

BYRAM TOWNSHIP ENVIRONMENTAL COMMISSION MINUTES, MARCH 26, 2009

The meeting was called to order at 7:35 p.m. Present were Chair Sheila Hall, Lisa Shimamoto, Daven Baez, Sue Wise, Adam Rosenberg, Caryn Segal, Rowena McNulty, Dawn Boyer, and Secretary Margaret McGarrity.

(NOTE: Rowena's email address is now rowena.mcnulty@ridgeandvalley.org.)

Also in attendance: Jeff Smith, Watershed Ambassador for the Wallkill/Pequest/Paulinskill/Flatbrook watersheds. Before the regular agenda, the Commission heard a presentation from Jeff. Small parts of Byram are in the Wallkill (Lake Mohawk) and Pequest (Forest Lake and southwestern corner, near Green) watersheds. Jeff will also get us in touch with Mary Catherine Kopek, who is the Musconetcong watershed ambassador (most of Byram is in the Musconetcong watershed). Ambassadors can help with outreach, school presentations, watershed demonstrations, biological assessment of streams, as well as tree plantings, cleanups, other events. Stream assessments are only for streams/rivers with public access. Jeff could do biological monitoring training with our EC in May or June. NJDEP hosts a website about volunteer water monitoring results.

Dawn's Gifted and Talented class already does some monitoring; they will also be releasing the trout they have raised on Friday, May 15, during an afternoon's events—Dawn to send exact time of release.

February minutes: motion by Adam; second by Sue; unanimous.

Correspondence:

Summer Township newsletter: Sue will provide article of 200 words or less about Trout Unlimited's offer of free riparian buffer plantings. Deadline ASAP.

Musconetcong Watershed Association: Seeking volunteer river watchers to do monitoring; call 908-537-7060. Also seeking volunteers for Lubbers Run cleanup (at Riverside Park) on April 18—Sue to call to get time.

Eco-municipalities: Movement that began in Sweden. Rowena noted that residents of Toronto not only recycle everything but also are required to compost vegetable waste from their homes.

Kittatinny Valley State Park vernal pond identification workshop: This Saturday.

Kilowatt Ours: EC will buy at least one copy to loan out for showing in schools. Lisa's son's teachers will show it; Rowena will show it at Ridge and Valley Charter School. Margaret will look into making the purchase.

Business:

ANJEC grant application for 3-town trail link (Byram, Stanhope, Hopatcong): Deadline March 31, 5 p.m. Margaret will deliver after Byram Council decides on whether to agree to cash match at its special Monday night budget meeting.

The EC voted to pay for the \$1500+ match (based on a reduced grant budget) from the 2009 EC budget, IF the Council does not support a match (either the \$1500+ or, preferably, the \$2300+ match for the original budget). Motion by Daven; second by Sue; unanimous.

Margaret will email to the EC elist the completed application.

No Net Loss trees: The EC list has been positively cited in the Community Forestry Plan prepared by forester Ron Farr and now in draft form. The Township manager Joe Sabatini is wary of possible costly obligations falling on the Township as a result of this plan and of the No Net Loss grant program. Should the EC actively support passage of the CFP and the No Net Loss grant application? Might many of the obligations for volunteer participation fall on the EC?

Sheila will send a memo to Joe summarizing other possible sources of volunteer labor to carry out the CFP/No Net Loss tasks—for example, corporate volunteer groups such as Partners for Parks (out of The Land Conservancy of NJ); United Way; SLAP (Sheriff's Labor Assistance Program); USDA Earth Team; Natural Resource and Conservation Service; NY-NJ Trail Conference. In many cases, these groups provide their own liability protections.

EC-ARC proposed Green Building master plan element: Chris may put on Planning Board agenda in April or May.

Trails/streams: Margaret will call Martin Rapp again to ask him to lead hike of NJ Natural Lands Trust parcels along Lubbers Run.

Joint recreation/EC projects: Sheila to get information on grants obtained by Andover Township EC to plant detention basins. Margaret and Recreation Director Janet Meisner working on Partners for Parks projects at C.O. Johnson Park, including clearing copse of trees for picnic tables and helping with bocce ball court.

Lake management issues: Sue will draft letter to send to Planning Director Chris Hellwig asking the town to seek Highlands Conformance grant money to prepare lake management plans for Lackawanna and Forest (the two populated lakes without plans). Lake management expert Steven Souza has estimated to Sue that such plans might cost \$15,000-20,000 because we already have a lot of information in our several planning documents.

Non-phosphorus ordinance: Included on March 24 Board of Health agenda (Sue was there for EC) but the BoH had no quorum and held only brief discussions. They apparently intend to pass an ordinance, a draft of which is being reviewed by an attorney; the BoH will then forward to the EC for review.

Sue will update the list of retailers selling non-phosphorus fertilizers on the EC section of the Township website.

PSE&G power line: Now before the NJ BPU; Byram's Council voted not to intervene in the BPU hearing. Several other groups and municipalities will intervene.

EC sent new comment letter based on revised PSE&G maps submitted for wetlands review—Joe approved of sending it. Changes included an additional tower in Byram, now totaling 10, and greater impacts on houses near the two new tower sites where one was located before, as well as new details about access roads PSE&G proposes to reach tower sites.

Planning Board applications: Debowski application to add second floor, same bedroom count, but no septic information on the application. Lisa's firm is working on this project and they got Ms. Debowski to provide septic information and testing, showing it is functioning OK. Should the Township have a better process to require this kind of information on all applications?

Tri-county Regional Forum: NY-NJ Trail Conference Trail Maintainers workshop is scheduled for Sunday, May 3, at 9 a.m. at SALT, moving out to trails about 11 a.m. Possibly return to SALT about 4 p.m. for wrap-up and early supper—Margaret, SALT, and Brenda Holzinger of NYNJTC working out the details.

Next meeting—update on SALT parking/signage issues and Kellogg billboards/parcels on 206.

Soil importation ordinance: The Planning Board agreed to the draft ordinance from Planning Board Engineer Lou Slaby, addressing soil importation only on larger non-residential sites and as part of a Planning Board application. This ordinance does not address the situation on Amity Road that was the source of the EC's concern with this issue. The Board's opinion was that soils brought in to residential lots are typically from sources that certify the soil they sell.

Sheila participated in the Planning Board meeting and in the Board decision to also draft a separate soil grading ordinance, which would address the Amity situation in regard to the owner having left multiple piles of dirt on his parcel.

The problem with the Amity situation is that the soil was brought in several years ago and not as part of a Planning Board application. Some EC members pointed out that after several years, nothing grows on these piles of soil.

Quarry hydrogeology report: At the March 2, Township Council meeting, Township Engineer Cory Stoner presented a good synopsis of the EC's concerns regarding possible disturbance/destruction of the wetlands behind the quarry by the quarrying activities and also of the reviews of the quarry hydrogeology report obtained by the EC from Jim Boyle of NJ Geological Survey and Bob Canace, formerly of NJGS.

The Council and quarry owners agreed to ongoing monitoring of the wetlands via the piezometers put in place by the quarry's consulting hydrogeologists. Cory will check on these readings as part of his regular quarry inspections. An EC member is invited to attend these inspections.

Margaret will continue to seek a definition from NJDEP about whether the wetlands are tributaries to the C-1 segment of Lubbers Run, via a wetlands connections at the bottom of the mountain. This should help clarify whether the buffer on the wetlands/stream behind the quarry must be 300' from the stream flowing through the wetlands (under C-1 regulations) or 150' from the edge of the wetlands (under wetlands regulations, based on presence of Threatened/Endangered species). Quarry operators and their consultants are assuming it's 150' from wetlands edge. Quarrying activity is still well beyond the 300' distance.

Windmill ordinance: To be on Planning Board agenda April or may.

Natural Heritage Priority Sites in Byram: Margaret has request in to Rick Dutko at NJDEP for more information for our NRI update. She will recheck soon—609-984-0059.

Margaret to call Trout Unlimited about weeds in Lubbers Run near Mansfield Drive bridge and about possible ways of removing them.

New business:

Sparta hydroelectric project proposal: Margaret will send around links to the application and information about how and when to comment on this application to the Federal Energy Regulatory Commission (FERC). Does FERC have to notify affected parties? The EC will discuss at its next meeting. Issues include the huge energy deficit, threats to Germany Flats aquifer, the powerline route (which currently is sought as an additional 500 kv line on the PSE&G route), other environmental and 'Greenwashing' issues, and perhaps whether the project should qualify for federal stimulus funding.

Should the EC collaborate with the Andover Township EC, which has come out strongly against the project, along with the Andover Township Committee?

Flood plain and wetlands applications from NJDOT for Route 206: Margaret reviewed at Joe's request and summarized possible comments from EC; she will email around a draft letter; Sheila to sign after EC review. Comments re: no walkway shown under Lubbers Run bridge; no seeding/planting details for detention basins or floodway mitigation area; floodway mitigation area at back of lower quarry parcel seems to cover existing forested areas on far side of stream rather than maximizing revegetation of barren stream bank at back of lower quarry parcel.

Adjourn: 10:00 p.m.

