

Chatham Township Environmental Commission
58 Meyersville Rd, Chatham, NJ 07928, 973-635-4600
Minutes of the Tuesday, December 1, 2015

The meeting of the Chatham Township Environmental Commission convened at 7:24 pm on Tuesday, December 1, 2015 at the Township Municipal Building. In attendance were CTEC members Steve Carroll, Frank Esposito, Marilyn Murray, and Dot Stillinger. Absent: George Crimmins, Maureen Kelly, 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 2015 and January 2016 is posted on the main bulletin board at the Township municipal building and on the Chatham Township website at 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 2015 AND JANUARY 2016

Every first or second Tuesday February through December 2015 and the second Tuesday in January 2016.

Dates are: February 3, March 3, April 7, May 5, June 9, July NO MEETING, August MEETING CANCELED, September 8, October 6, November 10, December 1 in 2015 and January 12, 2016.

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.

Frank Esposito motioned to approve the November 10, 2015 CTEC and Green Team minutes and Steve Carroll 2nd. with all in favor.

GREEN TEAM MEETING (7:25-7:27) S. Carroll, Green Team Chair and CTEC Vice Chair.

On November 17, 2015, Chatham Township Green Team was awarded the Bronze Sustainable Jersey award. Township Committee member Mike Kelly was present to receive the award at the annual Sustainable Jersey luncheon.

www.sustainablejersey.com

ACR249 (ASSEMBLY VERSION OF SCR180 THAT WE ENDORSED AT THE LAST 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.

Dot Stillinger and Steve Carroll called Speaker Prieto's office to express their vote. CTEC members are encouraged to call.

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 to be written by D. Stillinger and circulated to CTEC for editing before being sent to NJDEP and various legislators. Comments have to be received by the NJDEP by December 18. Steve Carroll motioned to approved letter to NJDEP and Frank Esposito 2nd, with all in favor. It was noted that original letter received edits by Matt Palmer and Frank Esposito.

"... 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. <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>.

GREEN VILLAGE POND CONSERVATION AREA

- Area shows signs of being used. Dot Stillinger will recommend that proper trail signs/markers should be installed.
- Any interest in having a short group walk? Possible fall cleanup project.

LAND USE SUBCOMMITTEE meets at 6:30 pm before CTEC meeting and discusses new applications. All are welcomed.

APPLICATION/ENVIRONMENTAL PERMIT REVIEW

- 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 toward Fairmount Ave. Memo sent to Board of Adjustment on August 20, 2014 was approved by CTEC. **Special meeting of the BOA on November 12.**
- Continuation.**
- 697 Fairmount Avenue, Block 61 Lot 10. Bhee properties, LLC. Application to Planning Board for minor subdivision with variances for steep slopes. This application has been on-going for 4 years. The property is adjacent to both Sunset Drive and Fairmount Avenue. The steep slope issues are similar to those on Susan Drive. Letter to

Planning Board was approved at the last CTEC meeting and has been sent. Possible additional letter after site visit.

Site visit at 9 AM on Saturday, December 5.

- 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

- 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 on 12/1/15. **Continuation.**

- 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.

- 78 Loantaka Lane North, Block 141, Lot 3, September 14, 2015. Application to the NJDEP for an LOI. The lot is on the east side at the end of Loantaka Lane North and adjoins Morris County parkland and land preserved by the Harding Land Trust. The area is wet and several homes along the street have mounded septic systems. Letter to NJDEP was approved at the last CTEC meeting and has been sent. Application to NJDEP was approved. 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.

REPORTS

• Open Space Committee – no recent meetings. – Marilyn posed a question to CTEC regarding acreage percentage dedicated to non-developed. Dot will email recreation/open space inventory.
Marilyn Murray, Open Space liaison.

• Communications Committee

F. Esposito, Chair.

- Any EC member wanting to post material on the EC website should forward the items to F. Esposito who will work with Township Web administrator Tom Salvas.

• Recycling Committee

F. Esposito, Chair, and M. Murray

- At this time it appears that there is no interest in weekly recycling pickup.

- MUA contacted the township regarding covering/protection for paper recycling container at Tanglewood. DPW will create cover. Snow is more of a problem than rain.

• Community Education and Outreach Committee.

F. Esposito, Chair.

- CTEC receives several e-mails every day. F. Esposito responds and archives the messages.

- EC website has been updated with new reports and photos. F. Esposito.

- Discussion Rocket composter located at the high school, installed in 2011. Frank will contact school for an update on use.

• Conservation Easement Subcommittee

D. Stillinger and M. Murray.

- What is the procedure if a violation of a conservation easement is observed?

- CTEC should pursue a mechanism for conservation easement monitoring and recording.

- According to remarks made at the October 22 meeting of the Township Committee a memo by Carl Woodward, former Township attorney, states that conservation easements required by the Planning Board but not accepted by the Township can be vacated at will by the Township. The opinion was delivered in connection with litigation concerning the walking easement between Pine Street and Linden Lane. The opinion also applies to an easement required by the Planning Board on a parcel on River Road on steep slopes that was proposed for a cell tower, subsequently built on Esternay Field. That conservation easement extends across the rear steep portions of a four lot subdivision proposed by Nicholas Parisi and approved by the Planning Board in 1995. Suggest that CTEC urge the Township Committee to accept the 4 conservation easements.

• Invasive Species Subcommittee

M. Palmer, Chair

- Conservation easements for properties in Chatham Township should not include a provision allowing for the control of invasive species without specific protections.

NOTES AND DISCUSSION

- Wells in the Township
- Online information from the NJDEP.
- 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

- 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.

EVENTS

- CTEC Land Use Subcommittee meeting at 6:30 before the regular meeting. All welcome to attend and become a member. Current applications will be reviewed.
- **Site visit to Bhee property on December 5 at 9 AM.**

MAIL RECEIVED

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

ADJOURN 8:10

Carolyn Scannelli