ash borer comes to New Jersey (<http://www.nj.gov/agriculture/divisions/pi/prog/emeraldashborer.html>). Emerald Ash Borer was discovered in New Jersey in May 2014 in Somerset County. Infestations throughout the U.S. and Canada have killed tens of millions of ash trees since 2002. To register for a webinar on February 17 go to [http://www.njslom.org/seminar-documents/2016-feb17-eab.html?utm\\_source=hootsuite](http://www.njslom.org/seminar-documents/2016-feb17-eab.html?utm_source=hootsuite).

## NOTES AND DISCUSSION

- New and very good NJDEP website for maps, parcels and environmental information at NJ-GeoWeb, <http://www.state.nj.us/dep/gis/geoweb splash.htm>. Use Internet Explorer.

- Very good Morris County mapping utility at <http://morrisgisapps.co.morris.nj.us/apps/parcelsearcher.html>, hit Map or Advanced Data Search. Gives information about each parcel and has aerials layer.

- Possible projects for grants. Trails on the Green Village Pond Conservation Area? Nash Field to Green Village Road?

## RECENT LETTERS SENT

- December 2015. Comment letter to NJDEP regarding proposed new rules for relaxing sewers and hence development in environmentally sensitive areas.
- November 2015. Two letters to NJDEP concerning applications for LOI, one letter to NJDEP concerning repair of septic system. Letter to Planning Board regarding an application for steep slopes variances. Letter to legislators concerning SCR180 regarding allowing pipelines in wetland buffers.
- May, 2015. Letter to NJDEP urging caution in granting permits to Verizon for communication equipment at the base of a PSE&G tower on Southern Boulevard because of nearby wetlands. Memo to Board of Adjustment suggesting a conservation easement on steep slopes on a Susan Drive parcel.
- April, 2015. Memo to Planning Board noting more than double the existing impervious cover proposed for a subdivision on Rose Terrace.
- March 2015. Memo to NJDEP urging oversight of JCP&L contractors doing vegetation removal in ROWs. Letter of support to NJDEP in support of GSWA's application for a 319 grant for stormwater remediation at Seaton Hackney.
- February, 2015. Memo to Board of Adjustment concerning The Farm at Green Village suggesting conditions on the approval to better protect wetlands.
- January, 2015. Letter to PSE&G urging denial of permission to use their ROW for the proposed Pilgrim pipeline.

## PREVIOUS INFO/UPDATE

(ACR 249/ SCR 180 - Passed by the Assembly (45-28-2 on 1/11/16)

### ACR249 (ASSEMBLY VERSION OF SCR180 THAT WE ENDORSED AT A PREVIOUS MEETING)

It appears that part of the motivation for the DEP's rule is to allow pipelines in riparian buffers, a very grave concern in the Pinelands.

This from ANJEC:

“Please call NJ Assembly Speaker Prieto (office at: 201-770-1303) NOW to protect the health and safety of New Jersey residents, property, and environment from impacts of additional flooding. Ask him to post ACR249 for a vote on December 3. Then, please call or email your two Assembly members (ours are Mila Jasey and John McKeon) to encourage them to \*vote YES to ACR249\*! (Go to <http://www.njleg.state.nj.us/members/legsearch.asp> to find your Assembly members)

The New Jersey Department of Environmental Protection (NJDEP) has proposed to roll back protections against flooding in their draft Flood Hazard Area Control Act (FHACA) regulations. The proposed rule would allow more clearing of stream buffer vegetation, place more people and development in areas that flood, and roll back protections for clean water. Simply put, these rules, if adopted as written, would put more people in harm's way. ANJEC believes New Jersey needs smarter and more protective flood standards because:

- \* NJ's dense population and development patterns contribute to periodic, severe and repetitive flooding.
- \* Flooding is the most frequent, destructive and costly natural hazard. Because of this, NJ residents and businesses are forced to file the second highest number of claims to the Federal Emergency Management Agency (FEMA).
- \* Over 90% of New Jersey's waters do not meet one or more water quality standards, which are set by NJ under the law and that the state is legally obligated to meet.

The New Jersey Senate agrees with our assessment. By an almost 2 to 1 margin they voted for a resolution, finding that the rule proposal goes against legislative intent. The Assembly needs to pass ACR249, sponsored by Assemblywoman Grace Spencer and Assemblyman John McKeon. The first step is asking Speaker Prieto to post ACR249 for a vote on December 3rd. You can call his office at: 201-770-1303. The second step is to call or email your two Assembly persons and urge them to support ACR249 and to demand that, on December 3rd, the full Assembly votes \*Yes to ACR249\*. Tell the legislature that NJ deserves cleaner water and less flooding.”

## WQMP (WATER QUALITY MANAGEMENT PLAN)

- NJDEP has proposed new rules weakening conditions for sewers and septic tanks in environmentally sensitive areas. Approved at the last meeting: Letter in opposition was written by D. Stillinger and circulated to CTEC for editing before being sent to NJDEP and various legislators. Comments had to be received by the NJDEP by December 18.

“ . . . the Department is reducing the number of analysis required, and revising the timing of their required submission, simplifying the water quality planning process, and committing to providing assistance to local communities as necessary to address water quality issues within particular communities. The Department will no longer mandate that the WMP agencies conduct all of the analyses previously required as part of the WMP, or that local communities downzone or enact nonpoint source pollution prevention ordinances as a condition of WMP adoption. Determinations regarding the land use impacts of future development and the means to address wastewater treatment needs are more appropriate at the permitting stage, when detailed site specific information is available. While the information and analyses required under the existing 2008 rules are valuable, it is not necessary to require all of it during the planning process. At the planning stage, it is a more appropriate use of Department resources to focus on delineating sewer service areas and to work collaboratively with local governments to identify unmet capacity needs and to evaluate nitrate loads.”

## PILGRIM PIPELINE

- New York towns are also fighting back. See article from the New Paltz council. See also <http://stoppilgrimpipeline.com/resolutions/>.
- East Hanover passed an ordinance prohibiting pipelines that don't serve town properties.
- K. Swartz reported that in a meeting with PSE&G they stated that they have refused Pilgrim permission to use its rights-of-way. This could change.
- Township Committee approved an ordinance to prohibit unregulated pipelines carrying hazardous liquids.
- Pipeline page on Chatham Township website at <http://www.chathamtownship-nj.gov/pipeline/index.html>.

## EVENTS

- CTEC Land Use Subcommittee meeting at 6:30 before the regular meeting. All welcome to attend; attending makes you a member. Current applications will be reviewed.
- January 21 at 7:30 PM, Board of Adjustment meeting at the Municipal Building. Application for 11 Sunset Drive is on the agenda.
- Saturday, March 19 -Morristown. Annual ANJEC training for EC members. More details at [info@anjec.org](mailto:info@anjec.org). Free for CTEC members.
- "The Future of Land Conservation.. The Next 20 Years!" - Friday, March 18, 2016, Wyndham Garden Hotel Trenton, New Jersey.

## MAIL RECEIVED

- One LOI application.
- Minutes of meetings of Long Hill Environmental Commission.
- Notices and flyers.

ADJOURN 8:38

Carolyn Scannelli