

## **BYRAM TOWNSHIP ENVIRONMENTAL COMMISSION MINUTES, APRIL 22, 2010**

The meeting was called to order at 7:40 p.m. Present were Chairperson Sue Wise, Adam Rosenberg, Sheila Hall, Michelle Rehse, Caryn Segal, Dave Gray, Council Liaison Scott Olson, and Secretary Margaret McGarrity.

Also present was Rosa Yoo, from the NJ Community Forestry Program, who is Byram's new contact for the No Net Loss Program (NNL). (Dave Johnson, our prior contact, no longer works on NNL.)

**The Commission first heard from Rosa Yoo:** We received our NNL announcement letter in 2006; and, at that point, NJDOT paid our \$373,200 to the Community Forestry Office. Rosa believes that means that our three-year period is up; if so, we need to move quickly to secure the funding (which is adequate for 1,244 trees, at \$300 per tree). Byram needs to write a plan, get it approved, and do the plantings ASAP. However, Rosa will check on this schedule, as Margaret has been told in the past that the three-year clock only starts ticking once we first actually apply for some or all of the funding.

We would have to stipulate at the start, however, how much total funding we would be seeking (i.e. up to the maximum of \$373,200) and then we could submit detailed plans for a phased planting.

Byram does NOT need an approved Community Forestry Plan to begin applying for NNL funding; but, if we fail to adopt a CFP in the future, the Township would be cut off from further funding. We would not have to repay any NNL funding that we had already spent.

Rosa was supportive of the Environmental Commission's proposal to hire a nursery to do all the work (planting plan, purchase, planting, two-year maintenance and survival), all for the \$300 per tree. The Commission heard a presentation by Cerbo Nurseries regarding this.

If we can get someone to do the work for less than \$300 per tree, the Township can bank the remaining funding per tree for maintenance (e.g. summer watering, small truck with watering tank, gator bags). A 95%, two-year survival rate is required; there is no money beyond the \$300 for replacement trees.

Other towns' programs: Tewksbury planted 300 trees in four parks, with an adopt-a-tree program to provide the two-year maintenance; their DPW had no time.

To apply for NNL funding, we need a 'Reforestation Plan,' as described in materials given the EC by Rosa; requires detailed planting plans (average 2 to 2.5 inch caliper trees but no seedlings or whips). These plans could be done by a nursery as part of the \$300 per tree; Rosa would then do on-site visits with us.

Once we have an approved CFP, the Township can also apply for CSIP grants (not sure how secure this funding is, given Governor Christie's cuts). An approved CFP does provide liability protection for the town. Call Todd Wyckoff or Joe Bennett to explain the benefits of

municipal CFPs. Margaret will invite Todd Wyckoff to the May 17 Council meeting at which the EC will seek adoption of the CFP and action on NNL funding.

Governor Christie and new NJDEP Commissioner Martin are proposing to remove \$10 million a year for the next two years from NNL; Rose is unsure what that will mean to the future of the program. However, already allocated NNL funding is secure—this is another reason to move quickly to use our money. The Township or EC could send a letter opposing the funding loss. It is unclear what will happen regarding additional NNL funding generated by the Route 206 widening.

Scott does not recall the EC's list of proposed NNL planting sites being distributed to the Council. Margaret will get a copy to Municipal Clerk Doris Flynn for distribution to the Council.

**March minutes approved:** Motion by Sheila; second by Michelle; unanimous.

### **Correspondence:**

Neil Gylling Lubbers Run buffer: Margaret will talk to Recreation Director Janet Meisner about fencing this off on Byram Day to prevent trampling. (*NOTE from Margaret: All these plants are still surviving, some in better shape than others.*)

“Time of Decision” Bill: Not yet signed by Governor Christie.

### **Business:**

Cutoff wetlands LOI: Kate Millsaps helping with draft comments from EC and also trying to arrange an on-site meeting with NJDEP. Margaret will discuss the comments with Joe (also vis a vis the runoff from the Cutoff that washed out the Mansfield Bike Trail) and send the comments with maps showing the many water/wetland features not delineated in the NJ Transit request for a wetlands LOI. Scott emphasized the goal of getting any wetlands mitigation required of NJ Transit to be done within Byram.

### **Trails/streams:**

- A May meeting is being scheduled on-site at the ‘Whitehall washout’ on Sussex Branch with NJDOT and NJDEP representatives.
- Margaret will call SWAP to schedule the Sussex Branch litter pickup, even though the trail work is not done; SWAP gets very busy in summer. She will try to get the wetlands and trash from the Rosendale parcel (part of Hudson Farm Greenway) across Route 206 also included.
- Musconetcong River and Watershed: Musconetcong River Management Council—Michelle is our representative. The MRMC requested two alternates—Scott and Sheila

will serve. The April 17 cleanup was very successful and may be repeated in early October; ECers cleaned up the stream and wetlands area around the restaurant Salt.

MWA Executive Director Beth Styler Barry is very willing to help the towns within the watershed and wants more involvement from our northern section. Pairing with MWA could help the EC get more grants.

The Central Jersey Invasive Species Strike Team (CJISST) can help target and remove invasives; possible sites in Byram—phragmites in Lubbers Run near Mansfield Drive bridge; purple loosestrife in Lake Lackawanna wetlands and Wolfe Lake.

MRMC is also working on a model septic management ordinance. Byram can offer the examples of its existing ordinances/programs at Cranberry, Lackawanna, and Mohawk.

Other proposed MWA events: more Meet the River events; fundraisers in the form of winetastings/concerts; Caryn would contribute artists' prints to sell from her business, Omega Fine Art Inc.

- Forester Ron Farr finishing blazing boundaries of Arnell; then EC will contact Stag Lake owners about trail.
- Washout of Mansfield Bike Trail—Township Manager may meet with NJDOT; repair plan being worked on.

Rain gardens/detention basins: Sheila needs details on all the basins—who owns and maintains and are they retention/detention. None of this information is in the Township's Stormwater Management Plan; Margaret has asked DPW Superintendent Adolf Steyh for the information and can next try Township Engineer Cory Stoner or Planning Board Chairman George Shivas or perhaps Sussex County Soil Conservation. The plantings done by the Andover EC work best in basins that remain a bit wet. Most Byram basins do not hold water. We could seek the Federal Fish & Wildlife Grant for marsh basins, if that will work anywhere, or plant pollinator gardens to help beautify these basins—e.g. the Ascot Manor basins, additional plantings at the C.O. Johnson basin and also at the second C.O. Johnson basin. *(NOTE from Margaret: Most of the shrubs at the first C.O. Johnson Park detention basin have died; only two small evergreens remain in good shape.)*

Clean Communities funds: \$5,870 available now; another \$3,500 coming. The EC discussed:

- A residential/neighborhood/community composting program or educational campaign.
- Bear proof garbage cans at subsidized prices.
- Cleanup of the Rosendale parcel and house—lots of big refuse (Margaret will try to get SWAP for this).
- Do Not Litter postcard.

Sue will draft two letters to Cindy Church, who manages the Clean Communities fund at the Township, asking for approval to do the Do Not Litter postcard and perhaps the composting. The EC will reach out to the Recreation Committee and Open Space Committee to participate.

ANJEC grant application: Lake Lackawanna Storm Drain Management Plan submitted, seeking \$10,000 in ANJEC funding plus \$2,500 in Township funding and \$2,500 in Township in-kind. Should hear in May.

Open Space issues: Township Manager Joe Sabatini wants the EC to partner with the Recreation Committee and Open Space Committee on the development of the Jones Lane ballfields, part of the Hudson Farm Greenway. The EC is invited to a site walk of the Jones Lane parcel and the Johnson Lake parcel (with dam), which the Township now owns in fee as part of the Hudson Farm Greenway, on May 21, (also including two other parcels under consideration for preservation by the OS Committee in the Lackawanna area and the neighborhood below the Beckmann OS parcel); meet at 3:30 p.m. at the tennis courts near the town hall; to take about 4 hours for all 4 parcels.

The Land Conservancy of NJ will update Byram's Open Space and Recreation Plan; \$10,000 to be paid out of the local OS trust fund. Should include Highlands rankings of preservation areas and also NJDEP Natural Heritage Priority Sites.

PSE&G powerline: Dave drafted comments for the EC on the PSE&G wetlands/floodplain application; Margaret will send (*NOTE:mailed 4/23/10*). Scott reports that the NJ BPU published its order yesterday, in effect approving the start of construction from East Hanover to Hopatcong, with construction in Byram to begin next year. There is a 45-day appeal period; Earth Justice may appeal in federal court to stay the entire project until the National Park service completes its two-year review about the line crossing the Water Gap park.

Scott and Beth Styler Barry of MWA are generating a list of possible mitigation sites within Byram for wetlands disturbed/destroyed by this project.

Planning Board:

- Trac Contracting, new house on small, difficult lot, on which the EC commented, will come before the Planning Board on May 6.
- Concept proposal for a CVS on the Barone's parcel to the Planning Board Site Plan Subcommittee on May 6; would demolish Barone's restaurant and build CVS with two drive-throughs, four COAH apartments, bank, restaurant, up to three stories.
- Highlands Council meeting on April 15, 2010, with a unanimous Council vote (the first ever) on Byram's Village Center/COAH proposal; very complimentary of Byram's decade of planning. This now returns to our Planning Board and Council for continued discussions.

Tri-County Regional Forum: At next meeting discuss screening of King Corn. Also possible water quality workshop by MWA Riverwatch or well-testing program for residents (example, Union Twp.).

Quarry: Margaret will check on whether Tilcon's Highlands Applicability Determination has been revised to address the EC's comments. Scott said that we will get a response from NJDEP.

The EC will also keep an eye on the plans for the remediation buffer along the stream at the back border of the lower quarry parcel—Tilcon may be trying to minimize its width on the eastern side of the stream, where a development proposal is in the offing. In past comments, the EC noted that the other side of the stream is already well buffered by mature forest, so that the required remediation width should be all on the eastern side, which is largely de-vegetated.

Route 206 widening: Scott and Beth Styler Barry will meet with the project manager about environmental issues. After their last visit, NJDOT did install silt fencing. Also will press NJDOT to dismantle the tires/debris fill at the northern boundary of the old Beck garage parcels; this fill is partly within the Route 206 r.o.w. and the plans call for building a retaining wall here.

Sustainable Jersey: Margaret will see if the town already has a log-in. Byram might get to the first level of certification with programs we've already accomplished—e.g. the energy audit on our three largest buildings. Margaret and Michelle will talk.

Scott, Marie and Michelle met last week—they are the ad hoc steering committee for Sustainable Jersey in Byram. They developed a list of possible official Green Team members, as the Township must formally appoint a Team—awaiting replies. This would be the core Green Team, with others welcomed to work on particular projects.

On May 5 at the Hyatt in Morristown there is a Sustainable Jersey presentation—Scott and Tina Honthy (ARC member) to attend.

Soil Importation Ordinance: Margaret will find the Planning Board minutes on this discussion (c.April-May 2009) and resend all the information from the EC and Planning Board Engineer Lou Slaby to Dave, who will look at other town's ordinances (Sheila to give to Margaret) and draft one for the EC to propose for Byram.

Adjourn: 9:45 p.m. Motion by Adam; second by Dave; unanimous.

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